



# Old Oak Community & Children’s Centre Information Privacy Policy

Every Child Matters									
Be Healthy		Stay Safe	✓	Enjoy and Achieve	✓	Make a Positive Contribution		Achieve Economic Well-Being	

Old Oak Community & Children’s Centre is committed to safeguarding the privacy and confidentiality of individual children and their families, staff and other users of the Centre.

## Purpose and Scope

To provide clear guidelines to staff, parents and other users of the centre regarding the collection, use, disclosure, storage and transfer of confidential personal information including photographs collected by the Centre.

This should be read in conjunction with the Confidentiality and Mobile Phones and Cameras policies.

## Definition of personal information

Personal information is identifying information about an individual, including health information. It is either information or an opinion that is recorded in any form, whether true or not. Health information is information or an opinion about:

- the physical, mental or psychological health of an individual
- a disability of an individual
- an individual's expressed wishes about future provision of health services, or
- a health service provided or to be provided to an individual

## Personal information Old Oak Community and Children’s Centre manages

**Personal information and health information** is collected about children and parents/ guardians to enable the Centre to provide for the education and care of individual children and to meet the Centre targets and goals.

**Personal information and health information** is collected in relation to job applicants, staff, and members of the committee of management, contractors, volunteers and students to administer the individual’s employment, contact, participation or placement.

**Photographs/Images** of the children at the Centre are taken by staff to record their learning and form part of their learning journey profiles. Where consent is given they may be used as part of the Centre’s programs, website, display boards and promotional media (e.g. newsletter).

## Relevant Legislation

There are three Acts which set out the law governing the privacy of personal Information:

➤ The Information Privacy Act 2000 (Vic) ("IPA")

The IPA covers the responsible collection, storage and handling of personal information (but not health information) in Victorian government agencies and local councils.

➤ The Health Records Act 2001 (Vic) ("HRA")

The HRA covers the responsible collection, storage and handling of health information in Victorian public and private sectors.

➤ The Privacy Act 1988 (Commonwealth) ("PA")

The PA covers the responsible collection, storage and handling of personal and health information in Commonwealth Government agencies and parts of the private sector, including health service providers and large business.

The Acts most relevant to the operation of Old Oak Community and Children's Centre are the IPA and the HRA. Old Oak Community and Children Centre are committed to managing personal information in compliance with the privacy principles set out in both of these Acts (the IPPs and the HPPs). In particular, Old Oak Community and Children Centre will comply as follows.

## Collection, use and disclosure of personal information

Old Oak Community and Children Centre will only collect personal information which is necessary for its functions and activities.

Old Oak Community and Children Centre will only use and disclose personal information for the purpose it was collected. In general the Centre may disclose personal and health information as part of its day to day business:

- to Government Departments or agencies as part of our legal and funding obligations
- to Local government in relation to enrolment details for planning purposes
- to organisations providing services related to staff entitlements and employment
- in the management of the Centre's programs and activities, and
- where an individual consents to the disclosure of the personal information.

Old Oak Community and Children Centre will take reasonable steps to ensure that personal information collected, used or disclosed is accurate, complete and up to date.

## Information security

Old Oak Community and Children Centre will take reasonable steps to protect the personal information it holds from misuse, loss, unauthorised access, modification or disclosure.

Old Oak Community and Children Centre will also take reasonable steps to destroy or permanently de-identify personal information it is no longer needed for any purpose.

#### Access and correction

Old Oak Community and Children Centre will ensure that individuals have the right to access their personal information and, where necessary, request corrections to it. All queries about accessing personal information should be directed to the Director of Old Oak Community and Children Centre.

#### Unique identifiers

Old Oak Community and Children Centre will only share unique identifiers (e.g. a reference number for Child Care Benefits or Lump Sum payments) with other organisations (e.g. the Commonwealth Family Assistance Office) with the consent of the family concerned or where it is necessary for the Old Oak Community and Children Centre to fulfil its obligations the other organisations.

#### **Photographs and film**

##### Parental consent

There are various circumstances in which staff members may wish to take photos or film of children whilst at the Centre. Recorded images of children at Old Oak Community and Children Centre are personal information protected by the privacy laws. Photographs or film of individual children cannot be taken unless that child's parents/guardians have given written consent to the photo or film being taken.

During the enrolment process Old Oak Community and Children Centre will seek to obtain consent from parents/guardians for the Centre to take photographs or film of their child. If consent is given, for current and future storage and use of images, the photos may be used to help publicise our activities via our activity programme, the centre's website, or newsletter, for the Centre's fundraising activities and for special events.

Old Oak Community and Children's Centre will respect a decision by a parent or guardian not to give consent for their child to be photographed or filmed.

### Staff taking photographs or film

The Centre's staff can take photos or film for one or more of the following purposes:

- for use in programs run by the Centre, including displays
- to record special events such as birthdays, excursion/incursions or other Centre functions for display in the Centre or publication in newsletters
- for publicity purposes on the Centre's website
- for the learning Journey profiles

### Management of images

All images taken of children at Old Oak Community and Children's Centre for Centre purposes will be stored securely on an external hard drive. Access to any images will be via the Centre staff only. No users of the Centre's computers and online resources, other than staff will attempt to transmit photographs of children that are stored electronically to people outside the Centre. Any images sent by staff to external organisations for publicity purposes (such as the newsletter) will be password protected.

Parents / guardians will be informed, prior to giving consent to the taking and use of images of children, that the Centre has no influence over the possible future use and disposal of images used by external agencies such as media outlets. Nonetheless, any media outlet which receives images of children at Old Oak Community and Children's Centre will be made aware of the Centre's policies on photographs of children.

### Openness

Old Oak Community and Children's Centre will publicise this policy document so that staff and families are aware of what personal information is collected by the Centre and how this information is used and managed. In particular, the Centre will:

- provide a copy of the policy to current and new staff, including students on placement in the Centre
- include a copy of the policy in the Centre's policy folder
- include a copy of the policy on the Old Oak Community and Children's Centre website
- make copies of the policy available on request.
- At enrolment parents/guardians will be provided with the Consent form that gives permission for the Centre to take photographs of children as appropriate.

### Breaches of this policy

- Staff members who fail to adhere to this policy may be subject to counselling or disciplinary action. Students failing to adhere to this policy may have their placement terminated.
- Parents and guardians who fail to adhere to this policy may be excluded from the Centre
- Where a person believes that an act or practice has interfered with their information privacy, he or she should make a complaint, at first instance, to the Manager of Old Oak Community and Children's Centre. The Manager will seek to resolve this complaint directly with the person concerned.

### Key responsibilities and authorities

The Manager is responsible for implementing, enforcing and evaluating the Information Privacy Policy within the Centre. All Centre staff and other users of Old Oak Community and Children's Centre are responsible for their personal adherence to this policy.

Reviewed: June 2013

Reviewed: June 2014

Reviewed: June 2015

Reviewed: June 2016

Reviewed: Nov 2018

Next review Nov 2019