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"A home for learning and development, a pre-school for life."

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1. Purpose
Montessori Stepping Stones aims to protect the privacy, dignity and confidentiality of individuals by ensuring that all records and information about individual children, families, educators and staff and management is treated with discretion and kept in a secure place and only accessed by or disclosed to authorised people who need the information to fulfil their responsibilities at the service or have a legal right to know.

2. Scope
All people involved in communicating information or developing, managing and maintaining documents and records relating to the education and care of children at Montessori Stepping Stones – as well as children, families, educators and staff who assist in the continuous improvement and implementation of quality practices.

3. Description/General
Montessori Stepping Stones (MSS) recognises the importance of developing practices that respect privacy and confidentiality so that families will trust our service and openly exchange information with educators and staff, which may be important to the care of a child. Legislation requires that families provide personal information to the service so that appropriate care and education can be provided for their children. Authorised educators and staff will use this information and may discuss a child’s personal details with another care or educational professional in order to fulfil their responsibilities towards the child. It is important therefore to ensure that educators and staff are fully aware of their responsibilities for maintaining strict confidentiality under the Privacy Act (1988), and also that families are informed of their rights in regard to access to their own personal information, and how MSS ensures the information is protected from unauthorised access. Families need to be informed about which people have authorised access to their child’s personal information.

Montessori Stepping Stones has documented this approach to:
- ensure access and participation;
- encourage secure respectful and reciprocal relationships;
- ensure professionalism in privacy mattes,
- ensure confidentiality and ethical conduct.

Legislation and Government Requirements
Laws relating to protection of privacy and confidentiality; duty of confidentiality arising from contract with parent; to whom and when information must be disclosed;

- Privacy Act 1988 (Cth.);
- Education and Care Services National Law (WA) Act 2012;
- Education and Care Services National Regulations
NATIONAL REGULATIONS

<table>
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NATIONAL QUALITY STANDARD (NQS)

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<tr>
<th>Quality Area</th>
<th>Element</th>
<th>Description</th>
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<tr>
<td>4</td>
<td>4.2.1</td>
<td>Professional standards guide practice, interactions and relationships.</td>
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<td>4.2.3</td>
<td>Interactions convey mutual respect, equity and recognition of each other’s strengths and skills</td>
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<td>5</td>
<td>5.2.3</td>
<td>The dignity and the rights of every child are maintained at all times</td>
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<tr>
<td>6</td>
<td>6.1</td>
<td>Respectful supportive relationships are developed and maintained</td>
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<td>7</td>
<td>7.1</td>
<td>Appropriate governance arrangements are in place to manage the service</td>
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4. DEFINITIONS/PRINCIPLES/STRATEGIES FOR POLICY IMPLEMENTATION

Children's needs
Confidentiality regarding health, learning, behaviour and other sensitive issues.

Families' needs
Security that private information given to the service regarding income levels, family arrangements etc. are kept confidential. Families have the ability to speak to educators regarding confidential matters that impact on their child's care and education and access to their own personal records.

Educator and Staff needs
Personal records, details, appraisals are treated as confidential clear guidelines regarding what they should and shouldn't disclose about children and families and how families may access their own personal records; freedom to raise personal issues that impact on workplace.

Management needs
To make decisions about confidential issues; to obtain relevant and current personal details from clients.

Information about families
Personal information will only be collected in so far as it relates to the service's activities and functions, and in line with relevant legislation.

Collection of personal information will be lawful, fair, reasonable and unobtrusive.

Every enrolling family who provides personal information will be advised in the MSS Privacy Statement of: the name and contact details of the service; the fact that they are able to gain access to their information; why the information is collected; the organisations to which the information may be disclosed; any law that requires the particular information to be collected; and the main consequences for not providing the required information. (continued on next page)
Families will be notified of the time for which particular records are required to be retained under the Education and Care Services National Regulations.

The use or disclosure of personal information will only be for its original collected purpose, unless the individual consents or unless it is needed to prevent a health threat, or is required or authorised under law.

The service will take steps to ensure the personal information collected, used or disclosed, is accurate, complete and up to date. Families will be required to update their enrolment details annually, or whenever they experience a change in circumstances. Computer records will be updated as soon as new information is provided. (Refer to service procedure for updating information.)

Personal information will be kept in a secure and confidential way, and destroyed by shredding or incineration, when no longer needed.

Individuals will be provided with access to their personal information and may request that their information be up-dated or changed where it is not current or correct.

Individuals wishing to access their personal information must make written application to the approved provider/nominated supervisor/coordinator, who will arrange an appropriate time for this to occur. The approved provider/nominated supervisor/coordinator will protect the security of the information by checking the identity of the applicant, and ensuring someone is with them while they access the information to ensure the information is not changed or removed without the approved provider/nominated supervisor/coordinator’s knowledge.

Montessori Stepping Stones (MSS)/nominated supervisor/coordinator will deal with privacy complaints promptly and in a consistent manner, following the MSS's Grievance Procedures. Where the aggrieved person is dissatisfied after going through the grievance process, they may appeal in writing to the Privacy Commissioner within the Office of the Australian Information Commission (www.oaic.gov.au), check the site for current contact details.

Visual images of enrolled children will not be taken, recorded, removed from the service, or used for any purpose without the written consent of the parent/guardian, except where visual images are used within the service for monitoring of an enrolled child, or visual images are taken by an authorised officer acting in the course of his/her duties, in which case only the parent/guardian and authorised staff will have access to the images.

To protect children’s privacy visual images of children will not be transmitted on the internet or by email at any time. Parental/guardian consent will be given or denied on the child’s enrolment form.

Confidential conversations that educators have with family members, or the approved provider/nominated supervisor/coordinator has with educators/staff members will be conducted in a quiet area away from other children, family members and staff. Such conversations are to be minuted and stored in a confidential folder.
Employee/educator and management issues

Personnel forms and employee information will be stored securely.

Applicants, students or volunteers will be informed that their personal information is being kept, for what reason, for how long, and how it will be destroyed at the end of the time period.

Applicants will be asked for their consent before their references are checked. Unsuccessful applicants will be advised of when and how their personal information will be destroyed.

Information about educators/staff members will only be accessed by the approved provider/nominated supervisor/coordi

Every employee/educator and the nominated supervisor/certified supervisors are provided with clear written guidelines detailing:

- what information is to be kept confidential and why;
- what confidential information they may have access to in order to fulfil their responsibilities and how this information may be accessed;
- who has a legal right to know what information;
- where and how the confidential information should be stored.

Every employee/educator and the nominated supervisor/ certified supervisors are required to sign a Confidentiality Statement.

No member of staff/educator may give information or evidence on matters relating to children and/or their families, either directly or indirectly, to anyone other than the responsible parent/guardian, unless prior written approval by the responsible parent/guardian is obtained. Exceptions may apply regarding information about children when subpoenaed to appear before a court of law. Notwithstanding these requirements, confidential information may be exchanged in the normal course of work with other staff members at the service and may be given to the MSS, the nominated supervisor/ certified supervisors, when this is reasonably needed for the proper operation of the service and the wellbeing of users and educators/staff.

Educators/staff must be aware of the need for sensitivity and confidentiality in handling information regarding child protection issues.

Reports, notes and observations about children must be accurate and free from biased comments and negative labelling of children.

Staff will protect the privacy and confidentiality of other staff members by not relating personal information about another staff member to anyone either within or outside the service.

Confidential information about staff members will only be accessed by the nominated supervisor, coordinator, other staff member that requires access in order to fulfil their role e.g. administration assistant, staff liaison officer (community managed services) and individual staff member concerned. Some information pertaining to individual circumstances may be disclosed to the approved provider/management committee in certain instances.

Students/people on work experience/volunteers will not make staff/children or families at the service, an object for discussion outside of the service (e.g. college, school, home etc.), nor will they at any time use family names in recorded or tutorial information.

Students/people on work experience/volunteers will only use information gained from the service upon receiving written approval from the service to use and/or divulge such information, and will never use or divulge the names of persons.

All matters discussed at meetings must be treated as confidential.
Social media

It is not permitted to use photos of children, or any other information that may identify children or families on social media sites such as Facebook®, unless families have provided specific permission for this to occur.

This policy strategy applies to educators, other staff, management, students, people on work experience, volunteers or any other person that may have access to children at MSS. Employees/educators or management are not permitted to discuss MSS or its staff on social media sites. Failure to adhere to this policy is seen as unprofessional behaviour and would be subject to the relevant grievance procedure process.

MSS will include information about social media policy in the Parent and Family orientation package, educator/staff/student/volunteer/management orientation procedures, and will include regular reminders about the policy in Family and Staff newsletters. In addition to this all persons listed above will be required to sign a Confidentiality Statement, which includes a statement about the use of photos and information on social media sites.

5. Responsibility (IES)

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6. Review, Evaluation & Amendment

The Confidentiality and Privacy Policy, Process, Procedure and/or associated Tasks/Forms are to be reviewed as required or immediately if deficiencies are identified (at least once a year from last publishing).

7. Quality Practices, Routines and Tasks

Useful tools in the implementation of this policy. List our precise steps for achieving each action. Ask yourself when, how, where and who is responsible for what actions.

- Confidentiality Statement
- Educator/staff Code of Ethics
- Grievance procedures
- Orientation checklists
- Privacy Act Checklist
- Privacy Statement, (continued on next page)
- Quality Practice for updating personal information Procedure for access to personal information
- Quality Practice for safe storage and disposal of personal information
- Quality Practice for dealing with privacy complaints
8. FORMS & CHECKLISTS

- Risk (Health & Safety) Management Logs
- Incident/Accident Form
- Child Enrolment Form
- Family Law and Access Policy
- Medical Conditions Policy
- Parent Notification
- Reporting Communicable Diseases Form
- Record Keeping and Retention Policy
- Social Networking Usage Policy

READINGS/SOURCES/SITES


Personal information will only be collected in so far as it relates to the MSS’s activities and functions, and in line with relevant legislation. (National Privacy Principle 1.1 - Privacy Act 1998.)

Collection of personal information will be lawful, fair, reasonable and unobtrusive. (National Privacy Principle 1.2 - Privacy Act 1998.)

Individuals who provide personal information will be advised of: the name and contact details of MSS; the fact that they are able to gain access to their information; why the information is collected; organisations to which the information may be disclosed; any law that requires the particular information to be collected; and the main consequences for not providing the required information. (National Privacy Principle 1.3 – Privacy Act 1998).

The use or disclosure of personal information will only be for its original collected purpose, unless the individual consents or unless it is needed to prevent a health threat, or is required or authorised under law. (National Privacy Principle 2.1 – Privacy Act 1998).

MSS will take steps to ensure the personal information collected, used or disclosed, is accurate, complete and up to date. Parents will be required to update their enrolment details annually, or whenever they experience a change in circumstances. Computer records will be updated as soon as new information is provided. (National Privacy Principle 3 – Privacy Act 1998).

Personal information will be kept in a secure and confidential way, and destroyed by shredding or incineration, when no longer needed. (National Privacy Principle 4 – Privacy Act 1998).

Individuals will be provided with access to their personal information and may request that their information be up-dated or changed where it is not current or correct. (National Privacy Principle 6 – Privacy Act 1998).

Individuals wishing to access their personal information must make written application to the Nominated Supervisor/ Certified Supervisor, who will arrange an appropriate time for this to occur. The Nominated Supervisor/ Certified Supervisor will protect the security of the information by checking the identity of the applicant, and ensuring someone is with them while they access the information to ensure the information is not changed or removed without the Nominated Supervisor/ Certified Supervisor’s knowledge.