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Preamble

This is the policy of Anchor ChildCare, a subsidiary of Anchor Impact Group, collectively referred to as 'Anchor ChildCare' or 'ACC'.

Anchor ChildCare provides specialist advisory services to the early childhood education and care sector, including strategy and governance advisory, complex business and finance advisory, and risk advisory and compliance turnaround services. ACC is bound by the 13 Australian Privacy Principles (APPs), as set out in the Privacy Act 1988 (amended by the Privacy Amendment (Enhancing Privacy Protection) Act 2012).

To comply with our obligations under the APPs, Anchor ChildCare has a Privacy Policy, which sets out how we manage privacy in our organisation. Any relevant person wishing to receive more information about the operational aspects of this policy can seek that information from the Managing Director, who is the Privacy Officer for Anchor ChildCare.

Purpose

To ensure that Anchor ChildCare's Privacy Policy and Procedures are clearly documented and understood by employees and contractors, and to ensure that personal information is collected, used, stored and disclosed by Anchor ChildCare in accordance with legal requirements.

Legislative / Compliance Obligations

Privacy Act 1988 (amended by the Privacy Amendment (Private sector) Act 2000 and the

Privacy Amendment (Enhancing Privacy Protection) Act 2012, Privacy and Personal Information Act 1988

Education and Care Services National Law Act 2010

Education and Care Services National Regulations 2011

National Quality Framework (NQF)

Children (Education and Care Services) National Law (NSW) No 104a

Australian Privacy Principles Guidelines, Office of the Australian Information Commissioner, Privacy (Persons Reported as Missing) Rule 2014

Tax File Number Guidelines 2011

Introduction / background

Anchor ChildCare collects and holds the following types of personal information:

Employees

- Name
- Date of Birth
- Address
- Occupation
- Career history

- Application for Employment
- Immunisation records
- References
- Tax file number
- Banking details
- HR/Personnel Records
- Workers compensation or injury information
- Working with Children check
- Police check
- Immigration status report
- Garnishee orders
- Superannuation
- Professional registration details (e.g. ACECQA, teaching registrations)
- Car registration

Clients / Childcare Service Providers

- Organisation name and contact details
- Key contact persons (name, role, email, phone)
- Board and governance documentation
- Contractual and engagement records
- Programme, assessment and review notes
- Consulting engagement records and project documentation

- Financial and billing information
- National Quality Standard (NQS) assessment and rating information
- Regulatory compliance records and correspondence with regulatory authorities
- Person responsible for the client organisation e.g. authorised representative, board chair, approved provider or nominated supervisor details
- Information that we obtain about you in the course of your interaction with our website including your internet protocol (IP) address, the date and time of your visit to our website, the pages you have accessed, the links on which you have clicked and the type of browser that you were using
- Aggregated statistical data which is information relating to your use of our website and our services, such as traffic flow and demographics

Children and Families (where collected in the course of advisory engagements)

Where Anchor ChildCare's advisory services require access to client records as part of compliance reviews, risk assessments or quality improvement projects, we may have incidental access to personal information relating to children, families and educators held by our clients. Such information is accessed solely for the purpose of providing advisory services and is handled in strict accordance with this Policy and applicable legislation.

Policy statement

Anchor ChildCare takes its obligations under the Privacy Act seriously and will take all reasonable steps in order to comply with the Act and protect the privacy of personal and sensitive information that we hold. This policy sets out how we will achieve this.

The policy applies to all persons involved in our organisation. This includes prospective candidates for employment, employees, contractors, clients and any person who provides us with their personal information.

1. Collection

Anchor ChildCare will only collect information if it is necessary for our functions and activities. When we do so, we will inform the individual about what the information will be used for. In most cases we will only collect information directly from the individual (or the responsible person, as appropriate) and where information is collected from someone else (unless required in a

permitted situation), we will inform the individual (or the responsible person, as appropriate) if practicable.

Information is collected by fair and lawful means and in accordance with our obligations under State and Federal legislation, including the Education and Care Services National Law and National Regulations. Other information collected concerning employees is collected to ensure compliance with tax office obligations, immigration legislation and industrial instruments, and the like.

2. Use and Disclosure

Anchor ChildCare will only use or disclose personal information relating to clients or employees for the primary purpose of collection, a related purpose for which it was collected (and which would be reasonably expected) or a purpose to which the individual (or the responsible person, as appropriate) has consented.

- Personal information may be provided to the following as part of provision of services:
 - Other external agencies that Anchor ChildCare contracts with to provide services to employees and clients on our behalf. In circumstances where this is necessary, these external agencies are required to provide confirmation of their compliance with the Privacy Act 1988 (amended by the Privacy Amendment (Private sector) Act 2000 and the Privacy Amendment (Enhancing Privacy Protection) Act 2012).
 - Regulatory authorities (including ACECQA and state/territory regulatory authorities) as required by Commonwealth and State legislation
 - Funding bodies and other government agencies as required by Commonwealth and State legislation
 - The person designated by the client as the authorised representative for giving and accessing their information
 - Personal information relating to clients and employees will not be used for other purposes such as fundraising or marketing activities without seeking written consent of the client, authorised representative or employee
 - The use or disclosure is required or authorised by law
 - Anchor ChildCare reasonably believes that the use or disclosure is necessary to lessen or prevent a serious or imminent threat to an individual's life, health or safety, or a serious threat to public health or safety

- If Anchor ChildCare has reason to believe that an unlawful activity has been, is being or may be engaged in
- Where disclosure is necessary to comply with mandatory reporting obligations relating to the safety and well-being of children

3. Quality of Information

Anchor ChildCare will take all reasonable steps to ensure that the personal information it collects, uses, or discloses is accurate, complete and up to date and is relevant for the purpose of the collection, use or disclosure.

4. Security of Information

Anchor ChildCare takes all reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure. However, Anchor ChildCare cannot guarantee the security of any personal information transmitted to us via the Internet.

Anchor ChildCare holds all personal information of clients and employees in a secure and confidential manner.

Anchor ChildCare destroys all personal information it no longer requires for any purpose for which the information may be used or disclosed under Part 2 of this Policy.

- Secure disposal of electronic records will include:
 - Overwriting records before they are deleted and
 - Deleting backup files
- Secure disposal of paper-based records will include:
 - Shredding of paper files or
 - Contacting an authorised disposal company for secure disposal

In situations where it is necessary to retain the personal information, it will be permanently de-identified by removing from the record any information by which a client/employee may be identified.

5. Openness

This Privacy Policy clearly expresses Anchor ChildCare's management of personal information, and this Policy is available to any person who requests a copy.

On written request, Anchor ChildCare will take all reasonable steps to explain generally what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

6. Access to or correction of personal information

Anchor ChildCare provides access to the personal information that we hold about clients and employees. Access will be provided in accordance with the Australian Privacy Principles.

A client representative is required to make a written request to access the personal information of a client to the Privacy Officer.

All reasonable steps will be taken to provide access.

Requests for corrections to personal information held by Anchor ChildCare may be made in writing to the Privacy Officer.

Anchor ChildCare will provide a reason for the denial of access or refusal to correct personal information.

(1) Client Access

Access is granted to individuals or organisations receiving services from Anchor ChildCare and/or the person designated by the client as being the authorised representative for giving and accessing this information upon written request through the Privacy Officer. The authorised representative must consider whether the client would wish to access the information.

Anchor ChildCare is not required to provide access when:

- the request is vexatious or frivolous
 - it requires access that would be unlawful
 - the information would reveal Anchor ChildCare's intention in relation to negotiations
 - it concerns information related to an existing or anticipated legal proceeding
 - it would detrimentally affect the privacy of another individual
 - would pose a serious threat to an individual's life or health

- the information was given in confidence

(2) Employee Access

Access is granted to employees of Anchor ChildCare upon written request through the Privacy Officer.

Anchor ChildCare is not required to provide access when:
the request is vexatious or frivolous

- it requires access that would be unlawful
 - the information would reveal Anchor ChildCare's intention in relation to negotiations
 - it concerns information related to an existing or anticipated legal proceeding
 - it would detrimentally affect the privacy of another individual
 - would pose a serious threat to the employee's life or health
 - the information was given in confidence

7. Anonymity

Anchor ChildCare gives individuals the option of not identifying themselves where it is lawful or practicable.

8. Transborder Data Flows

In general, Anchor ChildCare does not send personal information to foreign countries. However, Anchor ChildCare may, on occasion, be required to transfer personal information about a client or an employee to someone who is in a foreign country if:

- Anchor ChildCare reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which upholds principles for handling the information that are substantially similar to the Australian Privacy Principles
- The individual gives informed consent
- It is not practicable for the individual to give consent, but the transfer of information is for his or her benefit
- Transfer is necessary for performance of a contract between the individual and Anchor ChildCare

- Transfer is necessary for performance of a contract between a third party and Anchor ChildCare and is in the interests of the individual
- Action is required in relation to an unlawful activity
- Disclosure is required by law

The country to which the information is sent would depend on the individual circumstances of the case.

If it becomes necessary to store or disclose personal or sensitive information outside of Australia, where practicable an indemnity will be sought from the recipient of the information, which indemnifies Anchor ChildCare against claims for the recipient's breach of the Privacy Act.

9. Sensitive Information

Sensitive information refers to:

- an individual's racial or ethnic origin
- health information
- political opinions
- membership of a political association, professional or trade association or trade union
- religious beliefs or affiliations
- philosophical beliefs
- sexual orientation or practices
- criminal record
- genetic information
- biometric information that is to be used for certain purposes
- biometric templates.

Anchor ChildCare will not collect, use or disclose sensitive information about a client, authorised representative or employee unless:

- They have consented; or
- The collection, use or disclosure is required by law; or
- The collection, use or disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual; or
- The collection, use or disclosure is necessary to comply with mandatory reporting obligations relating to the safety and wellbeing of children.

10. Complaints process

If there is a complaint regarding the information that Anchor ChildCare is collecting or has collected, or a person believes there is a breach of this policy or the Privacy Legislation, a written complaint should be made to the Privacy Officer (privacy@anchorchildcare.com.au).

11. Debt Collection

Anchor ChildCare has a policy in relation to the collection of debts. Clients who do not pay their fees on time may be subject to their personal information being given to a debt collection agency.

12. Direct Marketing

Personal information may be used to assist Anchor ChildCare with direct marketing, for example to enhance our service and keep clients informed by sending newsletters and sector intelligence updates.

Individuals have the right to:

- Elect not to receive direct marketing material from us
- Direct us not to use or disclose information for purposes of direct marketing by other organisations
- Request us to provide the source of the information used for direct marketing.

13. Emergencies and Disasters

This part applies to situations when the Prime Minister or a Minister of the Australian government has issued a written and published declaration of an emergency or disaster of national significance and which has affected one or more Australian citizens or permanent residents (Declaration).

When a Declaration has been issued, we may collect, use or disclose personal information without having to comply with ordinary Privacy Act rules only for the following purposes:

- identifying those are or might be injured, missing, dead or involved in the emergency
- helping individuals to get services including repatriation, medical or other treatment, health, financial or other humanitarian aid
- helping law enforcement
- coordinating or managing the emergency
- making sure that people who are responsible for individuals are kept appropriately informed about them and the emergency response to those individuals.

Only to the following organisations:

- a State or Territory authority
- the use or disclosure is not contrary to any wish expressed by the person reported as missing of which we are aware, and
- we do not believe that the use or disclosure would pose a serious threat to the life, health or safety of the individual
- an entity involved or likely to be involved in managing or assisting in managing the emergency or disaster, or
- a person who is 'responsible' for the individual, or
- a Minister; or
- a Department; or
- certain bodies or tribunals established or appointed for a public purpose by or under a Commonwealth enactment; or
- a body established or appointed by the Governor-General, or by a Minister, otherwise than by or under a Commonwealth enactment; or

- a person holding or performing the duties of an office established by or under, or an appointment made under, a Commonwealth enactment, other than a person who, by virtue of holding that office, is the Secretary of a Department; or
- a person holding or performing the duties of an appointment, being an appointment made by the Governor-General, or by a Minister, otherwise than under a Commonwealth enactment; or
- a federal court; or
- the Australian Federal Police; or
- Norfolk Island agency; or
- the nominated AGHS company; or
- an eligible hearing service provider; or
- the Chief Executive Officer of Medicare Australia.

Only in the following situations:

- we believe that the individual is involved in the emergency or disaster; and
- there are limits on the entities that the information can be disclosed to; and
- these entities must be directly involved in providing specific services, such as repatriation, medical, health, financial or other humanitarian assistance.

If possible, queries regarding extraordinary handling of personal and sensitive information where there has been a Declaration should be referred at first instance to the Privacy Officer.

14. Unsolicited information

If we receive unsolicited personal information, we will:

- Determine whether the information could have been collected in compliance with Part 1 of this Policy; and
- If the answer is no, then destroy or de-identify the information; or

If the answer is yes, then provide the individual with a privacy statement and consent form and otherwise handle the information in accordance with this Policy

15. Email communication where sensitive and private information is contained

Emails that are sent outside Anchor ChildCare's platform, then in every instance, the email sender must determine if sensitive and confidential information is contained in the email or in an attachment.

If a sensitive or confidential email is included, then the Email header is to contain the following statement: [This email contains sensitive or confidential information]

16. Privacy Data Breaches

In the event that your Personal Information is lost, stolen or subject to unauthorised access or disclosure, Anchor ChildCare will implement the Data Breach Response Plan and will also adhere to its obligations under the Privacy Act in relation to any required notifications to the Office of the Australian Information Commissioner and to those people whose Personal Information has been lost, stolen or subject to authorised access or disclosure.