

# Record Keeping and Retention Policy

The Approved Provider and Management are responsible for overseeing and ensuring records are maintained and archived in accordance with relevant legislation and standards.

## National Quality Standards (NQS)

| Quality Area 4: |  |
|-----------------|--|
| 4.1.1           | Educator-to-child ratios and qualification requirements are maintained at all times.   |
| 4.2.1           | Professional standards guide practice, interactions and relationships.   |
| 4.2.2           | Educators, coordinators and staff members work collaboratively and affirm, challenge, support and learn from each other to further develop their skills, to improve practice and relationships |
| 4.2.3           | Interactions convey mutual respect, equity and recognition of each other's strengths and skills  |

| Quality Area 7: Leadership and Management |  |
|---|--|
| 7.3.1                                     | Records and information are stored appropriately to ensure confidentiality, are available from the service and are maintained in accordance with legislative requirements. |
| 7.3.2                                     | Administrative systems are established and maintained to ensure the effective operation of the service.  |
| 7.3.3                                     | The Regulatory Authority is notified of any relevant changes to the operation of the service, of serious incidents and any complaints                                      |

## Education and Care Services National Regulations

| Children (Education and Care Services) National Law NSW |   |
|---|---|
| 55  | Quality improvement plans                                       |
| 125   | Application of Division 4                                       |
| 126   | Centre-based services – general educator qualifications         |
| 146   | Staff Record – Nominated Supervisor                             |
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| 149   | Volunteers and students   |
| 158   | Children's attendance record is to be kept by approved provider |
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## PURPOSE

We aim to maintain and manage appropriate records in a private and confidential manner, working in accordance with legislative requirements and best practice standards.

## SCOPE

This policy applies to staff and management of the Service.

## IMPLEMENTATION

The following records are to be retained in a secure location at the Service:

- Child assessments or evaluations for delivery of the educational program
- An incident, injury, trauma and illness record
- Medication records
- Staff records
- Record of volunteers and students
- Records of the Responsible Person at the Service
- Record of Educators working directly with children
- Children's attendance record
- Child enrolment records
- Record of the Service's compliance with the Law
- A record of Certified Supervisors placed in day to day charge of the education and care service

### Records to be kept in Relation to the Nominated Supervisor

- The full name, address and date of birth.
- Evidence of any relevant qualifications held by the Nominated Supervisor.

- If applicable, evidence that the Nominated Supervisor is actively working towards that qualification.
- If this is the case, the following must be recorded:
  - Proof of enrolment.
  - Documentary evidence that the Nominated Supervisor has commenced the course, is making satisfactory progress towards the completion of the course, is meeting the requirements of maintaining the enrolment.
  - For Nominated Supervisors 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 Nominated Supervisor.
- If applicable, the identifying number and expiry date of a Working with Children Check (WWCC) and the date this was verified.

#### **Records to be kept in Relation to Staff and Educators**

- The full name, address and date of birth.
- 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, is meeting the requirements of maintaining the enrolment.
  - 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.

- If applicable, the identifying number and expiry date of a Working with Children Check (WWCC) and the date this was verified, or the identifying number and expiry date of their current teacher registration.

**Records to be kept in relation to the Educational Leader:**

- The name of the educator who is designated at this role

**Records to be kept in relation to Students and Volunteers:**

- The full name, address and date of birth of each student or volunteer.
- The Approved Provider must also keep a record for each day on which the student or volunteer participates in the Service, the date and hours of participation.

**The following records must be kept in relation to the Responsible Person:**

- The staff record must include the name of the responsible person at the Service for each time that children are being educated and cared for by the Service.

**The following records must be kept in relation to Educators working directly with children:**

- The name of each educator.
- The hours that each educator works directly with children.
- A staff roster or time sheet stating Educators working hours/shift

**Records Relating to Enrolled Children**

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

**Incident, Injury, Trauma and Illness Record**

- **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.

#### Medication record

- 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 content 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.

#### **Record of attendance for enrolled children**

- 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**

- 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 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 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 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**

- 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 certified supervisors placed 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.

### **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.

### **Information to be displayed**

Services must have the following displayed:

- In relation to the provider approval;
  - The name of the approved provider,
  - The provider approval number,
  - Any conditions on the provider approval.
- In relation to the service approval:
  - The name of the education and care service,
  - The service approval number,
  - Any conditions on the service approval.
- The name of each nominated supervisor.
- In relation to the rating of the service:
  - The current rating levels for each quality area stated in the National Quality Standard, and
  - The overall rating of the service.
- In relation to any service waivers or temporary waivers held by the service, the details of the waivers including:

- The elements of the NQS and the regulations that have been waived, and
- The duration of the waiver, and
- Whether the waiver is a service waiver or a temporary waiver.

**The service must also display:**

- The hours and days of operation of the education and care service.
- The name and telephone number of the person at the education and care service to whom complaints may be addressed.
- The name and position of the responsible person in charge of the service at any given time.
- The name of the educational leader at the service.
- The contact details of the Regulatory Authority.
- If applicable, a notice stating that a child who has been diagnosed as at risk of anaphylaxis is enrolled at the service.
- If applicable, a notice stating that there has been an occurrence of an infectious disease at the premises.

### **Archiving Records**

Archives refer to a collection of records that have been created during the development of the inventory (references, methodological choice, expert comments, revisions, etc.), as well as document the location where these records are kept.

- The Business of Childcare, Karen Kearns 2004
- Education and Care Services National Regulation 2015
- Child Care Subsidy Secretary's Rules 2017.
- Privacy Act
- National Quality Standards
- NSW Office of the Children's Guardian
- Australian Legal Information Institute - [www.austlii.edu.au](http://www.austlii.edu.au)
- Department of Community Services - [www.community.nsw.gov.au](http://www.community.nsw.gov.au)
- National Childcare Accreditation Council - [www.ncac.gov.au](http://www.ncac.gov.au)
- Department of the Officer of the Privacy Commissioner - [www.privacy.gov.au](http://www.privacy.gov.au)
- Department of Education, Employment and Workplace Relations - [www.dest.gov.au](http://www.dest.gov.au)
- Department of Families, Community Services and Indigenous Affairs – Child Care Service Handbook 2007- 2008
- Australian Taxation Office – [www.ato.gov.au](http://www.ato.gov.au)
- Early Childhood Australia - [www.earlychildhoodaustralia.org.au](http://www.earlychildhoodaustralia.org.au)
- Community Child Care Cooperative

## Review

| Policy Review Date |
|--------------------|
| December 2020      |