CatholicCare
DIOCESE OF BROKEN BAY

Children's Services

Confidentiality and Privacy

Policy

Version: 6.0
Updated: 22 May 2025
Review due: May 2028
Document ID: 12011-016

Contents

Policy statement 3
Scope 3
Procedures 3
- Information that will be collected about children and parents 3
- Information that will be collected about staff and educators 3
- Access to records 3
- Completing reports about children 4
- Authorisation for collection of photographs 4
- Other procedures 4

Data Breaches 5
Related resources 5
- Policies and Practice Guidelines 5
- Forms 5

External resources 5
Glossary 5
Sign off and review 6
Revision history 6

Policy statement

CatholicCare Diocese of Broken Bay (CatholicCare)'s Children's Services aim to protect the confidentiality of all persons who are associated with the Children's Services. In doing so we aim to ensure confidential information is only provided to those authorised persons who are directly related to the functions of the service and who require the information for authorised purposes. In doing so, staff and educators will adhere to all principles contained in the *Agency Privacy & Confidentiality Policy* and *Code of Conduct and Ethics Framework*.

Scope

This Policy applies to all Staff, Educators, Contractors, Students and Volunteers in Children's Services programs.

Procedures

Information will be collected that does not unreasonably intrude upon an individual's personal affairs. Please also refer to *CatholicCare's Personal Information Collection Notice and Consent Form*. This includes information which may include but are not limited to the following:

Information that will be collected about children and parents

- Enrolment forms with all details completed.
- Care requirements.
- Details of the period during which the child is in care within the service.
- Observational records of children: This includes records of children's progress and participation in the program. They may include written records, photographs and collections of children's art work. For younger children it may also include notes about their eating, sleeping and toileting. Refer to the *Curriculum Planning Policy* for further information.
- Daily attendance records.
- Details of any Court Orders affecting the custody of the child of which the Coordinator is aware.
- Any letters of referral, assessments, reports or programs sent to the service from other services.

Information that will be collected about staff and educators

- Name, address and contact number.
- Qualifications, experience.
- Period of service.
- Information required by authorised authorities.

Access to records

In order to maintain confidentiality, information contained in records is only divulged to the following:

- Within the necessary scope of education and care or medical treatment of the child to whom the information relates.
- A parent of the child to whom the information relates. This does not include information contained in a staff record.
- NSW Department of Education and Communities Authorised Officers.
- Other prescribed bodies, as required by legislation.
- Other professionals, e.g., Allied Health Professionals or Inclusion Support Staff, from time to time will request for information in relation to their client. No information would be released without the expressed written consent of the person, or the person's parent or legal guardian.

Students and volunteers will have limited access to information about children. This information consists of the children's names, date of birth, country of origin and home language. Access to any other information will only occur with written consent from parents.

Apart from those mentioned above, no other persons are to have access to records of families at any time. All persons who do have access to records must note that any information contained in these records is strictly confidential.

Completing reports about children

When completing reports such as the Incident Injury Illness and Trauma report, the names of children other than the child to which the injury or incident occurred will not be used. Nor will these names be given verbally to the injured child's parents. The incident report must not be released to any parents other than the injured child's parents.

Authorisation for collection of photographs

During the enrolment process permission will be sought for taking and using children's photographs. Staff must know the names of children for which authorisation has or has not been granted and for which purposes the photographs can be used. Special permission must be sought if photographs are to be used for any purposes other than those listed in the authorisation on the enrolment form. Photos that are stored on CatholicCare IT devices will be deleted every 2 weeks. Only CatholicCare IT devices will be used when taking photos.

Other procedures

- Records will be kept confidential and access by outside parties is restricted unless required by law or allowed by parental consent.
- Records will be kept in a secure place that prevents unauthorised access. Electronic files with information about families, staff members or educators will have restricted access. Hard copy files will be kept in secure filing cabinets.
- Confidentiality will be maintained when discussing matters with staff, educators, families and other agencies. Discussions about children's development, behaviour or circumstances will take place in locations where privacy can be maintained.
- Educators and staff will maintain privacy and confidentiality when talking with families about their children. For example, discussions of a sensitive nature will take place in a private location within the service i.e., **no**t in the foyer or hall way.
- When personal information is sought, families, educators and staff will be informed of the reasons.
- When staff or educators become aware of any personal records that contain inaccurate or misleading information it will be corrected.
- Staff and educators will be made aware of their legal responsibilities in relation to subpoenas, restraining orders, taxation, Child Care Subsidy and records required by government bodies.

- A child's enrolment at the service will not be confirmed to anyone without the consent of the child's parent or guardian.

Data Breaches

Where a privacy data breach is known to have occurred (or is suspected) any member of CatholicCare staff who becomes aware of this must immediately report it to the Privacy Officer who is the Executive Manager Quality Safeguarding Risk and Compliance. This must happen as soon as possible but at least within 24 hours.

See the *Data Breach Practice Guidelines* for full details of the procedure.

Related resources

Policies and Practice Guidelines

- *CatholicCare Privacy and Confidentiality Policy*
- *Curriculum Planning Policy*
- *Data Breach Practice Guidelines*
- *CatholicCare Code of Conduct and Ethics Framework*

Forms

- *Client Privacy and Confidentiality Brochure*
- *Data Breach Internal Notification Form*

External resources

- *Education and Care Services National Regulations 2011* *(current version as of 1 January 2025 - Reg. 181, 182)*
- *Privacy Act 1988 - Privacy Amendment (Private Sector) 2000*
- *Privacy Amendment (Notifiable Data Breaches) Act 2017*

Glossary

ELC

Early Learning and Care

OSHC

Out of School Hours Care

Sign off and review

This document remains valid until it is either superseded by a new version or officially revoked.

CatholicCare values your input and welcomes feedback on this policy. Your suggestions help us improve and better support your work. Please send any feedback to policy.updates@catholiccaredbb.org.au.

Version	Authorised by	Approved date	Review cycle	Review due
1.0	CatholicCare Executive	February 2011	2 years	February 2013
2.0	CatholicCare Executive	March 2013	2 years	March 2015
3.0	CatholicCare Executive	December 2015	3 years	December 2018
4.0	General Manager Children's Services	22 March 2021	2 years	March 2023
5.0	General Manager Children's Services	20 July 2023	Review date adjusted to align with new review schedule	May 2025
6.0	General Manager Children's Services	22 May 2025	3 years	May 2028

Revision history

Version	Description	Author	Amended date
1.0	Policy	Manager, Children's Services	February 2011
2.0	Policy	Manager, Children's Services	March 2013
3.0	Policy	Manager, Children's Services	December 2015
3.1	Policy and Procedure	Manager, Children's Services	February 2017
3.2	Policy and Procedure	Manager, Children's Services	2 May 2017
3.3	Policy and Procedure	General Manager Children's Services	8 January 2019
4.0	Policy	Quality Practice Manager Children's Services	22 March 2021
5.0	Policy	General Manager Children's Services/Policy Specialist	20 July 2023
6.0	Policy	General Manager Children's Services	22 May 2025