

PRIVACY AND CONFIDENTIALITY POLICY

Updated: August 2025



What are we talking about in this document?

This policy is related to privacy, confidentiality, security and Australian Privacy Principles and applies to all Keiki Early Learning services and entities.



Who is this for?

This policy applies to children, families, staff, management, students, and visitors of the service.



Why do we need this policy?

This policy is required under Regulation 168(l) of the Education and Care Services National Law and Regulations.

We aim to protect the privacy and confidentiality of all information and records about children, families, educators, staff and management by ensuring continuous review and improvement on our current systems, storage, and methods of disposal of records. We will ensure that all records and information are held in a secure place and only retrieved by or released to people with a legal right to access this information.

Policy Contents

[The Important Stuff](#)

[Responsibilities](#)

[Nominated Supervisor](#)

[Educators](#)

[Australian Privacy Principles – Personal Information](#)

[Collection of Personal Information](#)

[Method of Collection](#)

[Purposes for Which Personal Information is Collected, Held, Used and Disclosed](#)

[Direct Marketing](#)

[Storage and Security of Your Personal Information](#)

[Access and Correction of Your Personal Information](#)

[Our Website](#)

[Complaints](#)

[Changes to this Policy](#)

[Contact](#)

[Guidelines](#)

[Devices, Images and Technology](#)

[CCTV and Phone Call Recording](#)



Key Terms

Term	Meaning	Source
Privacy Act 1988	The Australian legislation that governs how personal information is collected, used, stored, and disclosed.	
Australian Privacy Principles (APPs)	A set of principles under the Privacy Act that outline how personal information must be handled.	

Personal Information	Any information that can identify an individual, including names, addresses, medical details, and photographs.	
Confidentiality	The obligation to protect personal and sensitive information from unauthorized access or disclosure.	
Notifiable Data Breaches Scheme	A legal requirement to notify individuals and the Office of the Australian Information Commissioner if a data breach is likely to result in serious harm.	
Digital Content	Includes photographs, videos, and recordings captured or stored by the service.	
Retention and Disposal	Guidelines for how long personal information is stored and how it is securely disposed of.	
Disclosure	Sharing of personal information is limited to authorised individuals and only for legitimate purposes.	



The Important Stuff

This Policy applies to all Keiki Early Learning services and entities that make up the broader Keiki Early Learning group.

Under Section 263 of the Education and Care Services National Law (WA), Early Childhood Services are required to comply with the [Privacy Act 1988](#) (Privacy Act). In order to comply with the Privacy Act, Services are required to follow the Australian Privacy Principles (APPs), which are contained in Schedule 1 of the Privacy Act. An overview of the APPs is attached as [Appendix 1](#). For a detailed breakdown of the APPs [click here](#).

The Notifiable Data Breaches (NDB) scheme requires Early Childhood Services, Family Day Care Services, and Out of School Hours Care Services to provide notice to the Office of the Australian Information Commissioner and affected individuals of any data breaches that are 'likely' to result in 'serious harm'. Businesses that suspect an eligible data breach may have occurred, must undertake a reasonable and expeditious assessment to determine if the data breach is likely to result in serious harm to any individual affected.

A breach of an Australian Privacy Principle is viewed as an '*interference with the privacy of an individual*' and can lead to regulatory action and penalties.

All staff members will maintain the confidentiality of personal and sensitive information and foster positive trusting relationships with families.

Responsibilities

The Nominated Supervisor (with the support of management) will

- Ensure the Service acts in accordance with the requirements of the Australian Privacy Principles and *Privacy Act 1988* by developing, reviewing, and implementing procedures and practices that identify:
 - the name and contact details of the Service
 - what information the Service collects and the source of information
 - why the information is collected
 - who will have access to information
 - collection, storage, use, disclosure, and disposal of personal information collected by the Service
 - any law that requires the particular information to be collected

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- adequate and appropriate storage for personal information collected by the Service
 - protection of personal information from unauthorised access.
 - Provide Staff and Educators with relevant information regarding changes to Australian privacy law and Service policy
 - Ensure all relevant staff understand the requirements under Australia's privacy law and Notifiable Data Breaches (NDB) scheme
 - Maintain currency with the Australian Privacy Principles (this may include delegating a staff member to oversee all privacy-related activities to ensure compliance).
 - Ensure personal information is protected in accordance with our obligations under the *Privacy Act 1988* and *Privacy Amendments (Enhancing Privacy Protection) Act 2012*
 - Ensure all records and documents are maintained and stored in accordance with Education and Care Service National Regulations 2012.
 - Regularly back-up personal and sensitive data from computers to protect personal information collected
 - Ensure all computers are protected with passwords and security software, and that passwords are not shared
 - Ensure families are notified of the time particular records are required to be retained as per the Education and Care Services National Regulations [regulation 183 (2)].
 - Ensure the appropriate and permitted use of images of children
 - Ensure all employees, students, volunteers, and families are provided with a copy of this policy
 - Deal with privacy complaints promptly and in a consistent manner, following the Service's *Grievance Policy* and procedures
 - Ensure families only have access to the files and records of their own children
 - Ensure information given to educators will be treated with respect and in a professional and confidential manner
 - Ensure individual child and staff files are stored securely, either in a secure digital format or in a locked and secure cabinet
 - Ensure information relating to staff employment will remain confidential and available only to the people directly involved with making personnel decisions
 - Ensure that information shared with the service by the family is treated as confidential unless told otherwise.
 - Ensure themselves and staff adhere to the service's policies and procedures at all times
 - Ensure educators, staff, volunteers, students and families are aware of the Privacy and Confidentiality Policy
 - Ensure the service obtains written consent from parents/guardians of children who will be photographed or videoed by the service
 - Ensure families only have access to the files and records of their own children
 - Ensure that information given to educators will be treated with respect and in a confidential and professional manner
 - Ensure only necessary information regarding the children's day-to-day health and wellbeing is given to non-primary contact educators; for example, food allergy information.
 - Ensure they and their staff do not discuss individual children with people other than the family of that child, except for the purposes of curriculum planning or group management. Communication in other settings must be approved by the family beforehand.

- Ensure that information shared with us by the family will be treated as confidential unless told otherwise.

Educators and staff will

- Read the Privacy and Confidentiality Policy and adhere to it at all times.
- Ensure documented information and photographs of children are kept secure but are able to be accessed at any time by the child's parents or guardian
- Ensure families only have access to the files and records of their own children
- Treat private and confidential information with respect in a professional manner
- Not discuss individual children with people other than the family of that child, except for the purposes of curriculum planning or group management. Communication in other settings must be approved by the family beforehand
- Ensure that information shared with the service by the family is treated as confidential unless told otherwise
- Maintain and store individual and service information and documentation according to this policy at all times
- Not share information about the service, management, or other staff as per legislative authority.

Australian Privacy Principles – Personal Information

Keiki Early Learning (**Keiki, us, we, our**) recognises the importance of your privacy. This policy (**Policy**) sets out how Keiki handles personal information and acknowledges Keiki's obligations under the applicable privacy laws, including the *Privacy Act 1988* (Cth) and the Australian Privacy Principles (**Privacy Laws**).

This policy is intended to provide a general overview of our policies for the handling of your personal information. Other policies may apply instead of or in addition to this Policy in certain circumstances.

Please note that in some circumstances, there are exemptions or exceptions to the Privacy laws that may apply to Keiki, including in relation to the handling of employment related personal information. Nothing in this Policy is intended to limit the operation of those exemptions or exceptions to Keiki or to otherwise restrict us from collecting and handling personal information in a manner that would otherwise be permitted by law.

By using our website at www.keikiearlylearning.com.au (**Website**) and/or providing your personal information to us, you consent to us handling your personal information in accordance with this Policy.

Collection of Personal Information

Keiki operates early learning centres and provides childcare and outside school hours care services. As part of providing our services, we may collect personal information that we require for the purposes of operating and managing our business activities and functions and as required or permitted by law. We may also collect personal information from you in connection with other dealings you may have with us, such as if you make a general enquiry with us, sign up to our news releases, attend a workshop or event run by us or apply for a position with Keiki.

We collect personal information about the children who attend our services as well as personal information about their parents and guardians, next of kin and other contacts. The type of information we collect will depend on your dealings with us. It may include:

- a) your contact details (i.e. your name, address, email and phone number);
- b) details about your child including their name, age, gender, emergency contacts, custody arrangement (if applicable) and any further information we require to provide our services, which may include sensitive information relating to your child's cultural background, religion, and health information such as details of your child's

- immunisation status, allergies, dietary requirements, medical conditions, medication requirements and Medicare number;
- c) information about your payment details for our services including bank account or credit card numbers;
- d) information about parents, emergency contacts and other authorised persons who may collect children from our care including their driver's licence details;
- e) photographs and images of children who attend our service;
- f) Centrelink customer reference numbers and information about your Centrelink entitlements;
- g) information about your use of the services that we supply such as attendance records, pick up logs, injury and incident reports and other related information; and
- h) statistical information regarding the use of Keiki's Website, including the domains from which website users visit, IP addresses, the dates and times of visits, activities undertaken on our website and other clickstream data (though in many cases this type of statistical information may not include personal information).

We may also collect personal information about the contractors, suppliers and employees that we engage, and deal with in relation to the provision of our services.

The type of information we collect will depend on your dealings with us. It may include:

- a) your contact details (i.e. your name, address, email and phone number);
- b) tax, superannuation and banking information and working contract;
- c) medical details, including immunisation, medical history;
- d) working history and qualifications, including resume, educational qualifications, Working with Children Check verification, First Aid Qualifications, Child Protection Qualifications, Food Safety Qualification and professional development certifications;
- e) aptitude, psychological and medical testing, human resources management activities and conducting screening checks as permitted or required by law; and
- f) emergency contact information.

If you send us an application for employment with us, this information will be used to assess your application. As part of the application process, you may be asked for your specific consent to the use and disclosure of certain personal information about any pre-employment medical examination or any aptitude or psychological testing. We may also ask you to consent to the disclosure of your personal information to those people who you nominated to provide references. A refusal to provide any of this information, or to consent to its proposed disclosure may affect the success of the application.

From time to time, we may collect sensitive information about you. We collect sensitive information when you provide it to us, with your consent or where otherwise permitted by law.

We may collect your personal information in a variety of ways, such as in person, by telephone, by email and by other electronic means (such as through our portals at the time of enrolment). Where practicable, we collect your personal information directly from you. From time to time, we may collect personal information about you from third parties (for example, from publicly available sources, our agents, our clients or contractors, and from other third parties such as other contractors engaged by our clients).

If you provide us with personal information about a third party, you represent, and we collect it on the basis that, you have that person's consent for us to collect and handle their personal information in accordance with this Policy.

If we are unable to collect the personal information we require, or the information provided is incorrect or incomplete, this may affect our ability to provide our services to you or the information you seek from us.

Purposes for Which Personal Information is Collected, Held, Used and Disclosed

We generally use and disclose your personal information for the purposes for which we collected it as described above, and for other related purposes that you would reasonably expect. Generally, these purposes include:

- a) providing our early learning, childcare and outside school hours care services;
- b) establishing and maintaining user accounts with third party providers, such as third party applications used to manage children's attendance at our services;
- c) responding to your enquiries;
- d) handling payments and refunds;
- e) providing you with marketing information or updates about our services;
- f) obtaining your feedback on your experiences with us and conducting marketing and other promotional activities;
- g) complying with our reporting and notification requirements to regulatory and enforcement bodies;
- h) running workshops and events for members of enrolled families and community members;
- i) for our general business operations (for example, maintenance of our business records, compliance with our legal and insurance obligations, for performance reporting, research, services development and planning and statistical purposes); and
- j) as otherwise permitted or required by law.

We are required to collect some personal information by law. For example, under the Education and Care Services National Law (WA) Act 2012 and associated regulations we are required to collect and maintain information about attendance and enrolment details about children enrolled in our service such as information relating to dietary conditions, medical conditions and immunisation status. We may also be required to collect or disclose personal information by other laws in some circumstances. For example, under the Public Health Act 2016 (WA) we may be required by law to disclose information relating to a child's health (including immunisation status) to particular governmental bodies. We may also share information about your and/or your child to departments such as the Police, child protection bodies or the Education and Care Regulatory Unit as required under law and our legal obligation or duty of care.

We may disclose and exchange your personal information with our related entities, to our clients, contractors, service providers, family services and other regulatory authorities and/or promotion partners for the purposes set out above and as otherwise permitted by the Privacy Laws. For example, the sharing of your personal information with organisations that carry out functions on our behalf (such as our platform providers including Xplor, Elmo, our accountants, payroll providers, accounts providers and advisors).

Generally, we will not disclose your personal information to overseas recipients. However, in some cases it may be necessary and we may disclose personal information we hold about you to recipients who are located outside of Australia where permitted by the Privacy Laws. For instances, some of our cloud service providers are located in the United States. In addition, if we are considering selling our business, or any part of our operations or assets then, we may disclose your personal information to a purchaser (or potential purchaser) in connection with that process or sale.

Direct Marketing

Like most businesses, we may use personal information we hold about you, to send marketing

information to you. Generally, we only do so where you consent or where permitted by the applicable laws.

Our communications to you may be sent in various forms such as by post and by electronic means (including e-mail and SMS).

If you wish to cease receiving this information, please contact us directly on the contact details listed in the section below asking to be removed from our mailing lists, or use the unsubscribe facilities included in our marketing communications.

Storage and Security of Your Personal Information

We may hold your personal information in electronic formats or in hard copy. We will endeavour to take all reasonable steps to keep any information that we hold about you secure, and to keep this information accurate, up to date and complete in compliance with applicable laws.

We may retain your personal information for as long as necessary to comply with any applicable law, for insurance and corporate governance purposes, for the prevention of fraud and to resolve disputes. Your personal information may also be retained in our IT system back-up records.

The transfer of data over the internet is inherently insecure. We cannot guarantee the security, during transmission, of any personal information provided to us via our Website or through communication you send to us. Please bear this in mind when transmitting information by this means to us.

Access and Correction of Your Personal Information

You may lodge a request to correct personal information that we hold about you if you believe it is inaccurate, incomplete, out-of-date, irrelevant or misleading, in which case please contact the Centre Coordinator of your service or our Privacy Officer via the contact details listed below.

You may also request that we provide you with access to the personal information we hold about you by contacting us via the contact details listed below. Generally, we will provide you with access, except in limited circumstances where the law permits us to refuse, or prevents us from giving you, access to the personal information we hold about you. Where we agree to provide you with access to your personal information, we may make this conditional on us recovering our reasonable costs of doing so. No fee will be incurred for requesting access, but if your request for access is accepted, you will be notified of any fee payable for providing access if you proceed with your request.

Personal information that we hold about you is not divulged or communicated through direct or indirect means to another person other than:

- To the extent necessary for the education and care or medical treatment of the child to whom the information relates,
- To a parent of the child to whom the information relates, except in the case of information kept in a staff record,
- To the Regulatory Authority, Department of Family and Children Services, the Police, or emergency services,
- As expressly authorised, permitted or required to be given by or under any Act or law,
- With the written consent of the person who provided the information,
- To a third-party provider that is required for the provision of education and care,

Disclosure of Information to Parents

Information relating to a child may be shared with a parent of that child, except where the information is part of a staff record.

In cases involving separated families, the Approved Provider will:

- Comply with any applicable Family Court Orders regarding access to information.
- Comply with any directions from the court, including subpoenas.
- In the absence of a court order, recognise that both parents may have a legal right to access information about their child.
- Ensure personal information is only disclosed to individuals with a lawful right to access it, in accordance with the Privacy Act 1988 (Cth).
- Seek clarification or documentation where there is uncertainty about a parent's right to access information.
- Seek written consent where required before disclosing personal information relating to another individual (e.g. another parent or authorised nominee).
- Ensure financial and Child Care Subsidy (CCS) information is generally only shared with the parent responsible for the enrolment or account, unless otherwise required by law or court order.

Our Website

Our Website may use cookies and similar technologies in some circumstances. Cookies help us enhance your experience, support website functionality and understand how our website is used. Cookies and related technologies may collect information about your interactions with our Website, which may in some circumstances constitute personal information.

We may also collect click-stream and related technical data when you use the Website, such as the date and time of your visit, the pages you accessed, your IP address, the type of browser and operating system you are using, and the websites you come from and navigate to. This information is used to analyse website usage, understand trends and improve our Website and services.

If you do not wish to receive cookies, you can configure your browser to refuse cookies. Please note this may affect the functionality of some parts of the Website.

Our Website may also contain links to third-party websites. These linked sites are not under our control and are not subject to this Policy. We are not responsible for the privacy, security or handling of your personal information on those websites. We encourage you to review the privacy policies and terms of use of any third-party sites you visit.

Complaints

If you have a complaint about the way in which we handle your personal information, please contact us on the details below. We will confirm receipt of your complaint and set out the period we require to investigate your complaint and provide you with a response, which generally, will be within 30 days of receiving your complaint. Please see the Grievance Policy for more information.

Changes to this Policy

Keiki reserves the right to amend, modify or replace this Policy from time to time subject to organisational needs and/or changes in the law.

Contact

If you have any enquiries or complaints about how we handle your personal information, or if you have any questions about this Privacy Policy, please contact us via the details listed below:

Attention: The Privacy Officer
 Keiki Hub Pty Ltd ABN 20 643 223 232
 45/57 Joondalup Drive
 Edgewater WA 6027
 Email: schools@keikiearlylearning.com.au
 Telephone: + 61 8 9300 1330



Guidelines

Devices, Images and Technology

Photographs and videos are a valuable part of early childhood education, helping to foster a sense of belonging, support learning, and strengthen connections with families. They allow children to see themselves in action, spark meaningful conversations, and affirm that their experiences are recognised and valued.

At Keiki Early Learning, we are committed to upholding children's privacy and safety. We have comprehensive policies and expectations in place covering the use of digital devices, the storage, retention, and deletion of photographs and videos, the use of closed-circuit television (CCTV), remote access to Keiki systems, and cybersecurity protocols for children, families, staff, and visitors.

Further details can be found in our **Technology and Cyber Security Policy**.

CCTV and Phone Call Recording

Keiki Early Learning has installed CCTV cameras at selected services for the sole purpose of building security. While some educators may have incidental visibility of live footage during recording in certain service areas, recorded footage is securely stored in an encrypted cloud environment and is not actively monitored. Access to recorded footage is restricted and may only occur with express written permission from the Approved Provider or Nominated Supervisor, and only when necessary for safety, compliance, or legal purposes. Cameras are never installed in bathrooms, nappy change areas, sleep rooms, or other spaces where children's dignity and privacy must be protected.

In addition, Keiki Early Learning uses call reports and call recordings to support service optimisation and marketing through Google. These recordings and transcripts are sent to the Keiki Hub. While they are not actively monitored, they may be accessed for auditing, training, or quality assurance purposes in accordance with Keiki's privacy and cybersecurity policies.

Employee Information and Recruitment

This Policy does not apply to the handling of information about our employees by us. For information about our practices relating to employee information, please contact us at the contact details listed above.

If you send us an application for employment with us, this information will be used to assess your application. This information may be disclosed to related bodies corporate and service providers for purposes such as:

- a) confirming qualifications;
- b) aptitude, psychological and medical testing;
- c) human resources management activities; and
- d) conducting screening checks as permitted or required by law.

As part of the application process, you may be asked for your specific consent to the use and disclosure of certain personal information about any pre-employment medical examination or any aptitude or psychological testing. We may also ask you to consent to the disclosure of your personal information to those people who you nominated to provide references.

A refusal to provide any of this information, or to consent to its proposed disclosure may affect the success of the application.



Supporting Documents

Policies

[Administration of Medication Policy](#)
[Arrival, Departure and Authorisation Policy](#)
[Child Protection Policy](#)
[Cleaning of Service and Equipment Policy](#)
[Code of Conduct](#)
[Educational Program and Curriculum Policy](#)
[Emergency Management Policy](#)
[Enrolment and Orientation Policy](#)
[Excursion, Incursion and Safe Transportation Policy](#)
[Family Code of Conduct](#)
[Fees Policy](#)
[OSHC Fees Policy](#)
[Governance Policy](#)
[Grievance Policy](#)
[Immunisation and Infectious Diseases Policy](#)
[Incident, Illness and Administration of First Aid Policy](#)
[Medical Conditions Policy](#)
[Record Keeping and Retention Policy](#)
[Responsible Person Policy](#)
[Volunteers, Relief Staff and Students Policy](#)

Other Documents

[Incident, Injury, Illness, Trauma Record](#)
[Long Term Medication Record](#)
[Medication Record](#)
[Medication Sign In and Out Record](#)
[Non-Prescription Medication Record](#)
[Risk Minimisation Plans](#)

Resources

[Education and Care Services National Law \(WA\) Act 2012](#)
[Education and Care Services National Regulations 2012](#)



Sources

- ACECQA – Australian Children’s Education and Care Quality Authority. <https://www.acecqa.gov.au/>.
- Privacy Act 1988. <https://www.legislation.gov.au/Details/C2022C00361>. (2022).
- Early Childhood Australia Code of Ethics. <https://www.earlychildhoodaustralia.org.au/our-publications/eca-code-ethics/>. (2016).
- Education and Care Services National Law (WA) Act 2012. https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_12929_homepage.html. (2019).
- Education and Care Services National Regulations 2012. https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_12946_homepage.html. (2022).
- Australian Government. Office of the Australian Information Commission. Australian Privacy Principles. [Australian Privacy Principles - Home \(oaic.gov.au\)](https://www.oaic.gov.au/). (2023).
- Guide to the National Quality Framework. <https://www.acecqa.gov.au/sites/default/files/2022-05/Guide-to-the-NQF-220511-compressed.pdf>. (2022).
- United Nations Convention on the Rights of the Child (1989). [Convention on the Rights of the Child | UNICEF](https://www.unicef.org/convention-on-the-rights-of-the-child).



Links to Regulations

National Quality Standard

Quality Area 2: Children’s Health and Safety

2.2	Safety	Each child is protected
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

Quality Area 5: Relationships with children

5.1	Relationships between educators and children	Respectful and equitable relationships are maintained with each child.
5.1.2	Dignity and rights of the child	The dignity and rights of every child are maintained.

Quality Area 6: Collaborative partnerships with families and communities

6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
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Quality Area 7: Governance and Leadership

7.1	Governance	Governance supports the operation of a quality service
7.1.1	Service philosophy and purposes	A statement of philosophy guides all aspects of the service’s operations
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defines, and understood and support effective decision making and operation of the service
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community

Education and Care Services National Regulations

168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
177	Prescribed enrolment and other documents to be kept by approved provider
181	Confidentiality of records kept by approved provider
183	Storage of records and other documents
184	Storage of records after service approval transferred

Education and Care Services National Law

263 Application of Commonwealth Privacy Act


Review & Document Control

Policy Reviewed	Modifications
August 2017	Extension of Policy from regulations and set out expectations for all parties
6 th November 2017	Sent to Panel for review. No suggested changes. Sent to families and shared on Educa, no changes recommended.
8th January 2018	Quality Area updated to reflect changes to the NQS. Centre Director term replaced with Coordinator.
6th November 2018	Families and staff are given access to this policy. Shared on Xplor. Certified Supervisor term removed, replaced with Educators.
November 2019	Removed director, replaced with coordinator. Reformatted
November 2020	Completely rewritten, using information from the Office of Australian Information Commissioner and Australian Privacy Principles
May 2021	Added photography policy.
January 2023	New format. Edited for readability (some wording changes). Addition of link to Privacy Act.
August 2025	Moved to new format. Merged with recommendations from Lawyer. Added information regarding devices, photography and cctv/phone recording.

Disclaimer

It is each employee, family and visitor to the service's responsibility to read, understand, follow and address any concerns with management about this policy.

Are you looking at the most recent version of this document?

You can find it at: <https://keikiearlylearning.com.au/policies-and-procedures/>

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