

# YMCA Geelong- Confidentiality of Records in Children's Services Policy



OFFICE USE ONLY

Policy Number	Date Approved	Date Last Amended	Status
YG 153-O	04/04/2014	20/03/2017	APPROVED

## 1. CONFIDENTIALITY OF RECORDS IN CHILDREN'S SERVICES POLICY

## 2. INTRODUCTION

The YMCA must ensure all information and records kept by a children's service are within the requirements of the Education and Care Services National Regulations, Privacy Act and Regulations and Family Assistance Law. This policy assists services to ensure that all persons' right to confidentiality of records is maintained at all times.

## 3. POLICY

### 3.1 Education and Care Services National Regulations

R181 The Children's Service must ensure that information kept in accordance with the Education and Care Services National Regulations is not divulged or communicated, directly or indirectly, to another person other than;

- a) to the extent necessary for the education and care of the child; or
- b) to the extent necessary for medical treatment of the child; or
- c) a parent of the child to whom the information relates, except in the case of information kept in a staff record; or
- d) the Regulatory Authority or an authorised officer; or
- e) as expressly authorised, permitted or required to be given by or under any Act or law; or
- f) with the written consent of the person who provided the information.

The service must ensure that documents set out in Education and Care Services National Regulations (Regulation 177) are kept in a safe and secure place for the length of time outlined in Regulation 183 (2).

All YMCA services must ensure that client financial information, including Direct Debit, credit card or other confidential information is kept in accordance with best fit for purpose recommendations, including Payment Card Industry Data Security Standards.

### 3.2 YMCA Staff and Volunteers

The service must ensure all documentation in relation to YMCA employees and volunteers are stored securely and for the prescribed length of time on the appropriate premise.

The service must give regard to appropriate systems of access to ensure staff and volunteer confidentiality of records.

### 3.3 Family Assistance Law

In the case of Child Care Benefit approved services, the service will also comply with all requirements of Family Assistance Law, including storage requirements and all other obligations as set out by the Department of Education Employment and Workplace Relations (DEEWR).

## 4. SCOPE

The scope of this policy applies to all approved Children’s Services that operate under the Education and Care Services National Regulations, 2011. This includes Before and After School Care Services and Vacation Care conducted by YMCA Geelong.

## 5. ROLES AND RESPONSIBILITIES

Department/Area	Role/Responsibility
Operations	YMCA Nominated Supervisor and/or service Management will oversee the implementation and service adherence to this policy (ie policy compliance). Nominated Supervisor and/or Person with Management and Control will seek individual community feedback and facilitate an active consultation process with service users as appropriate.  All Educators are responsible for the daily implementation of the policy when directly supervising children.
Community Programs Co-ordinator	Is responsible for ensuring suitable resources and support systems to enable compliance with this policy. Drive the consultation process and provide leadership and advice on the continuous improvement of the policy.
Community Programs Co-ordinator	Responsible for the development, monitoring and review of the Policy and related systems, ensuring all content meets all legislated requirements. Facilitate annual policy training to Children’s Services Educators on the appropriate implementation and use of policy.
CEO	Approve the Policy Provide official sign off on the Policy

## 6. MONITORING, EVALUATION AND REVIEW

The Confidentiality of Records in Children’s Services Policy will be reviewed every 3 years.

The ongoing monitoring and compliance to this policy will be overseen by Community Programs Co-ordinator. The National Quality Framework Ratings and Assessment process, and Service Approval conditions, will also assist in the external audit and monitoring of the policy, by delegates of the Department of Education and Early Childhood Development. These include unannounced spot checks and planned Assessment and Rating process.

**7. SUPPORTING DOCUMENTS (LINKS TO PROCEDURES, LEGISLATION, FORMS, WORK PRACTICES)**

1. [Victorian Early Years Learning and Development Framework \(VEYLDF\)](#)
2. [National Early Years Learning Framework \(EYLF\)](#)
3. [Education and Care Services National Law Act 2010](#)
4. [Education and Care Services National Regulations 2011](#)
5. [Privacy Act 1988](#)
6. [Privacy Regulations 2001](#)
7. **DEEWR endorsed service Guidelines:** [Legislative extracts for approval and continued approval under the family assistance law](#)
8. [Payment Card Industry Data Security Standards](#)

Approved by: Chief Executive Officer

Meeting number and date:

Resolution number:

Effective date: July 31<sup>st</sup> 2011

Review date: July 31<sup>st</sup> 2017

Policy Owner: Kimberley Maher, Community Programs Co-ordinator

Contact Details policy owner: Ph: 5221 8344 E: kimberley.maher@ymca.org.au

Amendment history:

Version	Date	Author	Change Description
V1	July 2011	Kimberley Maher	Document created
V2	July 2012	Kimberley Maher	Reviewed
V3	04/04/2014	Shona Eland	Uploaded to YMCA Geelong Policy Template included scope, monitoring and evaluation clauses.
V4	20/3/2017	Kimberley Maher	Reviewed – no changes

As Adopted and reviewed by the YMCA of Geelong Inc on 04/04/2014



Acting Chief Executive Officer YMCA Geelong Inc.