Family Day Care Queensland

Privacy Policy

DOCUMENT CONTROL	
Policy area:	Governance
Policy owner:	Board
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Purpose

The purpose of the Privacy Policy (the Policy) is to ensure that Personal Information collected by Family Day Care Queensland (FDCQ) is protected, respected and handled in a manner compliant with *Privacy Act 1988*.

Legislation, Standards and Guidance National Quality Standard	Quality Area 7 – Governance and Leadership
	• 7.1 Governance
	  ○ 7.1.2 Management Systems
	  ○ 7.1.3 Roles and Responsibilities
	• 7.2 Leadership
	  ○ 7.2.2 Continuous Improvement

Education and Care Services National Regulation	Regulation 168 – Policies and procedures • 168(2)l - governance and management of the service, including confidentiality of records • 181 – confidentiality of records kept by approved provider • 183 – storage of records and other documents
Privacy Act 1988	Australian Privacy Principle 1 – Open and transparent management of personal information Australian Privacy Principle 3 – Collection of solicited personal information Australian Privacy Principle 6 – Use or disclosure of personal information Australian Privacy Principle Australian Privacy Principle 11 – Security of personal information
Child Safe Organisations Act 2024	Standard 10 – Policies and procedures

The Policy applies to Board Directors (Directors) and all workplace participants defined as:

- Employees (full-time, part-time, casual, temporary), volunteers and students
- Practice Mentors and Care Connection Consultants
- Contractors, subcontractors, agents, consultants.

It does not apply to Enhance Family Day Educators and Enhance In Home Care Educators who are required to comply with separate policies.

Policy

FDCQ only collects, holds, and discloses Personal Information for a lawful purpose that is reasonably necessary or directly related to one or more of our functions or activities or where otherwise required or authorised by law. FDCQ takes all reasonable steps to protect the information it holds from misuse, loss, unauthorised access, modification or disclosure and access to Personal Information is restricted to those Directors and workplace participants who require it to carry out their work.

FDCQ collects, holds, uses and discloses Personal Information for a variety of reasons including:

- providing education and care to children that is tailored to their needs and the circumstances of their families
- performing its management, employment and personnel functions in relation to its workplace participants
- performing our legislative and administrative functions
- complaints handling and investigation
- maintaining effective working relationships with state and territory governments, non-government education authorities and providers and other relevant stakeholders
- communication and marketing with our community and the public.

This Policy should be read in conjunction with the Information Management Policy and Data Security Policy.

Definitions

In terms of this Policy, the following terms are defined in the table below.

Term	Definition
Confidential Information	Includes but is not limited to information which is personal information for the purposes of privacy law; trade secrets of FDCQ; non-public information about the organisation and affairs of FDCQ such as: pricing information, for example, internal cost and pricing rates, production scheduling software, special supply information; marketing or strategy plans; exclusive supply agreements or arrangements; commercial and business plans; commission structures; contractual arrangements with third parties; tender policies and arrangements; financial information and data; sales and training materials; technical data; schematics; proposals and intentions; designs; policies and procedures documents; concepts not reduced to material form; and all other information obtained from FDCQ or obtained in the course of working or providing services to FDCQ that is by its nature confidential.
Cookies	Cookies are small text files that help a website to remember the preferences of users to improve the experience of using that website.
Employee Records	Is a record of personal information relating to employment of the employee or former employee. Examples include: • an employee's rate of pay, hours worked, superannuation details, training records, disciplinary records

	• resumes and applications of job applicants.
Personal Information	Refers to information or an opinion about a person from which the person's identity can be reasonably ascertained. This includes personal information or opinions about the person, whether true or not, no matter how the information or opinions are recorded. Examples include: • name, address, contact details, date of birth, gender including that of workplace participants, children, spouses, next of kin etc • government issued identification numbers i.e. CRN • subsidy information: Child Care Subsidy Rate, eligible hours • care requirements of a family • court orders • information about referrals to government welfare agencies • counselling reports • medical information (pre-existing conditions, medical reports).
Related Bodies Corporate	As defined in the *Corporations Act 2001* (Cth).
Sensitive information	Is a special category of Personally Identifiable Information and includes information about a person's health, race or ethnic origin, political or religious beliefs, membership of a trade union, sexual preference or criminal record.

Procedure

How we hold Personal Information

FDCQ stores information in hard copy and electronic format with a significant amount information about our members and families kept on its database which is hosted by a third-party data storage provider.

FDCQ imposes strict confidentiality requirements on Directors and workplace participants and has security measures in place for system access and for its website, including firewalls and system encryption.

When we disclose Personal Information

Personally identifiable information may be disclosed for a number of reasons including but not limited to:

- assessing suitability criteria for one of our services
- managing and administering our services
- referring families to other services
- providing professional training and development of our Educators
- promoting our services and advocating for families
- where disclosure is required by law
- in relation a serious matter of health and safety to you, or another person.

Workplace participants are not permitted to disclose Confidential or Personal Information which is collected by FDCQ about families, children, suppliers, customers, agents or contractors. If a Director or workplace

participant is unsure whether information is Confidential, Personal or Sensitive, they must check with FDCQ's Privacy Officer or their immediate manager.

Examples of Confidential or Personal Information include:

- any personal information about an individual that has been collected by FDCQ
- any information about a family, child, parent, or customer of FDCQ
- any personal information about a Director or workplace participant or a colleague (including a prospective or former workplace participant)
- any information about FDCQ's business affairs or business systems.

Employee records

Employee Records are exempt from the Privacy Act and are not generally made available to employees. Employees do not have an automatic right to access their record but may access certain information about their employment including for example basic employment details, leave entitlements, superannuation contributions, flexibility agreements, guarantee of annual earnings, termination of employment or a transfer of business record.

Internal direct marketing

FDCQ will assume consent to use non-sensitive personal information to provide you with better services and for marketing purposes. Every person whose data is collected by FDCQ has the option to refuse email, SMS or posted offers.

Links to third party websites

The FDCQ websites contain links to third parties' websites. FDCQ does not endorse, approve or recommend the services or products provided on third party websites other than the Australian Government Department of Education's website

In addition, FDCQ may use "cookies" on its website. In some cases, the cookies that FDCQ use may collect some personal information. FDCQ will treat this information in the same way as other personal information it collects. Users of FDCQ's website are free to disable cookies on their internet browsers to prevent this information being collected; however, this may lead to the loss of the benefit of an enhanced website experience that the use of cookies may offer.

FDCQ does not take any responsibility for the collection, use, disclosure or security of any personal information that users provide to a third-party website.

Complaints

Privacy complaints are managed by the Executive Manager for the relevant department.

Complaint process

Privacy complaints must be made in writing and preferably using the Feedback and Complaints form available on the FDCQ website. The Executive Manager may exercise discretion to receive an oral complaint if they consider making a written complaint would be impracticable or unreasonably onerous for the complainant.

The written complaint should:

- include sufficient contact details to enable FDCQ to identify the complainant
- clearly and succinctly state the nature of their complaint
- include sufficient information for the Executive Manager to understand the complaint
- provide details such as what happened, when they became aware of it, and who was involved

- state which Australian Privacy Principle they believe has been breached (if known)
- outline the impact the event has had on them
- include details of what they would like to see happen to resolve their complaint.

The complaint can be emailed to: enquiries@fdcq.au or mailed to:

Family Day Care Queensland

7/20 Smallwood Place

Murarrie QLD 4172

FDCQ can only accept complaints from the individual involved, or their authorised representative. If the complainant is acting on behalf of another person, they must provide evidence of their authority to do so.

Complaint Acknowledgement

The Executive Manager will acknowledge the complaint within five working days of receiving it.

Complaint Investigation

The Executive Manager will investigate the concerns raised by the complainant. This may involve obtaining further information from the complainant, speaking with the relevant staff members, reviewing relevant documents or client files, and obtaining technical or legal advice.

In some circumstances, the FDCQ may decline to investigate the complaint, for example if the complaint relates to an act or practice that is not an interference of the privacy of the person making the complaint.

It is anticipated that in most cases, the duration of the investigation will not exceed 20 working days. If the investigation is likely to take longer than 20 days, the Executive Manager will notify the complainant.

Complaint Outcome

The Executive Manager will write to the complainant to inform them of the outcome of the investigation.

If the complainant remains dissatisfied with the response provided, they may wish to contact the Office of the Australian Information Commissioner (The Privacy Commissioner). For more details, see http://www.oaic.gov.au

Internal Feedback

Where appropriate, the Executive Manager will provide feedback, including recommending process improvements, to the relevant internal stakeholders to ensure continued compliance with the Australian Privacy Principles.

Enforcement

All Directors and workplace participants are required to comply with this Policy at all times. Any breach of this Policy may result in disciplinary action which may result in termination of employment (or, for persons other than employees, the termination or non-renewal of contractual arrangements) or legal action as per FDCQ's Performance and Misconduct Policy.

The severity of the violation will determine the appropriate action taken.

Depending on the nature of the violation, FDCQ may be required to report the breach to relevant authorities, including police, if the matter involves alleged criminal activity.

Records

- Feedback and Complaints Form
- Notifiable Data Breaches

Family Day Care
Queensland

Policy Versions

Date	Version	Status	Contributor	Notes
10/10/2025	v0.1	Draft	Bronwen Griffiths	
16/10/2025	v0.1	Draft	Governance and Compliance Committee	Draft tabled at GCC Meeting
22/10/2025	v0.1	For Review	ME, KS, FM, OV	Revisions for consideration