

CONFIDENTIALITY POLICY**WHY?**

Thrive Group Tasmania values the privacy of every individual's personal information.

Thrive recognises that effective, well-established practices regarding the security of personal information is fundamental in building relationships based on trust.

Thrive is committed to protecting the information collected and used, by complying with obligations detailed in National and State Privacy legislation and Education and Care Services legislation and regulations.

WHO?

This policy applies to families, staff and Educators enrolled with, or working in the following Thrive Children's Services:

- Thrive Management and Business Services staff
- Early Learning Services Educators
- Outside School Hours Care Services Educators
- Family Day Care Services Educators
- Families/children enrolled with and who attend Thrive services
- Students and Volunteers

WHAT?

This Policy will be guided by the *Privacy Act 1988* (Commonwealth); the *Protection of Personal Information Act 2004* (Tasmania); *Right to Information Act 2009* (Tasmania); *Education and Care Services National Law and National Regulations 2001*.

Confidential Information

All information held by Thrive and/or individual services in relation to families, Educators and staff will be treated as private and confidential.

Collection of Personal Information

Thrive and/or individual services will only collect information deemed necessary. Fair and lawful means, which are not intrusive, will always be used to collect such information.

Usage and Disclosure of Information

Information will only be used for the purpose of which it was originally collected and will not be disclosed to other parties, except where consent has been given; or in an emergency situation; or where there is a legal requirement to disclose such information.

Storage, Retention and Disposal of Information

Confidential information will be stored safely and securely at Thrive and/or at individual service premises. It will be retained for the prescribed statutory period and then disposed of appropriately when no longer required.

Access to Information

Individual families or staff/Educators have a right to access the personal information collected and held by Thrive and/or individual services. This will only be provided upon proof of identity of the party attempting to access such information.

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Non-Compliance

Violation of this Policy will represent a major breach of Thrive's standards and give rise to disciplinary processes.

HOW?

Please refer to the Confidentiality Procedure (following this Policy).

WHEN?

Confidential information will:

Be collected in a fair, legal and non-intrusive way.

Only ever be used for professional, work-related purposes.

Not be disclosed to other parties at any time, unless with prior consent, in an emergency or if required by law.

Be stored safely and securely at all times.

Be disposed of appropriately when the statutory retention period has expired.

Be accessible, upon request, to those individuals to whom it applies.

Be accurate and kept up-to-date at all times.

Thrive retains the sole discretion to reasonably vary, terminate or replace this policy from time to time. Thrive will consult before any amendments are made and will notify and train those to whom the amendments apply.

All persons covered under the paragraph 'Who' who breach this policy may be subject to the appropriate disciplinary action in accordance with the Disciplinary Policy and Procedure or removal from the workplace or termination of services (workers, other than employees and other persons in the workplace).

CONFIDENTIALITY PROCEDURE

HOW?

Thrive will ensure:

- All Educators and staff are made aware of and receive a copy of the Confidentiality Policy and Procedure.
- All Educators and staff have access to privacy compliance training and/or are provided with the relevant resource information on a periodic basis.
- All students and volunteers are provided with information about Thrive's Confidentiality Policy prior to work placement.
- All families will receive information about the Confidentiality Policy at the time of enrolment, via the Family Handbook, and have ready access to this via the website or hard copy format at Thrive and/or individual service premises.

Collection of Information

Thrive will collect the following types of information:

- Child enrolment details information, health/medical details and family court orders (the latter where applicable).
- Child attendance records.
- Staff/personnel records.
- Volunteer and student records.
- Family Day Care Educator details.
- Records of assessment of Family Day Care residences and approved Family Day Care venues.
- Documentation of child assessments or evaluations with delivery of service programs.
- Incident, injury, trauma and illness records.
- Medication records.

All families, staff and Educators will be informed of the types of personal information held; the authority to collect such information; how it will be used and storage/security arrangements.

Usage and Disclosure of Information

Information collected will be used solely for the provisions of education and care services and administration requirements associated with operating these services. The information will not be disclosed to anyone outside the service, either verbally or in writing, directly or indirectly EXCEPT:

- With the consent of the person to whom the information relates.
- In an emergency to prevent a serious and imminent threat to an individual e.g. medical emergency.
- Where required or authorised by law i.e. in a situation where an Educator has grounds for suspension that a child is at risk of significant harm.

All staff/Educators will sign a confidentiality statement as part of their employment/registration agreement.

Storage, Relation and Disposal of Information

Information management systems will be developed and maintained by Thrive's Business Services team.

Personal information/records will be stored in individual files.

A combination of physical and technical measures will be used to maintain the integrity and security of information.

Thrive will:

- Ensure up-to-date computer virus software, password security protocols and back-up systems are in place to protect electronic information.
- Ensure staff do not leave information relating to Educators/parents/guardians or children in areas accessible to or in the view of the general public.
- Ensure staff make files/records secure at the end of each working day.
- Ensure confidential conversations with staff/Educators/families take place in an interview room or a quiet area that affords privacy.

Family Day Care Educators/Centre Based staff will:

- Ensure they have clear arrangements in place to preserve the privacy of information they hold (either hard copy or electronic) at their premises e.g. lockable storage area, password security.
- Ensure confidential discussions with families take place in a quiet, private area, away from other parents, children and Educators.

Family Day Care Educators will ensure their own family members understand and respect confidentiality requirements.

Staff/Educators will ensure they display any health/medical information relating to a child with a specific condition i.e. anaphylaxis, in an area that is accessible only to staff.

Information records will be retained for the required timeframes as outlined in the National Regulations. See attached Appendix 1.

Thrive administration staff will have a system in place for identifying when files containing individual's information can be disposed. Disposal methods will be efficient and effective and address hard copy data as well as electronic materials. Examples will include shredding and deletion from the organisation's system.

Access to Information

Individual families, staff and Educators may request access to the personal information collected and held by Thrive and/or individual services. Access will be given on the production of suitable identification.

Access options may include giving a person a reasonable opportunity to view documents, providing a copy of the documents or providing a summary of the information.

If, through this process, an individual identifies errors in the information held and requests correction to this, Thrive will take the appropriate steps to amend such records/information.

Currency and Accuracy

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Every effort will be made to ensure the information collected, used or disclosed, is accurate, complete and up-to-date. This will be the responsibility of all staff/Educators involved in gathering and recording such information.

Families will be asked to notify Thrive and/or the individual service, of any changes which occur mid-stream. Alternatively, enrolment records will be updated annually.

Non-Compliance

Thrive recognises that the impact of a breach of confidentiality can be far reaching and have severe ramifications.

Allegations of non-compliance will give rise to an investigation and the staff/Educators involved may be subject to disciplinary action as per Thrive's policy on the same.

Resignation

Where a staff member or Educator resigns from Thrive, he/she must return to the organisation any Thrive records and/or property.

These Procedures relate to legislation as described in the Confidentiality Policy.

BREACH OF THE PROCEDURE

Any breach of this procedure may result in disciplinary action including, but not limited to, termination of employment.

Thrive retains the sole discretion to reasonably vary, terminate or replace this procedure from time to time. Thrive will consult before any amendments are made and will notify and train those to whom the amendments apply.