

Privacy and Confidentiality Policy

1 Purpose and Scope

- 1.1 This policy outlines how Ashgrove West Pre-School Centre Incorporated (**AWPS** or **the Centre**) collects, uses, stores, discloses, and protects personal and sensitive information relating to children, families, and staff.
 - 1.2 This policy ensures compliance with the Education and Care Services National Law and the Education and Care Services National Regulations (together, the **National Law**), in particular Regulation 168(2)(l), and the Australian Privacy Principles (**APPs**) contained in the *Privacy Act 1988* (Cth).
 - 1.3 This policy applies to all staff, volunteers, students, and Management Committee members of the Centre.
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2 Australian Privacy Principles Compliance

- 2.1 The Centre is committed to handling personal information in accordance with the Australian Privacy Principles and any applicable state or territory legislation.
 - 2.2 The Centre will only collect personal information that is reasonably necessary for, or directly related to, the Centre's functions and activities.
 - 2.3 The Centre will take reasonable steps to ensure that personal information collected is accurate, up-to-date, complete, and relevant.
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3 Types of Information Collected

- 3.1 The Centre collects and holds the following types of personal information:
 - (1) Enrolment records (child's name, date of birth, address, family details)
 - (2) Emergency contact details
 - (3) Medical and health information (including immunisation records, allergies, medical conditions, and medication details)
 - (4) Developmental records and observations
 - (5) Incident, injury, trauma and illness records
 - (6) Attendance records
 - (7) Photographs and videos of children (where consent has been given)
 - (8) Staff employment records (qualifications, Working with Children Check details, training records)
 - (9) Financial records (fee payments, government funding information)

- 3.2 Sensitive information (including health information and child protection information) is only collected where necessary and with appropriate consent or as required by law.
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4 Collection, Use, and Disclosure

- 4.1 Personal information is collected directly from families during the enrolment process and throughout the child's attendance at the Centre.
- 4.2 Personal information will only be used for the purpose for which it was collected, or for a directly related secondary purpose that would reasonably be expected.
- 4.3 Personal information will not be disclosed to third parties without consent, except where required or authorised by law (e.g., mandatory reporting to child protection authorities, notification to the regulatory authority, court orders, or emergency medical treatment).
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5 Access to Records

- 5.1 Access to children's records is restricted to authorised staff who require access in the course of their duties, the child's parents or guardians (unless a court order restricts access), and authorised officers of the regulatory authority.
- 5.2 Parents and guardians may request access to their child's records by making a written request to the Director. Access will be provided within a reasonable timeframe.
- 5.3 The Centre may refuse access where providing access would pose a serious threat to the safety of any person, or where access is otherwise restricted by law.
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6 Storage and Security

- 6.1 Physical records must be stored in locked cabinets or secure areas accessible only to authorised personnel.
- 6.2 Electronic records must be stored on secure, password-protected systems with appropriate access controls.
- 6.3 Staff must not remove records from the Centre premises without the approval of the Director, and must take appropriate precautions to protect records when in transit.
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7 Retention and Destruction of Records

- 7.1 Records relating to children must be retained until the child is 25 years of age, or for 3 years after the child's last attendance at the Centre, whichever is later, in accordance with Regulation 183.
- 7.2 Other records must be retained for the periods required by applicable legislation and funding agreements.
- 7.3 Records that are no longer required to be retained must be destroyed securely (shredding for paper records, secure deletion for electronic records).
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8 Confidentiality Obligations

- 8.1 All staff, volunteers, students, and Management Committee members must maintain the confidentiality of personal and sensitive information obtained in the course of their role.
 - 8.2 Confidential information must not be discussed in public areas, shared with unauthorised persons, or used for any purpose other than that for which it was collected.
 - 8.3 Confidentiality obligations continue after the person's employment, engagement, or membership ceases.
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9 Exceptions to Confidentiality

- 9.1 Disclosure of confidential information without consent is permitted where:
 - (1) Required by law (e.g., mandatory reporting under the *Child Protection Act 1999* (Qld))
 - (2) Required by a court order or tribunal
 - (3) Necessary to prevent a serious and imminent threat to life, health, or safety
 - (4) Required by the regulatory authority in the exercise of its functions
 - (5) Required for the notification of a serious incident
 - 9.2 Staff must consult with the Director before disclosing confidential information in any of the above circumstances, unless immediate action is required to protect a person's safety.
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10 Breach Notification

- 10.1 Any suspected or actual breach of privacy or confidentiality must be reported to the Director immediately.
 - 10.2 The Director must assess the breach, take steps to contain and remediate the breach, and determine whether notification to affected individuals or the regulatory authority is required.
 - 10.3 Breaches of this policy by staff may result in disciplinary action. Breaches by volunteers or students may result in immediate termination of the arrangement.
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11 Policy Review

- 11.1 This policy will be reviewed by the Director and Management Committee annually, or earlier if significant changes occur in legislation, regulatory guidance, or organisational requirements.
- 11.2 Any updates to this policy will be communicated to staff, and families as appropriate.

Date of adoption: 21/07/2026

Date of next review: 21/07/2027