

## Record Keeping and Retention Policy

### National Quality Standard

QA7	7.1.2	Management systems - Systems are in place to manage risk and enable the effective management and operation of a quality service.
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### 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
	126	Centre-based services – general educator qualifications
	145	Staff record
	146	Nominated Supervisor Records
	147	Staff Member Records
	148	Educational Leader
	149	Volunteer Records
	150	Responsible Person
	151	Record of educators working directly with children
	152	Record of access to early childhood teachers
	152A	Record of replacement of educator
	152B	Record of replacement of early childhood teacher or suitably qualified person
	158	Children's attendance record is to be kept by approved provider
	160	Child enrolment record 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
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## Aim

To ensure that our service maintains appropriate records in line with our regulatory requirements and according to best practice.

## Intersection with other policies

Additional Needs Policy  
Administration of Authorised Medication Policy  
Child Safe Policy  
  
Child Protection Policy and Procedures  
Collection and Delivery of Children Policy  
Enrolment Policy  
Excursion Policy and Procedure  
HIV AIDS Policy  
Immunisation and Disease Prevention Policy  
Infectious Diseases Policy  
Incident, Injury, Trauma and Illness Policy and Procedure  
Medical Conditions Policy  
Privacy and Confidentiality Policy  
Safe Arrival of Children  
Staffing Arrangements Policy  
Transportation Policy and Procedure  
Work Health and Safety Policy

## Definitions

*"Abuse of a child"* - is maltreatment that endangers a child's safety, wellbeing and development and includes physical or sexual abuse, or emotional abuse which causes significant harm to their wellbeing or development including abuse as a result of domestic violence. Source: Children and Young People Act 2008

*"Authorised nominee"* - a person who has been given permission by a parent or family member to collect the child from the service or the family day care educator. Source: National Law (Section

*"Enrolment record"* - the approved provider must ensure an enrolment record is kept for each child enrolled at the service. Source: Guide to the NQF (Management of records – Children's enrolment record)

*"Medication"* - medicine within the meaning of the *Therapeutic Goods Act 1989* of the Commonwealth. Medicine includes prescription, over-the-counter and complementary medicines. All therapeutic goods in Australia are listed on the Australian Register of Therapeutic Goods,

available on the Therapeutic Goods Administration website. Source: [National Regulations \(Definitions\)](#)

*"Medical attention"* - includes a visit to a registered medical practitioner or attendance at a hospital. Source: [ACECQA Policy Guidelines: Incident, Injury, Trauma and Illness](#)

*"Medical emergency"* - An injury or illness that is acute and poses an immediate risk to a person's life or long-term health. [ACECQA Policy Guidelines: Incident, Injury, Trauma and Illness](#)

*"Medical management plan (MMP)"* - a document that has been written and signed by a doctor. MMP includes the child's name and photograph. It also describes symptoms, causes, clear instructions on action and treatment for the child's specific medical condition. Source: [National Regulations \(Regulation 90\)](#)

*"Parent"* - in relation to the child, includes: a guardian of the child; and a person who has parental responsibility for the child under a decision or order of a court. For regulation 99, 'parent' does not include a parent who is prohibited from having contact with the child. Source: [National Law \(Definitions\)](#)

## Implementation

We commit to keeping full and accurate records and to maintain them in an indexed, logical and secure manner. We will retain and dispose of records in a consistent way and according to our legal obligations. Under the *National Regulations*, approved providers must:

- Keep and maintain certain records
- Ensure confidentiality and secure storage of records
- Have the records available for inspection by an authorised officer and, in some cases, parents of enrolled children.

This policy provides details on what records must be kept and for how long. It also describes our processes for storing records securely and confidentially.

## Child safe record keeping

We are committed to keeping full, clear, objective and accurate records about any incidents, responses and decisions that relate to child safety and well-being, including sexual abuse. We support individuals' rights to access, amend and annotate their own records, except if in doing so they are breaking the law or breaching one of our other policies.

All records that relate to child safety and well-being – e.g. suspicions, disclosures, allegations, convictions, reports, complaints, grievances, investigations, complaints handling, breaches, disciplinary actions, referrals, exchanges of information, risk assessments, policies and procedures - will be kept, maintained and stored for the best practice period of a minimum of 45 years after the

date they are made (and longer if possible). This is because it is common for children to delay reporting or pursuing cases of abuse.

Online records will be stored password protected file and physical records in a secure cabinet.

## Records overview

The approved provider must keep the following documents and have them available for inspection at our premises:

- Evidence of public liability insurance – Ongoing
- Quality improvement plan – Ongoing with annual revisions
- Child assessments or evaluations for delivery of the educational program – Until the end of 3 years after the child's last attendance
- Incident, injury, trauma and illness record – Until the child is 25 years old or for at least 45 years from the date the record was made if it relates to child abuse
- Medication record - Until the end of 3 years after the child's last attendance
- Child attendance record - Until the end of 3 years after the child's last attendance
- Child enrolment record - Until the end of 3 years after the child's last attendance
- Death of a child while being educated and cared for by the service - Until the end of 7 years after the child's death
- Record of service's compliance history - Until the end of 3 years after the approved provider operated the service
- Staff record - Until the end of 3 years after the staff member works for the service
- Record of access to early childhood teachers or suitably qualified person - Until the end of 3 years after the staff member works for the service
- Record of educators working directly with children - Until the end of 3 years after the staff member works for the service
- Record of volunteers and students - Until the end of 3 years after the volunteer or student attended the service
- Record of responsible person in day-to-day charge including nominated supervisors placed in day-to-day charge - Until the end of 3 years after the staff member works for the service- Until the end of 3 years after the staff member works for the service
- Records required for Family Assistance Law/Child Care Subsidy purposes – Until 7 years after the date on which the records were made.

## Staff, volunteer and student records

### Nominated supervisor/s and each other staff member records

The following records must be kept in relation to the service's nominated supervisor/s and each other staff member:

- The full name, address and date of birth
- Evidence of any relevant qualifications (or, if applicable, evidence that the person is actively working towards that qualification) including:
  - Proof of enrolment
  - Documentary evidence that the person has commenced the course, is making satisfactory progress towards the completion of the course, is meeting the requirements of maintaining the enrolment.
  - If the person is 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 completed approved training (including first aid training): training certificates must state the date when the person completed the course and the expiry date or validity date of the training
- A Working with Children/Vulnerable People Check with a record of the identifying number and expiry date or a record of their current teacher registration and expiry
- 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.
- The name of the person who is designated as the **educational leader**
- The name of the **responsible person** for each time that children are being educated and cared for by the service
- The name of **each educator who works directly with children**, including the hours that each educator works directly with children. Please note that a staff roster or time sheet is sufficient record of this

#### Records of qualified educator replacement

Must include:

- Name of the educator being replaced
- Qualification(s) the reliving educator holds, or is actively working towards
- Qualification(s) of the substitute educator
- Dates of replacement
- Reason(s) for absence.

#### Records regarding replacement of ECT or suitably qualified person

Must include:

- Name of the ECT/suitably qualified person being replaced
- Role
- Qualifications(s) of the substitute educator
- Dates of replacement
- Reason(s) for absence.

### **Student and volunteer records**

The following records must be kept in relation to 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
- A Working with Children/Vulnerable People Check with a record of the identifying number and expiry date or a record of their current teacher registration and expiry

## **Children's Attendance Record**

The following records will be kept in relation to children's attendance:

- Records the full name of each child attending the service
- Records the date and time each child arrives and departs
- Is signed at the time the child arrives and departs by either the person who delivers or collects the child, or the nominated supervisor or an educator

## **Children's Enrolment Record**

The following records will be kept in relation to children's enrolment record:

- 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 service premises
  - Any person who is authorised to authorise the service to transport the child or arrange transportation of the child

- 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 child 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.
- Authorisations to take the child on regular outings.
- The name, address and telephone number of 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 medical conditions, allergies, including whether the child has been diagnosed as at risk of anaphylaxis
- Any medical management plan or risk minimisation 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

#### **Assessment and evaluations records**

- Documentation relating to child assessments or evaluations for delivery of the education program, including:
  - Assessments of the child's developmental needs, interests, experiences and participation in the education program.
  - Assessments of the child's progress against the outcomes of the educational program.

#### **Incident, Injury, Trauma and Illness Records**

(See Incident, Injury, Trauma and Illness Policy and Procedures)

Any incident, injury, trauma or illness records will be kept on the child's enrolment record and will include:

- **Details of any incident** in relation to a child or injury received by a child or trauma to which a child has been subject while being educated and cared 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 cared 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 witnessed 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 made as soon as is practicable, but not later than 24 hours after the incident, injury, trauma or onset of illness occurred.

### Medication record

The following information about medications will be kept on children's enrolment records:

- 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.

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.

We must obtain written consent of the person to whom the personal information relates before disclosing to a parent of a child enrolled at the service any personal information relating to:

- a) A parent of a child enrolled at the service, if that person is not the parent making the request
- b) A person who is required to be notified of an emergency involving a child enrolled at the service if a parent cannot be immediately contacted
- c) An authorised nominee of a child enrolled at the service
- d) A person who is authorised to consent to medical treatment of, or to authorise administration of medication to, a child enrolled at the service
- e) A person who is authorised to allow an educator to take a child outside the premises
- f) A person who is authorised to allow the service to transport, or arrange transport for, the child

A person who has given their consent can withdraw it in writing at any time before the information is disclosed.

## Record of compliance

The following information will be kept as a record of the service's 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
- This information must not include any information that identifies any person other than the approved provider.
- The record of compliance referred to above must be available for access on request by any person

## Evidence of public liability insurance

The approved will keep ongoing evidence of the current public liability insurance at our service premises (e.g. certificate of currencies) (except if the service is indemnified by state or territory government).

## Child Care Subsidy Records

Information will be kept for Child Care Subsidy records, including:

- 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)

## 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.

This location is \_\_\_\_\_

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

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 in accordance with regulation 177 "Prescribed enrolment and other documents to be kept by the approved provider" – in other words, we must have the written consent of the person to whom the personal information relates to before disclosing the information (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 (for example, exchanges of information under child protection laws – see *Child Protection Policy* for more information)
- With the written consent of the person who provided the information.

## Roles and responsibilities

All staff, volunteers, students and families must understand our *Record Keeping and Retention Policy* and their role and responsibilities in keeping and retaining records.

Responsibilities	Role
Ensure our service meets its obligations under the <i>Education and Care Services National Law and Regulations</i>	Approved Provider Nominated Supervisor
Ensure our service meets its record keeping and storage obligations under the <i>Regulations</i>	Approved Provider

<p>Take reasonable steps to ensure that nominated supervisors, staff and volunteers follow, and can easily access, the <i>Record Keeping and Retention Policy</i> (and other related policies) including by:</p> <ul style="list-style-type: none"> <li>• Providing information, training and other resources and support</li> <li>• Providing this <i>Policy</i> at induction</li> <li>• Clearly defining and communicating roles and responsibilities for implementing this <i>Policy</i></li> <li>• Communicating changes to routines and policies</li> <li>• Monitoring and auditing of staff practices (including through spot checks) and addressing non-compliance quickly</li> <li>• Regularly reviewing this <i>Policy</i></li> </ul> <p>The <i>Policy</i> must also be available for inspection.</p>	<p>Approved Provider (ultimate responsibility) Nominated Supervisor</p>
<p>Notify families at least 14 days before changing this <i>Policy</i> if the changes will:</p> <ul style="list-style-type: none"> <li>• Affect the fees the charged or the way they are collected; or</li> <li>• Significantly impact the service's education and care of children; or</li> <li>• Significantly impact the family's ability to utilise the service.</li> </ul>	<p>Approved Provider</p>
<p>Implement the <i>Record Keeping and Retention Policy</i></p>	<p>Approved Provider Nominated Supervisor</p>
<p>Be aware of legal obligations, and understand and follow the <i>Record Keeping and Retention Policy</i></p>	<p>Educators Volunteers and Students</p>
<p>Ensure an enrolment record is kept for each child according to this <i>Policy</i></p>	<p>Approved Provider (ultimate responsibility) Nominated Supervisor Educators</p>
<p>Ensure any <i>Incident, Injury, Trauma and Illness</i> records are kept on children's enrolment record</p> <p>Ensure any records of medications administered are kept on children's records</p>	<p>Approved Provider (ultimate responsibility) Nominated Supervisor Educators</p>
<p>Ensure an attendance record is kept of each child's name, the date and time they arrive/depart, and the signature of the person who delivers/collects the child and a nominated supervisor/educator.</p>	<p>Approved Provider (ultimate responsibility) Nominated Supervisor Educators</p>
<p>Complete child's attendance record at arrival and collection (child's name, date and time of arrival/departure, signature)</p>	<p>Families</p>
<p>Provide enrolment details, including the required authorisations and inform the service of any changes to these details (e.g., names/contact details, medical conditions).</p>	<p>Families</p>

## Sources

Privacy Act 1988

Education and Care Services National Regulations 2011

National Quality Standard

Working with Vulnerable People (Background Checking) Act 2011

Updating Record Keeping Requirements to Support Child Protection – ACECQA Information Sheet

## Review

The *Record Keeping and Retention Policy* will be reviewed annually, and when there are changes to



legislation that affect it, by approved provider, nominated supervisor/s, employees, families and committee members.

**Last reviewed: 25<sup>th</sup> March 2024      Date for next review: 25<sup>th</sup> March 2025**