

## Record Keeping and Retention Policy

### National Law

175	Offence relating to requirement to keep enrolment and other documents
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### National Regulations

Regs	55	Quality improvement plans
	74	Documenting child assessments or evaluations for delivery of educational program
	87	Incident, injury, trauma and illness record
	92	Medication record
	145	Staff record
	146	Nominated supervisor (records)
	147	Other staff members (records)
	148	Educational leader (records)
	149	Volunteers and students (records)
	150	Responsible person
	151	Records of Educators working directly with children
	158	Children's attendance record is to be kept by approved provider
	160	Child enrolment records to be kept by approved provider
	161	Authorisations to be kept in enrolment record
	162	Health information to be kept in enrolment record
	167	Record of service's compliance
	168(2)(l)	Education and Care Services must have policies and procedures in relation to governance and management of the service, including confidentiality of records
	177	Prescribed enrolment and other documents to be kept by approved provider
	180	Evidence of prescribed insurance
	181	Confidentiality of records kept by approved provider
	183	Storage of records and other documents
	184	Storage of records after service approval transferred

### Aim

To ensure that our service maintains appropriate records in line with our regulatory requirements.

## Related Policies

Additional Needs Policy  
Administration of Authorised Medication Policy  
Child Safe Policy  
Enrolment Policy  
Family Violence Safety Policy  
HIV AIDS Policy  
Immunisation and Disease Prevention Policy  
Infectious Diseases Policy  
Medical Conditions Policy  
Privacy and Confidentiality Policy  
Staffing Arrangements Policy

## Who is affected by this policy?

Children  
Families  
Educators

## Implementation

### Records of Staff

The Approved Provider must ensure a record is kept of staff that includes:

- The name of the person currently designated as the **educational leader** at the service. This is a suitably qualified and experienced educator, co-ordinator or other person who leads the development and implementation of educational programs in the service.
- For **nominated supervisors and other staff members**
  - The full name, address and date of birth of any nominated supervisors and each other staff members of the service.
  - Evidence of any relevant qualifications.
  - If applicable, evidence that the staff member is actively working towards that qualification. If this is the case, the following must be recorded:

- Proof of enrolment.
- Documentary evidence that the staff member has commenced the course, is making satisfactory progress towards the completion of the course, and maintaining the enrolment requirements.
- For staff members who are working towards the completion of a Diploma level education and care qualification, proof that they hold an approved Certificate III level education and care qualification or has completed the units of study in an approved Certificate III level education and care qualification determined by ACECQA.
- Evidence of any approved training (including first aid training) completed by the staff member.
- A Working with Children Check with a record of the identifying number or current teacher registration number and expiry date.
- For Nominated Supervisors and Persons in Day to Day Charge, evidence the person has consented to the position and meets the minimum requirements to be placed in the position including, for example, a Compliance History Statements and a Prohibition Notice Declaration.
- For **Students and Volunteers:**
  - The full name, address and date of birth of each student or volunteer.
  - a record for each day on which the student or volunteer participates in the service, the date and hours of participation.
- For the **Responsible Person:**
  - the name of the responsible person at the centre-based service for each time that children are being educated and cared for by the service.
- For **educators working directly with children:**
  - The name of each educator.
  - The hours that each educator works directly with children. Please note that a staff roster or time sheet is sufficient record of this.

## Records Relating to Enrolled Children

The following records will be kept in relation to enrolled children:

- **Documentation relating to evaluations** of the child's well being, development and learning
- **An Incident, Injury, Trauma and Illness Record** (within Incident, Injury, Trauma and Illness Policy), including:
  - **Details of any incident** in relation to a child or injury receive by a child or trauma to which a child has been subject while being educated and care for by the service. The following must be included:
    - The name and age of the child.

- The circumstances leading to the incident, injury or trauma.
- The time and date the incident occurred, the injury that was received or the child was subjected to the trauma.
- **Details of any illness** which becomes apparent while the child is being educated and care for by the service. The following must be included:
  - The name and age of the child.
  - The relevant circumstances surrounding the child becoming ill and any apparent symptoms.
  - The time and date of the apparent onset of the illness.
- Details of the action taken by the service in relation to any incident, injury, trauma or illness which a child has suffered while being educated and cared for by the service. The following must be included:
  - Any medication administered or first aid provided.
  - Any medical personnel contacted.
- Details of any person who witness the incident, injury or trauma
- The name of any person who the education and care service notified or attempted to notify of any incident, injury trauma or illness a child has suffered at the service and the time and date of the notification and notification attempts.
- The name and signature of the person making an entry in the record and the time and date that the entry was made.
- This record must be recorded as soon as is practicable, but not later than 24 hours after the incident, injury, trauma or onset of illness occurred.
- **A medication record** which includes the following:
  - The name of the child
  - The authorisation to administer medication (including self-administration is applicable) signed by a parent or a person named in the child's enrolment record as authorised to consent to administration of medication.
  - The name of the medication to be administered.
  - The time and date the medication was last administered.
  - The time and date or the circumstance under which the medication should be next administered.
  - The dosage of the medication to be administered.
  - The manner in which the medication is to be administered.
  - If the medication is administered to the child:
    - The dosage that was administered.
    - The manner in which the medication was administered.
    - The name and signature of the person who administered the medication.
    - If another individual is required to check the dosage, the name and signature of that person.

- **A record of attendance for enrolled children**, including:
  - The full name of each child attending the service.
  - The date and time each child arrives and departs.
  - The signature of:
    - the person who delivers and collects the child when he or she arrives and departs or
    - the nominated supervisor or educator.
- **Child enrolment records** which include the following:
  - The full name, date of birth and address of the child.
  - The name, address and contact details of:
    - Each known parent of the child
    - Any person who is to be notified of any emergency involving the child if any parent of the child cannot be immediately contacted
    - Any person who is an authorised nominee
    - Any person who is authorised to consent to medical treatment of, or to authorise administration of medication to the child.
    - Any person who is authorised to authorise an educator to take the child outside the education and care service premises.
    - Details of any court orders, parenting orders or parenting plans provided to the approved provider relating to powers, duties, responsibilities or authorities of any person in relation to the child or access to the child.
    - Details of any other court orders provided to the approved provider relating to the child's residence or the child's contact with a parent or other person.
    - Gender of the child
    - Language used in the child's home
    - Cultural background of the child and parents (if applicable)
    - Any special considerations for the child (e.g. cultural, religious, dietary requirements or additional needs)
    - Authorisations signed by a parent or a person named in the enrolment record as authorised to consent to the medical treatment of the or nominated supervisor to seek:
      - Medical treatment for the child from a registered medical practitioner, hospital or ambulance service.
      - Transportation of the child by any ambulance service.
    - Authorisation to take the child on regular outings.
    - The name, address and telephone number or the child's registered medical practitioner or medical service.
    - The child's Medicare number if available.

- Details of any specific healthcare needs of the child including any medication conditions or allergies including whether the child has been diagnosed as at risk of anaphylaxis, including details of any medical management plan.
- Details of any dietary restrictions for the child
- The immunisation status of the child
- A notation that states that a staff member or approved provider has sighted a child's health record.
- **A record of the services compliance with the law**, including:
  - Details of any amendments of the service approval made by the Regulatory Authority including:
    - The reason stated by the Regulatory Authority for the amendment.
    - The date on which the amendment took, or takes, effect
    - The date (if any) that the amendment ceases to have effect.
    - Details of any suspension of the service (other than a voluntary suspension) including:
      - The reason stated by the Regulatory Authority for the suspension.
      - The date on which the suspension took, or takes, effect.
      - The date that the suspension ends.
  - Details of any compliance direction or compliance notice issued to the approved provider in respect of the service, including:
    - The reason stated by the Regulatory Authority for issuing the direction or notice
    - The steps specified in the direction or notice.
    - The date by which the steps specified must be taken.
  - This information must not include any information that identifies any person other than the approved provider.
  - A record of any person in day to day charge of the education and care service.

The approved provider must ensure that the documents referred to above in relation to a child enrolled at the service are made available to a parent of the child on request. In line with this, if a parent's access to the kind of information referred to in this documentation is limited by an order of a court, the approved provider must refer to the court order in relation to the release of information concerning the child to that parent.

The record of compliance referred to above must be available for access on request by any person.

## Insurance

Our service will keep a record of the **current insurance**, usually a certificate of currency.

### **Child Care Subsidy Records which include:**

- Complaints made about compliance with the Family Assistance Law
- Any notice made to a state/territory agency about a child at risk of abuse or neglect
- Attendance record for each child at service (whether eligible for CCS and/or Additional CCS or not) including records of any absences
- Evidence that any absences in excess of the 42 days allowed meet the required criteria
- Copies of invoices and receipts for the payment of child care fees
- Copies of all Statements of Entitlement issued and any Statements advising a change of entitlement
- Complying Written Arrangements (CWAs) for each child (unless fees are not paid under this type of arrangement) which include names and contact details of provider and person responsible for paying fees, date arrangement starts, name and date of birth of child (or children), if care will be provided on a routine basis, and if so, details about the days on which sessions of care will usually be provided, and the usual start and end times for these sessions of care, whether care may be provided on a casual or flexible basis (in addition to, or instead of, a routine basis), details of fees to be charged eg via fee schedule or information available on website that the parties understand may vary from time to time
- All evidence to support background checks for specified personnel including persons with management or control of service and persons responsible for day to day operation of service (see Staffing Arrangements Policy)

Note record keeping requirements also apply in relation to **Child and Family Violence information Sharing Schemes** – refer Child Safe Policy and Family Violence Safety Policy.

### **Length of Time Records must be Kept**

Our service will keep records for the following periods:

- If the record relates to an incident, illness, injury or trauma suffered by a child while being educated and cared for by the service, until the child is aged 25 years.
- If the record relates to an incident, illness, injury or trauma suffered by a child that may have occurred following an incident while being educated and cared for by the service, until the child is aged 25 years.
- If the record relates to the death of a child while being educated and cared for by the service or that may have occurred as a result of an incident while being educated and cared for, until the end of 7 years after the death.

- If the case of any other record relating to a child enrolled at the education and care service. Until 3 years after the last date on which the child was educated and cared for by the service.
- If the record relates to the Approved Provider, until the end of 3 years after the last date on which the approved provider operated the education and care service.
- If the record relates to the nominated supervisor or staff member of an education and care service, until the end of 3 years after the last date on which the nominated supervisor or staff member provided education and care on behalf of the service.
- In the case of records required for Family Assistance Law/Child Care Subsidy purposes, 7 years
- In the case of any other record, 3 years after the date on which the record was made.

## **Storage of Records**

Records made by our service will be stored in a safe and secure location for the relevant time periods as set out above and only made accessible to relevant individuals.

If a service is transferred under the law, documents relating to a child must not be transferred without the express consent of the child's parents.

## **Confidentiality and Storage of Records**

The approved provider will ensure that information kept in a record is not divulged or communicated through direct or indirect means to another person other than:

- The extent necessary for the education and care or medical treatment of the child to whom the information relates.
- A parent of the child to whom the information relates, except in the case of information kept in a staff record.
- The Regulatory Authority or an authorised officer.
- 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.

## **Sources**

**Privacy Act 1988**

**Education and Care Services National Regulations**

**National Quality Standard**





## Review

The policy will be reviewed annually by:

- Management
- Employees
- Families
- Interested Parties
- **Last reviewed: 1<sup>st</sup> May 2023    Date for next review: 1<sup>st</sup> May 2024**