

## Governance and management of the service including confidentiality of records

### Policy Statement

The education and care service aims to ensure that appropriate governance arrangements are in place to manage the service and act in accordance with requirements under the Education and Care Services National Regulation .

Our education and care service recognises and respects the importance of privacy and confidentiality as an individual right and a basis for building partnerships. This policy has been developed with regard to the *Information Protection Principles (IPPs) (2003)* and pursues the highest standard in the protection and preservation of privacy and confidentiality

### Links Education and Care Centres National Regulations 2018, National Quality Standard 2018

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| Regs | <u>177</u>   | Prescribed enrolment and other documents to be kept by approved provider  |
|      | <u>181</u>   | Confidentiality of records kept by approved provider  |
|      | <u>183</u>   | Storage of records and other documents  |
|      | <u>85</u>    | Incident, injury, trauma and illness policies and procedures  |
|      | <u>86</u>    | Notification to parents of incident, injury, trauma and illness   |
|      | <u>87</u>    | Incident, injury, trauma and illness record   |
|      | 88           | Infectious diseases   |
|      | <u>89</u>    | First Aid kits  |
|      | 90           | Medical conditions policy   |
|      | 91           | Medical conditions policy provided to parents   |
|      | 92           | Medication record   |
|      | 93           | Administration of medication  |
|      | 94           | Exception to authorisation  |
|      | 96           | Self-administration of medication   |
|      | <u>136</u>   | First Aid qualifications  |
|      | <u>146</u>   | Nominated supervisor  |
|      | <u>161</u>   | Authorisations to be kept in enrolment record   |
|      | <u>162</u>   | Health information to be kept in enrolment record   |
|      | <u>183</u>   | Storage of records  |
| QA   | <u>1.3.1</u> | Each child's learning and development is assessed as part of an ongoing cycle of planning, documenting and evaluation |
|      | <u>4.2.2</u> | Professional standards guide practice, interactions and relationships   |
|      | <u>5.1.2</u> | The dignity and rights of the child are maintained at all times   |
|      | <u>6.1.1</u> | Respectful supportive relationships are developed and maintained  |
|      | <u>7.1.2</u> | Systems are in place to manage risk and enable the effective management and operation of a quality service.           |
|      | <u>7.1.3</u> | The induction of educators, co-ordinators and staff members is comprehensive  |

### Governance and Management

#### Procedure

#### Governance and management

- Notify the Regulatory Authority of certain incidents and changes to information about the service in accordance with the Education and Care Services National Regulation.
- Ensures that relevant policies are developed to ensure that the service operates within the regulatory requirements
- Encourage collaboration between all stakeholders, ie families, Educators, staff.
- Provides childcare places according to the Australian Government Priority of Access Guidelines.

## **Approved Provider**

- Fun 4 U Helensburgh is the approved provider and holds the legal responsibilities for operating the service.
- Fun 4 U Helensburgh appoints a nominated supervisor to be responsible for the day to day activities of the service.

## **The Nominated Supervisors Responsibilities**

- Accepts the appointment acknowledging the legal responsibilities of the position
- Nominates an approved responsible person to take charge of day to day operations in their absence.
- Ensures that service staff comply with all relevant policies and receives adequate training and support to work within the policy framework.
- Supports the employment of suitable, qualified staff to support Educators to deliver an education and care service which complies with the Education and Care Service National Regulations and Quality Standards.
- Provide training, information and resources to Educators to continue supporting their understanding and obligations to comply with the Education and Care Services National Regulation, National Law, Family Assistance Law, National Quality Standards, and Educator Agreement.
- Ensure that administrative systems are established and maintained to ensure the effective operation of the service.

Governance arrangements reflect the appropriate legal status and Authority to hold a provider approval and service approval whilst contributing to the development of a positive organisational culture.

## **CONFIDENTIALITY Procedure**

We will:

- Maintain private and confidential files for educators and staff, children and their families. We will develop systems for the appropriate use, storage and disposal of records.
- Ensure the information in these files is used only for the education and care of the child enrolled in the service, and only shared with relevant or authorised people as defined within authorisations of the *Education and Care Services National Regulations 2011*.

## **Collection of Information**

For the education and care service to be able to meet the needs of each child, family, educator and staff member information must be collected and maintained.

The Nominated Supervisor will ensure information provided by families and staff is only used for the purpose it was collected for.

## **Storage of Information**

The Nominated Supervisor will ensure that all personal information is stored securely reducing the chance of unauthorised access, use or disclosure.

## **Access to Information**

The Nominated Supervisor will ensure that information kept is not divulged or communicated, directly or indirectly, to anyone other than:

- Medical and developmental information that is required to adequately provide education and care for the child, or
- The Department of Education and Communities, or an authorised officer, or
- As permitted or required by any Act or Law.

Individuals will be allowed access to their personal information when they request it. Authorised persons may request to view any information kept on their child.

Information may be denied under the following conditions:

- Access to information could compromise the privacy of another individual;
- The request for information is frivolous or vexatious;
- The information relates to legal issues, or there are legal reasons not to divulge the information such as in cases of custody and legal guardianship.

### **Maintaining Information**

- The Nominated Supervisor is responsible for keeping all service records required under the *Education and Care National Regulation 2018*. Information will be updated regularly.
- In keeping with the Early Childhood Australia (ECA) *Code of Ethics (2008)*, the *Education and Care Services National Regulations 2018* and the *Privacy Legislation*, educators and staff employed by the education and care service bound to respect the privacy rights of children enrolled and their families; educators and staff and their families and any other persons associated with the service. Educators will sign a Confidentiality Statement as it relates to privacy and confidentiality of information.

### **Sources**

- Information Privacy Principles [www.privacy.gov.au/publications/jpps.html](http://www.privacy.gov.au/publications/jpps.html)
- Department of the Officer of the Privacy Commissioner - [www.privacy.gov.au](http://www.privacy.gov.au)
- Family Assistance Law
- Child care Services handbook 2011-1012
- Early Childhood Australia - [www.earlychildhoodaustralia.org.au](http://www.earlychildhoodaustralia.org.au)

### **Comments:**

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