

Privacy Policy

Reference: Privacy Act 1993
Ministry of Education, 2001, *Personnel Management*

Rationale: As privacy is a concept that covers an enormous area and means a wide variety of things to different people, it is important that all people involved in an institution have a clear understanding of how the Privacy Act relates to their workplace. This policy reflects the Privacy act and the responsibilities that Little Explorers holds.

Objectives:

- To ensure staff are aware of the Privacy Act.
- To ensure staff are aware of approved procedures.
- To ensure all information at Little Explorers is stored safely.

Procedures:

Individual Privacy

- The Privacy Act covers personal information - that is any information which is collected about an identifiable individual. It will affect what information is collected about people, as well as how it is obtained, stored and used. The information collected can be used only for the purpose for which it is obtained. For example, a curriculum vitae is to be used only for the appointment of staff and then returned to the applicant or kept on file for future job opportunities if applicant approves.
- The Privacy Act seeks to promote individual privacy by establishing principles for the collection, use and disclosure of information, which relates to individuals. It also governs how that information is accessed.

The Act contains 12 principles:

- Purpose of collection of personal information.
- Source of personal information.
- Collection of information from subject.
- Manner of collection of personal information.
- Storage and security of personal information.
- Access to personal information.
- Correction of personal information.
- Accuracy etc. of personal information to be checked before use.
- Agency not to keep personal information for longer than necessary.
- Limits on use of personal information.
- Limits on disclosure of personal information.
- Unique identifiers.

Guidelines

1. Collect information about the person directly from that person. (Must only contact people who the applicant has put down as a referee.)
2. Explain what the information is going to be used for and whom else you will tell.

3. Information must be used for a lawful purpose.
4. Collect information only relevant to the position.
5. Information must be stored with proper safeguards against loss or wrongful disclosure.
6. Only people whose jobs directly relate to the information should have access to it.
7. Information should be returned to all applicants unless applicant approves otherwise.

Children – Right to Privacy

- An educational institution holds an enormous wealth of information regarding the children in their care. The institution may collect information in many forms (i.e. oral, written, and visual) and this information gathering is a continuous and on-going process. No matter what form the information comes in, or how it is collected, the institution needs to have a clear understanding of how it will protect the information under the principles outlined in the Privacy Act.
- In most cases any information collected can only be used for the purpose that it was obtained for. To get round the problem of information only being used for one specific purpose, agencies can design forms, which cover all possible uses for personal information. People could be given the opportunity to opt in and out of various activities.
- In an educational institution the enrolment form can be used in such a way, by adding clauses that inform the children's guardians about what information is collected, and how it will be stored. The clauses can also be used to obtain consent for certain people to have access to the information and to inform the child's guardians what these people will use the information for.
- This form, though possibly lengthy, does not need to be complicated and saves the educational institution from continually having to seek consent for the collection and sharing of information on the children in their care.
- It is important that a person employed by the educational institution has the responsibility of ensuring that the children's guardian(s) enrolling the child have a clear understanding of why the clauses are there, and that they understand what they are giving their consent to.

Guidelines for Privacy of Information regarding Children

1. Information must be stored with proper safeguards against loss or wrongful disclosure. Only people whose jobs directly relate to the information should have access to it. Measures should be implemented to stop unauthorized people getting into computer files (e.g. passwords) or manual filing systems (e.g. marked confidential, or installing locks) containing personal information.
2. It is important that information on a child enrolled in an institution is shared only with others who need it to effectively carry out their duties related to that child. It should also be confirmed that consent was granted on the enrolment form for the sharing of this information.
3. If the parent/guardian does not consent to the disclosure of any or all of the information, this should be clearly marked (e.g. written in capitals and highlighted) on that child's records to safeguard against accidental disclosure.
4. If consent has been obtained the information should be delivered in such a way that unnecessary personal information belonging to that child or others is not

accidentally disclosed as well, e.g. blocking out unnecessary information or the children's names.

5. At times an institution may receive a request for some information concerning a child attending their institution. Children's personal information can be given only to the child, the child's legal guardians and to the people granted consent on the enrolment form.
6. If one is at all uncertain, it is best to contact a legal guardian of the child and to ask if the information requested can be given to the person/agency asking for it, or if they would like to contact the person/agency directly. If one is still concerned or unsure seek clarification from the Privacy Commissioner.

In our day-to-day workings with children, for the good of these children, these consent issues may seem obvious. But privacy is a concept that covers a vast area and means a variety of things to different people. We must be careful that we do not make assumptions, regarding the children in our care, that they may offend, humiliate, embarrass or even danger the child or their family.

All early childhood centres must display on their noticeboard the following:

The privacy officer of this centre is Tracey Gaskell and Ki Mansell.

It is their responsibility to:

- a) Use information collected for the purpose it was collected for.
- b) Ensure personal information is securely stored.
- c) Ensure information collected is accurate.
- d) Make available to a person information held about them.

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