

Confidentiality

Quality Area 7 Leadership and Service Management

National Quality Standard 7.1.1 7.3.1

ECS National Regulations Part 4.7 Sections 181, 183

Muswellbrook Pre School Kindergarten Inc.

**INTRODUCTION**

Muswellbrook Preschool Kindergarten Inc. recognises and respects the importance of privacy and confidentiality as an individual right and a basis for building partnerships. We pursue the highest standard in the protection and preservation of privacy and confidentiality. It is our intention to ensure the confidentiality of verbal and written information that relates to children, parents, staff, committee members, students and volunteers. Procedures have been put in place to ensure the implementation of this policy.

**Muswellbrook Pre School Kindergarten implements the following:**

It is the policy of Muswellbrook Pre School Kindergarten that committee members, employees, volunteers and work/practical experience students of the Pre School may not disclose, divulge, or make accessible confidential information belonging to, or obtained through their affiliation with the Pre School to any person, including relatives, friends, and business and professional associates, other than to persons who have a legitimate need for such information and to whom the Pre School has authorized disclosure.

Committee members, employees, volunteers and students shall use confidential information solely for the purpose of performing services as a committee member, employee, volunteer or student of Muswellbrook Pre School Kindergarten. This policy is not intended to prevent disclosure where disclosure is required by law.

Committee members, employees, volunteers and students must exercise good judgment and care at all times to avoid unauthorized or improper disclosures of confidential information. Conversations in public places, such as restaurants, shopping centers, and public transportation, should be limited to matters that do not pertain to information of a sensitive or confidential nature.

Muswellbrook Pre-school Kindergarten acknowledges that many employees, committee members, volunteers and students engage in social media in a personal capacity and respects their right to do so. Only persons specifically so authorised by the Approved Provider and/or the Nominated Supervisor can represent the Pre-school in social media. Refer to “Social Media Policy.”

In addition, committee members, employees, volunteers and students should be sensitive to the risk of inadvertent disclosure and should for example, refrain from leaving confidential information on desks or otherwise in plain view and refrain from the use of speaker phones to discuss confidential information if the conversation could be heard by unauthorized persons.

At the end of a committee member’s term in office or upon the termination of an employee's, volunteer's or student’s relationship with the Pre School, he or she shall return, at the request of the Pre School, all documents, papers, and other materials, which may contain or be derived from confidential information, in his or her possession.

Procedures:

1. Staff Records:
	1. Records relating to staff will be held in lockable storage and available only to the authorised Department of Education officers, authorised Committee members, the Nominated Supervisor, the Office Administration and the Staff member concerned.
2. Fees:
	1. Records relating to fees will be securely stored and made available only to authorised Management Committee members, the Director, Nominated Supervisor, the Office Administration and the parents/guardians concerned.
	2. Term Fees account information for parents, as it is of a general nature, will not necessarily be regarded as confidential, however general accounts and overdue account reminders will be sent in a confidential manner through the class distribution system.
	3. Subsidy records and accounts will be considered to be confidential and details made known only to authorised Management Committee members, authorised Department of Education officers, Nominated Supervisor, the Office Administration and the parents/concerned.
3. Child Custody Information:
	1. A person who has been forbidden by the court from having contact with a child attending the Pre-school:
4. Must not be given any information concerning the child and
5. Must not be allowed to enter the premises while child is in attendance eg must not be permitted to collect the child.
6. If a person forbidden by the courts enters the premises, the police will be called immediately.
7. Children’s Records:
	1. Records relating to a child will be made available only to:
8. Relevant primary contact staff as nominated by the Nominated Supervisor
9. The Nominated Supervisor
10. Regulatory Authority Officers
11. A parent of the child or anyone authorised by the agent
12. A person authorised by law
	1. Children’s individual developmental records and programs will be maintained by the relevant class teacher and stored in a closed facility.
	2. Daily programs and evaluations are accessible in the classroom but will not contain sensitive or highly confidential information.

5. Family Details:

* 1. Information relating to the children, staff and their families eg: home addresses, telephone numbers, will not be given out unless permission is granted.
1. Management Committee Meetings:
	1. Minutes of the Management Committee meetings are generally not considered to be “confidential” unless a specific motion is carried to deem a meeting or portion of a meeting to be “confidential”.
	2. Information relating to Management Committee eg: home addresses, telephone numbers, will not be given out unless permission is granted.
2. Staff Orientations:
	1. Staff selection procedures will ensure confidentiality for the applicants and their applications - refer to Staff Selection Policy.
	2. Staff, volunteers and students will receive an orientation process in which all individuals will be referred to our Confidentiality Policy.
3. Child Protection:
	1. Refer to: “Child Protection” policy.
4. Complaints:
	1. Refer to: “Grievance Policy”.
5. Infectious Diseases:
	1. Children suffering from infectious diseases will be entitled to have their condition regarded as confidential and made known only to the approved provider and/or nominated supervisor.
	2. Refer to: “Health and Hygiene” policy.
6. Information and records
	1. All committee members, staff, students and volunteers of the Pre-school will ensure that records or information gathered by them in regard to the following will remain confidential
7. Children attending the service
8. Staff and their families
9. Families of children attending the service
10. Contractors of the service and their families.
11. Access to Information Denied

Information may be denied under the following conditions:

1. Access to information could compromise the privacy of another individual
2. The request for information is frivolous or vexatious
3. The information related to legal issues, or there are legal reasons not to divulge the information such as in cases of custody and legal guardianship.
4. Educators/Staff, committee members, volunteers and students will sign a Confidentiality Statement prior to commencing any duties at Muswellbrook Pre School Kindergarten. See attached.

Reviewed 31 August 2017

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| **Signed By** | **Name** | **Signature** | **Date** |
| **Committee** |  |  |  |
| **Nominated Supervisor** |  |  |  |

Due for Review August 2019

**Related Documents**

* **Attachment –** Code of Conduct and Confidentiality Agreement
* Staff Induction Policy
* Staff Selection Policy
* Child Protection Policy
* Grievance Policy
* Health and Hygiene Policy
* Social Media Policy
* Electronic Surveillance Policy