

# ABOUT US POLICY – Including Privacy & Confidentiality Leap Ahead Learning

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## ABOUT US POLICY - National Quality Area 7

This Policy is to be presented to all new enquiries about Leap Ahead Learning. It is to inform interested parties about Leap Ahead Learning.

Leap Ahead Learning is an approved and licenced care and education service operated by an Approved Provider. We are a privately run and managed preschool. All information we collect is treated confidentially as per Australia's privacy law, known as the Privacy Act, and we follow the Australian Privacy Principles (APPS). We are regulated under the legal frameworks:

- National Quality Framework: Education and Care Services National Law Act
- 2010 (National Law) and Education and Care Services National Regulations
- 2011 (National Regulations).

As an approved Service Provider we meet the following core eligibility criteria:

- We have an ABN: 49 783 706 371.
- We are located within Victoria.
- We comply with all regulatory requirements and will continue to do so.
- To meet the National Partnership Agreement on Universal Access to Early Childhood Education, which provides funding for a kindergarten year in the year prior to starting school, Leap Ahead Learning aims to achieve the following goals:
  - Offer 660 hours a year of quality preschool education (equates to 16.5 hours a week for 40 weeks of the school year)
  - Where our regular teacher cannot be at a session, we will appoint relief staff to ensure sessions can continue and the service does not need to close
  - Deliver the program by a Bachelor of Early Childhood qualified teacher that meets National Quality Framework requirements and is registered with the Victorian Institute of Teaching or a primary school teacher that holds a primary teaching qualification that includes at least a focus on children aged 5 to 8 years old (e.g. a qualification with a focus on children aged 3 to 8 or 5 to 12), and has an approved diploma level education and care qualification (we contact the Victorian Regulatory Authority to check if a teacher holds the appropriate primary teaching qualification) *Reference: P6 of the Kindergarten Guide*
- Employ a qualified assistant (qualifications of either Diploma of Early Childhood or Certificate 111 in Children's Services)
- Have a maximum ratio of 1 adult to 11 students 1:11
- Keep class sizes small (no more than 22 students in a class) with two to four educators
- Our overall enrolments are a maximum of 22
- High priority upon enrolment is given to students in their 2<sup>nd</sup> year of 4 year old kinder. We offer a service that is aligned as being a 'pre-prep' (in between kinder and school) to facilitate these students

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- Offer a program that meets the needs of children, parents and communities
- Offer positions to children with mild additional needs
- Meet all requirements under the National Quality Framework
- We have a business plan and budgets showing ongoing financial viability.
- We have signed and comply with the Department's service agreement and operate in accordance with the standards and guidelines (*p 38 of the Kindergarten Guide: **Complying with the service agreement means doing the twice yearly data collection – which we will do once operational** - Service providers receiving kindergarten funding from the Department are required to undertake two mandatory online data collections each year. Service providers who fail to submit information for these data collections may have their funding withheld or ceased. Service providers experiencing difficulty with submitting data should contact the Departmental regional office prior to the closing date. The data collection processes are undertaken by 30 April and in August each year. In addition, service providers are required to keep the KIM system up to date with current information that may affect funding entitlements or eligibility*).
- We do not have any current or previous financial or legal misconduct that may affect the Department's decision to approve kindergarten funding.
- Leap Ahead Learning delivers a program that aligns with the Victorian Early Years Learning and Development Framework. (*Victorian Early Years Learning and Development Framework on page 100 of the Kindergarten Guide*).
- We operate in accordance with the Protecting the Safety and Wellbeing of Children and Young People protocol. This joint protocol details current policy and practice to promote and support the safety and wellbeing of children and young people in Victoria. The protocol provides information for education and care services and Victorian schools to take appropriate action when it is believed that a child has suffered harm, or is likely to suffer harm, through abuse or neglect. (*Download the 52 page document here: <http://www.education.vic.gov.au/Documents/school/principals/spaa/safety/protectionofchildren.pdf> ) Link to view protocol and training packages is available here: [www.education.vic.gov.au/school/principals/health/Pages/childprotection.aspx](http://www.education.vic.gov.au/school/principals/health/Pages/childprotection.aspx) )*
- Leap Ahead Learning will continue to meet the above core eligibility criteria.
- As there are more eligible children seeking a place at Leap Ahead Learning than there are places available, we are currently working towards opening more programs in subsequent years. (*Creating a 2<sup>nd</sup> group is in meeting with Priority of Access Criteria, p10 of the Kindergarten Guide*). This also includes: Children at risk of abuse or neglect, including Children in Out-of-Home Care, Aboriginal and/or Torres Strait Islander children, Asylum seeker and refugee children, Children eligible for the Kindergarten Fee Subsidy, Children with additional needs (*p10 of the Kindergarten Guide*). Families will be advised on the priority of access policy when they enrol their child. (See our Enrolment Policy and Enrolment Form).
- Leap Ahead Learning has clear and transparent kindergarten enrolment processes (see our Enrolment and Transition Policy) and we comply with Victorian and National Legislation, including disability discrimination, anti-discrimination and human rights laws<sup>3</sup>, are developed on the basis of local need, outline how waiting lists will be prioritised and are effectively communicated to families and the local community.

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- We comply with the Privacy Act 1988 and we follow the Australian Privacy Principles (APP's) contained in Schedule 1 of the Privacy Act.

[3 Services may elect to seek independent legal advice if concerned about the compliance of their policies.](#)

What information do we collect?

We collect personal information directly from you through our enrolment and application processes and sometimes we collect or confirm this information from a third party such as funding agencies of health practitioners.

The private information we are required to collect includes, but is not limited to:

- your name, address, date of birth and full name, date of birth and address of the child
- name, address and contact details for:
  - each known parent
  - any emergency contacts
  - any authorised nominee
  - any person who is authorised to consent to medical treatment or administration of medication
  - any person who is authorised to give permission to an educator to remove the child from the education and care service premises
  - details of any court orders, parenting orders or parenting plans
  - gender of the child
  - language used in the child's home
  - cultural background of the child and parents
  - any special considerations for the child, such as any cultural, religious or dietary requirements or additional needs
  - authorisations for:
    - the approved provider, nominated supervisor or an educator (including family day care educator) to seek medical treatment for the child and/or ambulance transportation
    - the service to take the child on regular outings
    - name, address and telephone number of the child's registered medical practitioner or medical service
    - child's Medicare number (if available)
    - details of any specific healthcare needs of the child, including any medical condition, allergies or a diagnosis that the child is at risk of anaphylaxis
    - any medical management plan, anaphylaxis management plan or risk minimisation plan for the child
    - any dietary requirements of the child
    - immunisation status of the child

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- if the approved provider or staff member has sighted a health record for that child, a notation of that fact
- certificates of immunisation or exemption as required depending on the applicable state or territory jurisdiction.
- residential status and proof of identity
- your child's Birth Certificate
- your child's Health Record Book

You need to also be aware that when you visit our website, apps or other web-based content and services ("Websites"), either we or our service provider may record information (such as your computer's IP address and top-level domain name, the type of browser you are using, the date, time and pages accessed) in relation to your visit.

### **Use and disclosure**

We only collect personal information where it is reasonably necessary for one or more of our functions or activities, such as:

- the administering and management of early childhood education and care
- assessing your eligibility for funding support or other benefits
- complying with any legal or regulatory obligations imposed on us
- performing our necessary business functions.

To do this, some of your private information will be shared with government agencies or funding organisations as required in order to entitle you to access various support if any.

We may also disclose your personal information to organisations that carry out functions on our behalf. This may include for example education software or information technology service providers, professional advisers, regulators and government authorities. Our agreements with these entities ensure this information is only used to carry out functions on our behalf and use your private information for the purpose it was disclosed.

We may also disclose your personal information to an individual or an organisation (a 'third party') if:

- You direct us to do so;
- You consent to the third party obtaining the information from us; or
- You consent to the third party accessing the information on our systems, and/or do anything which enables the third party to obtain access.

Your consent to a third party obtaining or accessing information may be implied from:

- Your use of any service or application which a third party provides to you, or makes available to you, which involves the third party obtaining or accessing personal information held by us or organisations like us; or
- You doing anything else which enables the third party to obtain access to the information.

### **Anonymity**

There are limited circumstances where you may be able to deal with us anonymously or by using a pseudonym if you request to do so. Examples include where you are seeking only general information about our services or indicative pricing. In most cases it will not be possible for you to deal with us in this way, or to commence or complete an enrolment application due to the information and identifiers required by regulators and government agencies.

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### **Access and correction**

You may request access to your personal information that we hold at any time and request a correction of any errors in that information.

We will also take reasonable steps to amend or correct your personal information to keep it accurate and up-to-date. Please contact us if you would like to access or request a correction of your personal information.

### **Storage and Security of Your Private Information**

We will take reasonable steps to keep the personal information that we hold about you secure to ensure that it is protected from loss, unauthorised access, use, modification or disclosure.

Your personal information is stored within secure systems that are protected in controlled facilities. Our employees and authorised agents are obliged to respect the confidentiality of any personal information held by us.

You can also help to keep the personal information that we hold about you secure by taking care before you authorise or otherwise assist any third party to obtain or gain access to that information.

### **Our websites and the use of cookies**

We use our best efforts to ensure that information received via our Websites remains secured within our systems. We are regularly reviewing developments in online security; however, users should be aware that there are inherent risks in transmitting information across the internet.

We use cookies on our Websites. Cookies can make using our Websites easier by storing information about your preferences and enabling you to take full advantage of our services. Cookies are very small text files that a Website can transfer to your computer's hard drive or portable electronic device's memory for record keeping.

We may also use Cookies so that we can determine which parts of our Websites are visited most often, or whether you visited our site from a banner advertisement for one of our products or services on another party's website, and other sites you may visit from our Websites.

Sometimes Cookies are used by a third-party service provider with whom we have an agreement to monitor the success of our marketing campaigns. The third-party service provider uses the Cookies to collect information such as when you visited our site, your browser type and the server that your computer is logged in to.

The information is used in an aggregate form and generally no personal information is collected by the third-party service provider. Our agreements with these third parties ensure this information is only used to carry out functions on our behalf, and if any personal information is collected the confidentiality of that information is maintained.

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We may also use Cookies so that we can see which parts of our Websites you visit when you access those Websites. We may use this information for marketing products and services to you. We keep this information confidential and we do not disclose it to third parties.

Most internet web browsers are pre-set to accept Cookies to enable full use of websites that employ them. However, if you do not wish to receive any Cookies on an internet web browser you may configure your browser to reject them or receive a warning when Cookies are being used. In some instances, this may mean that you will not be able to use some or all of the services provided on our websites. However, you may still be able to access information-only pages.

### **How we manage a data breach**

A data breach occurs when personal information is lost or subjected to unauthorised access, modification, use or disclosure or other misuse.

Data breaches can be caused or exacerbated by a variety of factors and give rise to a range of actual or potential harms to individuals, agencies and organisations.

In the event of any suspected data breach, the matter will be investigated to determine:

- The nature of the breach
- The number of people impacted
- The nature of the breach and extent to which an individual or group may be harmed by the breach
- Remedial action to minimise or prevent impact
- Review of systems to minimise the possibility of future similar breach

### **De-identification and destruction of records**

When your child/children leave our service, the following documents and records must be retained by law for the periods of time listed. At the conclusion of the period the documents and record will be de-identified and destroyed.



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Type of record	Timeframe	Reference
Child Assessments	Until 3 years after child's last attendance	Regulation 74, 183
Incident, injury, trauma and illness records	Until the child is 25 years old	Regulation 87, 183
Medication record	Until 3 years after child's last attendance	Regulation 92, 193
Child's Attendance	Until 3 years after child's last attendance	Regulation 158-159, 183
Child enrolment	Until 3 years after child's last attendance	Regulation 160, 183
Death of a child while being educated and cared for by the service	Until 7 years after child's last attendance	Regulation 12, 183
Staff record	Until 3 years after child's last attendance	Regulation 145
Record of access to early childhood teacher	Until 3 years after child's last attendance	Regulation 152
Record of educators working directly with children	Until 3 years after child's last attendance	Regulation 151
Record of volunteers and students	Until 3 years after child's last attendance	Regulation 149

All other documents and records that are not listed above will be de-identified and destroyed within 30 days of our departure from the service.

### **Changes to this policy**

From time to time, it may be necessary for us to review our Privacy Policy and the information contained in this document. We will notify you of any changes by posting an updated version on our Websites and providing you with revised copy of the document.

### **Privacy concern, complaints or changes to your information**

If you have concerns, wish to make a complaint regarding the handling of your personal information by us or if you would like to correct information we currently hold, please contact the services Privacy Officer, Keryn Johnson on mob 0407 324 901.

If you are not satisfied with the response provided, you may refer your complaint directly to:

Office of the Australian Information Commissioner Phone: 1300 363 992

Email: [enquiries@oai.cgov.au](mailto:enquiries@oai.cgov.au)

[www.oaic.gov.au](http://www.oaic.gov.au)

### **Further information about privacy**

You can find more information about privacy (including information about specific issues, answers to frequently asked questions and links to the 13 Australian Privacy Principles) on the Office of the Privacy Commissioner's website at [www.oaic.gov.au](http://www.oaic.gov.au).