

Information Privacy Policy

1. Policy

Annie Dennis Children's Centre is committed to safeguarding the privacy and confidentiality of individual children and their families, staff and other users of the Centre.

2. Purpose and Scope

To provide clear guidelines to staff, parents and other users of the Centre regarding the collection, use, disclosure, storage and transfer of confidential personal information including photographs collected by the Centre.

3. Definition of personal information

Personal information is identifying information about an individual, including health information. It is either information or an opinion that is recorded in any form, whether true or not. Health information is information or an opinion about:

- the physical, mental or psychological health of an individual
- a disability of an individual
- an individual's expressed wishes about future provision of health services, or
- a health service provided or to be provided to an individual.

4. Personal information ADCC manages

Personal information and health information is collected about children and parents/ guardians to enable the Centre to provide for the education and care of individual children and to administer the Centre.

Personal information and health information is collected in relation to job applicants, staff, members of the committee of management, contractors, volunteers and students to administer the individual's employment, contact, participation or placement.

Photographs/Images of the children at the Centre are taken by staff as part of the Centre's programs, for the Centre's own publications (including its website), for the Centre's media purposes (e.g. newspaper articles) and for the Centre's fundraising activities (e.g. portrait photos taken by a commercial photographer to be sold to the parents/guardians of the children photographed).

5. Relevant Legislation

There are three Acts which set out the law governing the privacy of personal information:

The Information Privacy Act 2000 (Vic) ("IPA")

The IPA covers the responsible collection, storage and handling of personal information (but not health information) in Victorian government agencies and local councils.

The Health Records Act 2001 (Vic) ("HRA")

The HRA covers the responsible collection, storage and handling of health information in Victorian public and private sectors.

The Privacy Act 1988 (Commonwealth) ("PA")

The PA covers the responsible collection, storage and handling of personal and health information in Commonwealth Government agencies and parts of the private sector, including health service providers and large business.

The Acts most relevant to the operation of ADCC are the IPA and the HRA. ADCC is committed to managing personal information in compliance with the privacy principles set out in both of these Acts (the IPPs and the HPPs). In particular, ADCC will comply as follows:

6. Collection, use and disclosure of personal information

ADCC will only collect personal information which is necessary for its functions and activities.

ADCC will only use and disclose personal information for the purpose it was collected. In general the Centre may disclose personal and health information as part of its day to day business:

- to Government Departments or agencies as part of our legal and funding obligations
- to Local government in relation to enrolment details for planning purposes
- to organisations providing services related to staff entitlements and employment
- in the management of the Centre's programs and activities, and
- where an individual consents to the disclosure of the personal information.

ADCC will take reasonable steps to ensure that personal information collected, used or disclosed is accurate, complete and up to date.

Information security

ADCC will take reasonable steps to protect the personal information it holds from misuse, loss, unauthorised access, modification or disclosure. ADCC will also take reasonable steps to destroy or permanently de-identify personal information it is no longer needed for any purpose.

7. Access and correction

ADCC will ensure that individuals have the right to access their personal information and, where necessary, request corrections to it. All queries about accessing personal information should be directed to the Director of ADCC.

Unique identifiers

ADCC will only share unique identifiers (e.g. a reference number for Child Care Benefits or Lump Sum payments) with other organisations (e.g. Department of Education, Employment and Workplace Relations) with the consent of the family concerned or where it is necessary for ADCC to fulfill its obligations the other organisation.

8. Photographs and film

Parental consent

There are various circumstances in which staff members may wish to take photos or film of children whilst at the Centre. Recorded images of children at ADCC are personal information protected by the privacy laws. Photographs or film of individual children cannot be taken unless that child's parents/ guardians have given written consent to the photo or film being taken for a specified purpose.

During the enrolment process ADCC will seek to obtain consent from parents/guardians for the Centre to take photographs or film of their child as part of the children's programs, for the Centre's own publications (including its website), for media purposes (e.g. newspaper articles), for the Centre's fundraising activities and for special events such as birthdays.

In giving consent, parents will be informed of **who** will be taking the images, **how** the photographs will be used and **what** will happen with the photographs once the specified use has been fulfilled (The consent form is part of the enrolment form).

Staff taking photographs or film

The Centre's staff can take photos or film for one or more of the following purposes:

- for use in all educational programs facilitated by the Centre, including displays and individual child portfolios and reflection diaries
- to record special events such as birthdays, excursion/incursions or other Centre functions for display in the Centre or publication in newsletters
- for publicity purposes by media outlets such as local newspapers, external publications or the Centre's website.

Staff taking photographs or film on behalf of parents/guardians

In the event of a child's birthday, excursions/incursions and other special celebrations, the staff may on behalf (parents own camera) of a parent/guardian photograph or film their child/ren. If a parent/guardian would like other children in the group to be included in photographs or film the following steps must be taken:

- the parent/guardian is required to approach staff to discuss their request for photographs or films to be taken of their child with other children in the care of the Centre.
- Staff are then required to check that the consent of the parents/guardians of other children attending the event has been obtained by the Centre and,
- Children whose parents/guardians have not provided the Centre with written consent for their child's photograph or film to be taken will not be included in any group photograph or film. Verbal consent is not valid,

ADCC will respect a decision by a parent or guardian not to give consent for their child to be photographed or filmed.

While the Centre can nominate the use and disposal of photographs or film taken at the Centre by the staff, ***it has no influence over the possible future use and disposal of these photographs or film taken by parents/guardians of children attending.***

Management of images

All images taken of children at ADCC for Centre purposes will be stored securely with password protection. Access to any images will be via the Centre staff. Parents / guardians will be informed, prior to giving consent to the taking and use of images of children, that the Centre has no influence over the possible future use and disposal of images used by external agencies such as media outlets. Nonetheless, media outlet which receives images of children at ADCC will be made aware of the Centre's policies on photographs of children.

9. Openness

ADCC will publicise this policy document so that staff and families are aware of what personal information is collected by the Centre and how this information is used and managed. In particular, the Centre will:

- provide a copy of the policy to current and new staff, including students on placement in the Centre
- display a copy of the policy in the Centre's Staff Room.
- include a copy of the policy in the Centre's policy folder
- include a copy of the policy on the ADCC website

- inform parents and others of the adoption or review of the policy through the Centre's newsletter, and
- make copies of the policy available on request.
- Upon enrolment parents/guardians will be provided with the Consent Form that gives permission for the Centre to take photographs or film of children as part of its programs, including at excursions/incursions and special events such as birthdays

10. Breaches of this policy

Staff members who fail to adhere to this policy may be subject to counseling or disciplinary action. Students failing to adhere to this policy may have their placement terminated.

Parents and guardians who fail to adhere to this policy may be excluded from the Centre in line with the Centre's constitution.

Where a person believes that an act or practice has interfered with their information privacy, he or she should make a complaint, at first instance, to the Director of ADCC. The Director will seek to resolve this complaint directly with the person concerned. If the complaint cannot be resolved by the Director, a person may complain to the Privacy Commissioner or the Health Services Commissioner (where the personal information is health information).

11. Key responsibilities and authorities

The Director is responsible for implementing, enforcing and evaluating the Information Privacy Policy within the Centre. All Centre staff and other users of ADCC are responsible for their personal adherence to this policy.

The **Information Privacy Policy** is linked to the National Quality Standards 2012
 Quality Area 7 Leadership and service management
 Standard 7.3 Management and administrative systems enable the effective provision of a quality service

Date Approved by the Committee of Management 18 October 2010

Next review date October 2012