

QUALITY AREA 7
LEADERSHIP AND SERVICE MANAGEMENT
PRIVACY STATEMENT



At **Gumnut Gardens**, protecting the privacy of personal information about you and your family is important to us. Personal information is information that identifies, or could reasonably identify you or your child or other members of your family. It can include your name, contact details, occupation or other private details and information.

We collect, disclose and use personal information to assist us to provide early childhood education and care services. As well as the information you give us, we may collect personal information from public sources and third parties.

Due to the nature of our service, we may be required to provide personal information to government agencies, related companies and people that we outsource functions to, for example, educational program support services and payment processing agencies.

If you choose not to provide some or all of the personal information we ask you for, it may affect our ability to enroll and provide care for your child at Gumnut Gardens.

Our Privacy Policy contains information about how to:

- update your preferences about how we use your personal information and any marketing and promotional material we send to you;
- request access to and correction of the personal information we hold about you;
- make a privacy complaint
- If you would like to know more about how we collect and handle your personal information please read our **Privacy Policy** which is available on our website at www.gumnutgardens.com.au.

Chris Kimber is our Privacy Officer and can help you with any information, complaint, access or correction requests. You can contact him at cjk@gumnutgardens.com.au.

QUALITY AREA 7
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PRIVACY POLICY



BACKGROUND

This is the Gumnut Gardens Privacy Policy. We value the privacy of information about the children in our care and their families. Protecting your privacy and keeping your personal and sensitive information confidential is important us. This Privacy Policy relates to personal information we handle about children, parents, visitors and other members of the public whose personal information we collect.

AIM

To ensure that Gumnut Gardens protects and handles personal information about the children in its care and their families in accordance with the requirements of the law.

RELEVANT LEGISLATION

Education and Care Services National Law Act 2010
Education and Care Services National Regulations 2011
Privacy Act 1988

LINKS TO THE NATIONAL QUALITY STANDARD

STANDARD 7.1: Governance supports the operation of a quality service
ELEMENT 7.1.3: Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.

WHO IS AFFECTED BY THIS POLICY

Children	Visitors
Families	Volunteers
Staff	Management

IMPLEMENTATION

In this Privacy Policy and in the **Gumnut Gardens Privacy Disclosure Statement:**

- "Gumnut Gardens", "we", "us", and "our"** refer to Anglas Pty Limited which carries on business as Gumnut Gardens and to any related body corporate of Anglas Pty Limited
- "you"** refers to the children in our care or who apply for care at Gumnut Gardens, their parents, guardians, emergency contacts and other family members
- "service"** means the early learning and long day care centre known as Gumnut Gardens, operated by Anglas Pty Limited.

1. WHAT IS PERSONAL INFORMATION?

- (a) Personal information means information or an opinion that identifies you, or could reasonably identify you as an individual, whether the information or opinion is true or not.
- (b) Some personal information is “sensitive information” under the *Privacy Act 1988 (Cth)* (the Privacy Act). Sensitive information includes information such as:
- (i) Information about your:
 - racial or ethnic origin;
 - political opinions;
 - membership of a political association;
 - religious beliefs or affiliations;
 - philosophical beliefs;
 - membership of a professional or trade association or a trade union;
 - sexual orientation or practices;
 - criminal record;that is also personal information;
 - (ii) health information;
 - (iii) biometric information to be used for automated biometric verification or biometric identification.

2. COLLECTING AND HOLDING PERSONAL INFORMATION

- (a) We only collect personal information that is necessary to operate our service.
- (b) The personal information that we collect includes your name, postal and street address, email address, telephone number, gender, age, nationality, place of birth, profession/role, place of work, emergency contact details, any special needs or preference of your child, information relating to any complaints you have made to us about our service and any information we are required to maintain to satisfy government regulatory requirements. We also collect payment information, such as your credit card or direct debit information.
- (c) In certain circumstances we may collect “sensitive information” including information about your health, religion, cultural background, and developmental needs. The Privacy Act regulates the collection and handling of sensitive information. We can collect that information if you voluntarily give it to us or if you otherwise consent to us collecting it. If you give us sensitive information, this will constitute your consent to us collecting it.
- (d) Much of the personal information we request and collect is to enable us to comply with government regulations that apply to the provision of early childhood education. If this information is not provided to us, we may not be able to provide your child with childcare services.
- (e) We typically hold the personal information that we collect either on electronic databases or as hard copy documents in personal files. All information is secured with access only being permitted to people who need to access it.

3. METHODS OF COLLECTING PERSONAL INFORMATION

- (a) We collect personal information that you provide to us through:
- i) enrolling your child in our service;
 - ii) recording your Child Care Subsidy payments;
 - iii) bank and other transactions you authorise us to conduct;

- iv) complaints made by you to us;
- v) court orders you ask us, or we are required, to observe;
- vi) your emergency contacts;
- vii) information collected by our web site;
- viii) information you provide to our staff and consultants;
- ix) expressing interest in our service by contacting us or putting your information on our waiting list;
- x) consultants and outsourced service providers such as Hubworks and Ezidebit;
- xi) competition entry forms;
- xii) bookings for training and events;
- xiii) release forms and testimonials;
- xiv) parent surveys;
- xv) material you give us to help us to provide or improve our service.

(b) We may also collect personal information:

- i) that is publicly available from sources such as social media websites; and
- ii) from third parties that provide us with information about prospective enrolments.

4. USE AND DISCLOSURE OF YOUR INFORMATION

(a) We collect, hold, use and disclose personal information to:

- i) provide you with the services you have asked for;
- ii) assist third party educational or developmental specialists acting on your behalf;
- iii) performing and processing transactions that you have authorised, including fee payments, Child Care Subsidy and other government support payments;
- iv) keep you informed of relevant software and services that support your child's early education and development;
- v) to maintain a healthy and safe environment for your child;
- vi) enable secure access to our websites;
- vii) participate in the process of any third party acquisition or potential acquisition of an interest in us or our assets;
- viii) fulfil any legal and regulatory obligations.

(b) We may use photographs of your child or their work in general marketing material such as on our website but we will not specifically identify your child. You can tell our Privacy Officer if you do not want us to do this by emailing cjk@gumnutgardens.com.au.

5. SECURITY OF PERSONAL INFORMATION

(a) All personal and sensitive information in electronic form is kept in secure data bases that can only be accessed by staff who have the authority to do so.

(b) Documents that contain personal information are, to the extent possible, kept in locked cupboards and cabinets with key access, except as needed for the day-to-day operation of the service (eg information about children's allergies or special medical needs). Access to locked cupboards and cabinets is only available to staff with appropriate authority.

(c) The Approved Provider and Nominated Supervisor have access to all children's records.

(d) Permanent Educators, approved by the Approved Provider and/or Nominated Supervisor,

- (e) Other staff do not have access to children's individual records. In extenuating circumstances the Approved Provider/Nominated Supervisor will allow restricted access to a child's individual record if it is necessary for educational purposes or medical treatment.
- (f) If you are considering sending us personal information by standard email or post, please be aware that it may not be secure in transit. We are only required by law to take steps to protect the security of personal information once it comes into our possession.
- (g) We only keep personal information for as long as we are required to under Australian law, or a court or tribunal order, after which we will take reasonable steps to destroy the information.

6. INFORMATION ACCESS AND CORRECTION

- (a) Subject to any exceptions under the Privacy Act, if you have provided us with personal information, you have a right to request access to it and to correct it. If you want to access or correct your personal information, please log onto Hubworks to check what information we hold about you in that database and correct it if you need to. If you have lost your Hubworks password, please email director@gumnutgardens.com.au and ask for it to be reset. If you have any more questions or concerns, you may contact our Privacy Officer at cjk@gumnutgardens.com.au.
- (b) If you request for access or correction, we will respond within a reasonable period. In some cases we may ask you to pay an administrative fee to cover costs associated with your request for access. To assist us in responding to your request, please include as much detail as possible about the particular personal information that you are seeking to access or correct and, if applicable, how you would like to access the information.
- (c) We will give you a copy of or details of your personal information wherever it is possible and practicable to do so. Otherwise, we will work with you to find a mutually agreed alternative.
- (d) If after exploring all options, we refuse to correct or give you access to your personal information, we will provide you with a written notice that sets out the reasons for the refusal (except where it would be unreasonable to do so), the mechanisms available to you to complain about the refusal and any other matters that the Privacy Act requires us to address.
- (e) If you want to change your preferences about how we use your personal information and any marketing or promotional material we send to you, please contact our Privacy Officer.

7. QUESTIONS, CONCERNS AND COMPLAINTS

- (a) If you want to make a complaint about a breach of your privacy by us, you can contact our Privacy Officer at cjk@gumnutgardens.com.au. All complaints will be investigated by the Privacy Officer or by another appropriately qualified senior officer. We may engage an external person to conduct the investigation independently. We will try to resolve your complaint as quickly as possible, and in any event within 30 days. If your complaint takes longer to resolve, we will keep you informed of progress with the investigation including how we propose to resolve your complaint and what, if any, corrective measures will be put in place.
- (b) If you want more information about our privacy complaints handling process or the progress or outcome of any privacy complaint investigation, please contact our Privacy Officer.
- (c) If you are not satisfied with our handling or resolution of your complaint, you can lodge a

equivalent body. For more information about making a complaint, visit www.oaic.gov.au/privacy/making-a-privacy-complaint.

8. CHANGES TO THIS PRIVACY POLICY

- (a) We may change this Privacy Policy from time to time. We inform currently enrolled families about any changes.
- (b) You can obtain a copy of our current Privacy Policy by emailing our Director at director@gumnutgardens.com.au.

SOURCES

Childcare NSW sample Policies

Community Child Care co-operative sample policies

DJMIR sample privacy policy

Privacy Act 1988 (Commonwealth)

Privacy Business Resource 2 - Office of the Australian Information Commissioner

Privacy Fact sheet 17 - Office of the Australian Information Commissioner

Australian Privacy Principles Guidelines

REVIEW

The policy will be reviewed regularly by management, employees, parents and any interested parties.

Reviewed: June 2015, May 2017, October 2018

Date for next review No later than May 2020