

# Record Keeping and Retention Policy

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## NQS

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| 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 Regulations

|      |     |  |
|------|-----|--|
| Regs | 55  | Quality improvement plans  |
|      | 125 | Application of Division 4  |
|      | 126 | <b><u>Centre-based services – general educator qualifications</u></b>    |
|      | 158 | Children’s attendance record is 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   |
|      | 173 | Prescribed information to be displayed                                   |
|      | 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                     |
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## 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
- Enrolment 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 to be Kept in Relation to Staff

The following records must be kept in relation to the service's Nominated Supervisors and other staff members:

- The full name, address and date of birth
- Evidence of any relevant qualifications held
- 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)
- A Working With Children Check (Blue card) and expiry date or for Nominated Supervisors a record of a current teacher registration 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.

The following records must be kept in relation to the Educational Leader:

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

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.
- 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 centre-based service for each time that children are being educated and cared for by the service.

The following records will be kept in relation to 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.

The following records will be kept in relation to access to early childhood teacher/s:

- The approved provider of a centre-based service that provides education and care to fewer than 25 children preschool age or under must ensure that a record is kept of the following:
  - The period that an early childhood teacher is working with the service in accordance with the time frames set out in the Staffing Arrangements Policy.
  - The periods that the early childhood teacher is working directly with children and not working directly with children.
- The approved provider of a centre-based service that provides education and care to 25 or more children preschool age or under must ensure that a record is kept of the period that an early childhood teacher is in attendance at the service.

## Records Relating to Enrolled Children

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

- 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.
- **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 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**, 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.

### **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)

## **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 2011**

**National Quality Standard**

**Commission for Children and Young People and Child Guardian Act 2000**

## **Review**

The policy will be reviewed annually by:

- Management
- Employees
- Families
- Interested Parties

**Reviewed:14/01/2020**

**Date for next review: 13/01/2021**