

## 10.28 Record Keeping and Retention Policy

The service acknowledges its duty to document and maintain appropriate employee, family and child records in line with regulatory requirements. This policy outlines the types of records kept by the service as well as the procedure for secure storage and/or archiving of such records.



### Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Child Protection Act 1999 and Regulations 2000*
- *Privacy Act 1988 and Regulations 2013*
- *Work Health and Safety Act 2011 and Regulations 2011*
- *Children's Services Award (State) 2012*
- *Commonwealth Child Care Act 1972 (Child Care Benefit)*
- *Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011*
- *Australian Government Child Care Services Handbook*
- *National Quality Standard Areas 1-7*
- *Policies: 2.4 – Arrivals and Departures of children, 2.5 – Reporting of Child Abuse, 2.6 – Behaviour Support and Management, 2.13 - Use of Photographic and Video Images of Children, 3.1 – Educational Program Planning, 3.2 – Program and Documentation Evaluation, 3.5 – Excursions, 3.8 – Extra-curricular Activities, 3.10 – Observational Recording, 4.5 – Incident, Injury, Illness or Trauma,, 4.6 – Medication, 4.10 – Anaphylaxis Management, 4.15 – Asthma, 4.17 – Children with Medical Conditions, 6.3 – Work Health and Safety, 7.2 – Drills and Evacuations, 7.3 – Harassment and Lockdowns, 8.3 – Recruitment and Employment of Educators, 8.4 – Educator Professional Development and Learning, 8.6 – employee and volunteer Grievance, 8.8 – Employee Performance Monitoring, Review and Management, 8.10 – Employee Orientation and Induction, 9.2 – Enrolment, 9.9 – Acceptance and Refusal of Authorisations, 10.1 – Quality Compliance, 10.5 – Approval Requirements under Legislation, 10.8 – Information Handling (Privacy and Confidentiality, 10.10 – Managing Compliance within the Service, 10.18 – Court Orders and the Release of Children in Care, 10.22 – Determining the Responsible Person, 10.23 – Provision of Information, 10.24 – Privacy Policy.*



### Procedures

#### Records to be kept in relation to the service

In order to comply with regulatory requirements the service shall maintain current policies and procedures, particularly in relation to the following matters:

- Health and safety, including matters relating to:
  - Nutrition, food and beverages, dietary requirements;
  - Sun protection;
  - Water safety, including safety during any water-based activities; and
  - The administration of medication and first aid.

- Incident, injury, illness and trauma procedures;
- Dealing with infectious diseases;
- Dealing with medical conditions in children;
- Emergency and evacuation;
- Delivery of children to, and collection of children from the service;
- Excursions
- Providing a child safe environment including child protection;
- Staffing, including:
  - A code of conduct for staff members; and
  - Determining the responsible person present at the service; and
  - The participation of volunteers and students on practicum placement.
- Interactions with children;
- Enrolment and orientation;
- Governance and management of the service including confidentiality of records;
- The acceptance and refusal of authorisations;
- Dealing with complaints; and
- Payment of fees and provision of a statement of fees charged by the service.

The service shall keep a record of any compliance matters, including:

- Details of any amendment of the service approval including:
  - The reason stated by the Regulatory Authority for the amendment;
  - The date on which the amendment took, or takes, effect; and
  - The date (if any) that the amendment ceases to have effect;
- Details of any suspension of the service approval (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; and
  - 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; and
  - The date by which the steps specified must be taken.
- The compliance records must not include any information that identifies any person other than the Approved Provider.

Records required to be kept in order to comply with requirements of the Child Care Management System (CCMS):

- Electronic Enrolment and Attendance Record Reports (or access to copies);
- Attendance records including absences;
- Copies of supporting documentation for Additional Absences for each child;
- Documents to support claims for Special Child Care Benefit and 24-hour care;
- Copies of receipts issued to people, who have paid child care fees;
- Enrolment forms;
- Approval to operate a child care service issued by the state and territory in which the service operates;
- Current service insurance records and policies; and
- Accounting records, including cashbooks and journals.

Records required to be kept by the service in relation to building and environmental safety include (but not limited to):

- Annual Occupiers' Statements;
- Certificate of Building Classification;
- Emergency and Evacuation instructions/plan for each building;
- Evacuation signs and diagrams for each evacuation route;
- Emergency evacuation/lockdown evaluation records;
- Personal Emergency Evacuation Plan (PEEP) for any individual who cannot use the normal evacuation procedures;
- Maintenance records for all fire safety equipment.

As per regulatory requirements, the service must ensure that, for the purposes of the educational program, records of evaluations of children's wellbeing, developmental needs, learning and participation in the program are maintained.

The service shall keep all records, in compliance with, and as prescribed under other relevant legislation, regulations, local government by-laws and national codes, and as mentioned in specific policies of the service.

### **Records to be kept in relation to educators**

For the purposes of this policy, the term educators includes (but is not limited to) the Educational Leader, volunteers, vocational students and responsible persons. Staff records for all educators (including the Nominated Supervisor) will include:

- Full name, address and date of birth of the person;
- Evidence of any relevant qualifications held by the person; or if applicable, that the person is actively working towards that qualification;
- Evidence of any approved training (including first aid training) completed by the person; and
- Clear copy of positive notice for child related employment (Blue Card).

The staff record must include the name of the person designated as the Educational Leader.

The staff record must include the full name, address and date of birth of each student or volunteer who participates at the service. The service must also keep a record for each day on which the student or volunteer participates at the service, the date and the hours of participation.

The Approved Provider must keep a record of educators working directly with children that includes the following information:

- The name of each educator who works directly with children being educated and cared for by the service; and
- The hours that each educator works directly with children being educated and cared for by the service (rosters and timesheets).

The service will keep a record of the responsible persons who have been delegated, and with their written acceptance, to be placed in day to day charge of the service. The staff record will identify the name of the responsible person at the service for each time that children are being educated and cared for by the service.

The Approved Provider will maintain all employment records and other relevant employee documentation for educators including (but not limited to):

- Timesheets and/or wage books;
- Personal information including next of kin and medical information;
- Employee contracts, letters of employment, etc.; and
- Records of any work, health and safety incident or injury.

## **Records to be kept in relation to children and families**

The service will ensure that an enrolment record is kept for each child that includes (as a minimum) the following information:

- The full name, gender, 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 an emergency involving the child and if any parent of the child cannot be immediately contacted;
  - Any person who has been given permission by a parent or family member to collect the child from the Service;
  - 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's approved area.
- Clear copies of any court orders, parenting orders or parenting plans relating to the child's residence; to powers, duties, responsibilities or authorities of any person in relation to the child or access to the child; or the child's contact with a parent or other person.
- The language used in the child's home;
- The cultural background of the child and, if applicable, the child's parents;
- Any special considerations for the child, for example any cultural, religious or dietary requirements or additional needs;

- An authorisation, signed by a parent or a person named in the enrolment record as authorised to consent to the medical treatment of the child, for the service to seek:
  - Medical treatment for the child from a registered medical practitioner, hospital or ambulance service; and
  - Transportation of the child by an ambulance service.
- If relevant, an authorisation for the service to take the child on regular outings;
- The child's Medicare number and the name, address and telephone number of the child's registered medical practitioner or medical service;
- Details of any specific healthcare needs of the child, including:
  - Any medical condition;
  - Allergies, including whether the child has been diagnosed as at risk of anaphylaxis;
  - Any medical management plan, anaphylaxis medical management plan or risk minimisation plan to be followed with respect to a specific healthcare need, medical condition or allergy;
  - Details of any dietary restrictions for the child; and
  - The immunisation status of the child;

The service shall ensure that children's attendance records are kept and shall include:

- The full name of each child attending;
- The date and time each child arrives and departs; and
- A signature of one of the following persons at the time that the child arrives and departs:
  - The person who delivers the child to the education and care service premises or collects the child from the education and care service premises; or
  - The nominated supervisor or an educator.

The service will keep a medication record for all children enrolled at the service. The records will include:

- The name of the child;
- The authorisation to administer medication (including, if applicable, self-administration), 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 circumstances 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, or the child self-administers their medication, the record must include:

- The dosage that was administered;
- The manner in which the medication was administered;

- The time and date the medication was administered;
- The name and signature of the person who administered the medication;
- The name and signature of the educator witness to the dosage and administration.

The service must ensure that an incident, injury, trauma and illness record is kept in accordance with regulatory requirements. The incident, injury, trauma and illness record must include:

- Details of any incident in relation to a child or injury received by a child or trauma to which a child has been subjected while in care, including:
  - The name and age of the child;
  - The circumstances leading to the incident, injury or trauma; and
  - The time and date the incident occurred, the injury was received or the child was subjected to the trauma.
- Details of any illness which becomes apparent while the child was in care including:
  - The name and age of the child;
  - The relevant circumstances surrounding the child becoming ill; and
  - 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 in care, including:
  - 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 the service notified or attempted to notify;
  - The time and date of the notifications or attempted notifications;
  - The name and signature of the person making an entry in the record, and the time and date that the entry was made;

The information above must be recorded as soon as practicable, but not later than 24 hours after the incident, injury or trauma, or the onset of the illness.

### **Length of time records must be kept**

In order to comply with regulatory requirements, the 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;
- In 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; and
- In the case of any other record, 3 years after the date on which the record was made.

### **Confidentiality and storage of records**

Documentation collected 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 and authorised individuals.

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

The service 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; and
- With the written consent of the person who provided the information.

<b>DATE DEVELOPED</b>	<b>DATE RATIFIED</b>	<b>DATE REVIEWED</b>	<b>DATE RATIFIED</b>
August 2018	24 August 2018	26.07.21	October 2021
		October 2024	November 2024