

Privacy & Confidentiality Policy (Privacy Act, 2020)

Purpose

The management and staff at Kiddz Home Based Childcare appreciate that families deserve privacy and to have details maintained in a professional and confidential manner. This policy outlines the steps staff and the management take to ensure those involved with the service are afforded appropriate privacy and that details and documentation is kept confidential and used only for the purposes expressed.

Rationale

To ensure the enactment of the Privacy Act (2020)

<https://privacy.org.nz/privacy-act-2020/privacy-act-2020/>

To assure the confidence of participants in the Kiddz Homebased Childcare community.

Procedures

Kiddz Home Based Childcare has two nominated Privacy Officers charged with overseeing and ensuring confidentiality is maintained, protected, and investigated in the event of concerns. This role involves:

- a general understanding of how the Privacy Act relates to your business.
- checking personal information is collected responsibly and stored safely.
- making sure any issues or requests for personal information are managed promptly.
- handling privacy complaints made to your business, including working with the Office of the Privacy Commissioner (OPC) on any escalated complaints.

Privacy Officers are named and publicised on the noticeboard at the service.

It is their responsibility to :

- a) Ensure that information collected is used for the purpose it was collected for.(in accordance with the Privacy Act 2020)
- b) Ensure that personal information is securely stored.
- c) Ensure that information collected is accurate, and

- d) Make available to a person information held about them (at a mutually agreed time).

What Information do we store?

On enrolment families/guardians will be asked to provide family details and information required to be held in the service by the Ministry of Education and Ministry of Health and pertaining to the business and fee payment arrangements being established (including WINZ applications).

On employment and/or as part of the educator contractual arrangements Kiddz Home Based Childcare will gather and store information to meet the expectations of the Children's Act (2014) Employment Relations Act (2000) and service bound Human Resource Policy procedures.

The service and educators will maintain records pertaining to the enactment of all legislated requirements for the regulatory expected timeframes.

On enrolment families/guardians will be asked specific questions in relation to images and documentation relating to their child/ren and will be invited to provide consent for service-based use of such information for professional purposes only.

Enrolment details and whānau information will be routinely updated in February each year to ensure validity and currency is maintained.

How is information stored?

All staff, child and family details will be stored in suitable professional systems and only used for the purpose they were initially gathered and provided for.

Documents and records considered sensitive will be kept under lock and/or in confidential secure digital files.

No document, record, file, or item of personal information shall be destroyed to avoid a request or once someone asks for information held about them.

Past records pertaining to the enactment of all legislated requirements will be held physically in a locked facility for the regulatory expected timeframes.

Information Access

Families may request access to any information pertaining to the education and care of their child at any time.

Requests for personal information held by the service, will be responded to within twenty working days.

Requests for information may be declined only under conditions outlined in section 6 of the Privacy Act 2020.

How do we protect information?

Staff of Kiddz Home Based Childcare will under no circumstances without the specific and written consent of the child's family/guardian provide private details regarding any child and/or family to another individual or organisation for the purpose of marketing, personal interest, or gain.

Educators and/or contractors of Kiddz Home Based Childcare will under no circumstances without the specific and written consent of the child's family/guardian provide private details regarding any child and/or family to another individual or organisation for the purpose of marketing, personal interest, or gain.

Visiting teachers will abide by the Code and Professional Standards for the Teaching Profession in alignment with the expectation and requirements of the Teaching Council.

Visiting teachers and educators will ensure digital data relating to child assessment, curriculum design and the professional practices associated with teaching and care are maintained securely.

Working with Others

Specific consent of a child's family/guardian will be sought specifically and as necessary to enable any data gathering, observations, images or assessment sought from outside the service-based teaching and learning practices.

Details of a child or family may only be used outside of the above constraints in the event of an extreme emergency or in alignment with service-based Child Protection Policy.

What do we do about Breaches of Privacy?

The Management will act in accordance with the employment agreements and policies in the discipline of any employee breaching confidence with personal information.

Management of Kiddz Home Based Child Care will report serious privacy breaches to the Privacy Commission in alignment with the Privacy Act 2020.

Decisions regarding the notifiable nature of a breach will be assessed using the 'Do I need to Notify?' Tool on NotifyUs at the Privacy Commissioner Website.

Notifications of serious breaches will be made using 'Report a Breach' Tool on NotifyUs at the Privacy Commissioner Website.

Developed: November 2020