

POLICY – RECORD KEEPING AND RETENTION

1.	National Quality Standards	1
2.	Purpose	1
3.	Scope	2
4.	Implementation	2
5.	Feedback	8
6.	Approval and Review Details	8
	Appendix 1 Family Assistance Law	9
	Appendix 2 Education and Care Services National Regulations	9
	Appendix 3 Source	10

1. National Quality Standards

Quality Area 7: Governance and leadership		
Area	Concept	Descriptor
7.1	Governance	Governance supports the operation of a quality service.
7.1.1	Service philosophy and purposes	A statement of philosophy guides all aspects of the service's operations.
7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.1	Continuous improvement	There is an effective self-assessment and quality improvement process in place.
7.2.2	Educational leadership	The educational leader is supported and leads the development and implementation of the educational program and assessment and planning cycle.
7.2.3	Development of professionals	Educators, co-ordinations and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.

2. Purpose

- 2.1 Baringa Early Learning Centre (Baringa) is committed to maintaining and managing appropriate records in a private and confidential manner, working in accordance with legislative requirements and best practice.

3. Scope

- 3.1 This policy applies to Centre Management, Approved Provider, Nominated Supervisor, Responsible Person, and educators of Baringa.

4. Implementation

Record Keeping and Retention Policy

- a) 4.14 (c) 'Signature of the person who delivers and collects the child when he or she arrives and departs or the Nominated Supervisor or Educator.' Does signing in/out on the kiosk classify as an electronic signature?
- b) 4.19 (c) The name and position of the responsible person in charge of the service at any given time. Are we able to include the position on the RP lanyard in some way?
- c) 4.19 (d) The name of the educational leader at the service. Org charts on display need to be updated.

- 4.1 The following records are to be kept and retained by Baringa in a secure location:

- a) Complaints made to Baringa, relating to compliance with Family Assistance Law (records must be kept for seven years).
- b) Children's attendance records (regardless of eligibility for Child Care Subsidy) (Regulation 158) to be kept until the end of 3 years after the child's last attendance [Regulation 183] and for Family Assistance Law (records must be kept for seven years).
- c) Any absences from care for all children (regardless of eligibility for Child Care Subsidy - records must be kept for seven years).
- d) Statements or documents demonstrating that additional absence days - in excess of the initial 42 absence days - satisfy requirements (records must be kept for seven years).
- e) Copies of invoices and receipts issued for the payment of childcare fees (records must be kept for seven years).
- f) The identifying number and expiry date of a Working with Vulnerable People (WWVP) registration, and National Police Check record of all staff (records must be kept for seven years).
- g) Copies of all Statements of Entitlement issued, and any statements issued to advise that there was a change of entitlement (records must be kept for seven years).
- h) Written record of any notice given to a state or territory body about a child at risk of abuse or neglect (records must be kept for seven years).
- i) Copies of the evidence and information provided with an application for approval about persons with management or control of a provider and persons responsible for the day-to-day operation of Baringa (records must be kept for seven years).
- j) Educational leader records (Regulation 118).
- k) Child assessments or evaluations for delivery of the educational program (Regulation 74) (to be kept for 3 years after the child's last day of attendance [Regulation 183]).
- l) An incident, injury, trauma and illness record (Regulation 87) (to be kept until child is 25 years [Regulation 183]). Medication records (Regulation 92) (Keep until the end of 3 years after the child's last attendance [Regulation 183]).
- m) Staff records (Regulation 145).
- n) Record of volunteers and students (Regulation 149).
- o) Records of the Responsible Person at Baringa (Regulation 150).
- p) Record of Educators working directly with children (Regulation 151).

- q) Record of access to early childhood teachers (Regulation 152).
- r) Any record relating to the death of a child whilst being educated and cared for by Baringa or as a result of an incident whilst being educated and cared for, until the end of 7 years after the death of a child.
- s) Child enrolment records (Regulation 160) (to be kept until the end of 3 years after the child's last attendance [Regulation 183]). *(Further details below)*
- t) Record of Baringa's compliance with the Law (Regulation 167).
- u) A record of each nominated supervisor and any person placed in day-to-day charge of Baringa (Regulation 146).

4.2 Records to be kept in relation to the Nominated Supervisor (Regulation 146):

- a) The full name, address, and date of birth.
- b) Evidence of any relevant qualifications held by the Nominated Supervisor.
- c) If applicable, evidence that the Nominated Supervisor is actively working towards a qualification. If this is the case, the following must be recorded:
 - ii) Proof of enrolment.
 - iii) 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.
 - iv) 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 have as completed the units of study that equate to an approved Certificate III level education and care qualification determined by ACECQA.
- d) Evidence of any approved training (including first aid training, current approved anaphylaxis management training, approved emergency asthma management training and approved Child Protection) completed by the Nominated Supervisor.
- e) The identifying number and expiry date of a WWVP registration and National Police Check.
- f) The date the check, card, record or registration was and the date this was verified and by whom.

4.3 Records to be kept in relation to Staff and Educators: (Regulation 151, 152)

- a) The full name, address, and date of birth of each staff member.
- b) Evidence of any relevant qualifications.
- c) If applicable, evidence that the staff member is actively working towards a qualification. If this is the case, the following must be recorded:
 - ii) Proof of enrolment.
 - iii) 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.
- d) 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 have as completed the units of study that equate to an approved Certificate III level education and care qualification determined by ACECQA.
- e) Evidence of any approved training (including first aid training) completed by the staff member.
- f) The identifying number and expiry date of the WWVP registration and the date this was verified.
- g) The identifying number and expiry date of a National Police Check.

- 4.4 Records to be kept in relation to the Educational Leader: (Regulation 148)
- a) the name of the educator who is designated at this role.
- 4.5 Records to be kept in relation to Students and Volunteers: (Regulation 149)
- a) The full name, address and date of birth of each student or volunteer.
 - b) Baringa must also keep a record for each day on which the student or volunteer participates in the service, and the date and hours of participation.
- 4.6 Records to be kept in relation to the Responsible Person: (Regulation 150)
- a) The staff record must include the name of the responsible person at Baringa for each time that children are being educated and cared for by Baringa.
 - b) Application for approval about the person responsible for day-to-day operation of Baringa.
- 4.7 Records to be kept in relation to Educators working directly with children: (Regulation 151)
- a) The name of each educator.
 - b) The hours that each educator works directly with children.
 - c) A staff roster or time sheet stating educators working hours/shift.
- 4.8 Records to be kept in relation to access to early childhood teacher/s: (Regulation 152)
- a) The period that an early childhood teacher is working with Baringa in accordance with the time frames set out in the *Staffing Arrangements Policy*
 - b) The periods that the early childhood teacher is working directly with children *and not working directly with children*
 - c) The periods that an early childhood teacher is in attendance at Baringa.
- 4.9 Records to be kept in relation to child enrolment: (Regulation 160)
- a) Full name, date of birth and address of the child.
 - b) Name, address, and contact details of:
 - ii) each known parent of the child.
 - iii) any person who is to be notified of any emergency involving the child if any parent of the child cannot be immediately contacted.
 - iv) any person who is an authorised nominee.
 - v) any person who is authorised to consent to medical treatment of, or to authorise administration of medication to the child.
 - vi) any person who is authorised to authorise an educator to take the child outside the education and care service premises.
 - vii) any person who is authorised to authorise the education and care service to transport the child or arrange transportation for the child.
 - viii) 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.
 - ix) 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.
 - x) Gender of the child.
 - xi) language used in the child's home.
 - xii) cultural background of the child and parents.
 - xiii) any special considerations for the child (e.g., cultural, religious, dietary requirements or additional needs).

- xiv) 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.

c) Authorisation to take the child on regular outings.

4.10 Health information to be kept in enrolment record: (Regulation 162)

- a) The name, address and telephone number of the child's registered medical practitioner or medical service.
- d) The child's Medicare number if available.
- e) Details of any specific healthcare needs of the child including any medical conditions or allergies, whether the child has been diagnosed as at risk of anaphylaxis, and details of any medical management plan.
- f) Details of any dietary restrictions for the child.
- g) The immunisation status of the child.
- h) A notation that states that a staff member or approved provider has sighted a child's health record.

4.11 Records to be kept in relation to relating to enrolled children: (Regulation 160)

- a) Documentation relating to child assessments or evaluations for delivery of the education program, including:
 - i) assessments of the child's developmental needs, interests, experiences, and participation in the education program
 - ii) assessments of the child's progress against the outcomes of the educational program.
 - iii) birth certificate
 - iv) current immunisation record.

4.12 Records to be kept in relation to incident, injury, trauma, and illness: (Regulation 87)

- a) 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 care for by Baringa. The following must be included:
 - i) the name and age of the child, including date of birth.
 - ii) gender.
 - iii) the circumstances leading to the incident, injury, or trauma.
 - iv) the time and date the incident occurred, the injury was received, or the child was subjected to the trauma.
- b) Details of any illness, which becomes apparent while the child is being educated and cared for by Baringa. The following must be included:
 - i) the name and age of the child.
 - ii) the relevant circumstances surrounding the child becoming ill and any apparent symptoms.
 - iii) Temperature record and time temperature were taken (if applicable)
 - iv) the time and date of the apparent onset of the illness.
 - v) date when child was last at the service.
- c) Details of the action taken by Baringa in relation to any incident, injury, trauma, or illness which a child has suffered while being educated and cared for by Baringa. The following must be included:
 - i) any medication administered, and/or first aid provided.
 - ii) any medical personnel contacted.
 - iii) details of any person who witnessed the incident, injury, or trauma including signature of witness.

- iv) the name of any person who Baringa notified or attempted to notify of any incident, injury trauma or illness a child has suffered at Baringa, and the time and date of the notification and notification attempts.
 - v) the name and signature of the person making an entry in the record, and the time and date that the entry was made.
 - vi) notifications to parent/guardian including attempted notifications.
 - vii) signed and dated parent/guardian acknowledgement of record.
- d) 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.
 - e) The record must show that a serious incident is entered into the [NQA IT System](#).
 - f) These records must be kept until the child is aged 25 years.

4.13 Records to be kept in relation to medication: (Regulation 92)

- a) Name of the child.
- b) Authorisation to administer medication (including self-administration if applicable) signed by a parent or a person named in the child's enrolment record as authorised to consent to administration of medication.
- c) Name of the medication to be administered.
- d) Time and date the medication was last administered.
- e) Time and date and/or the circumstance under which the medication should be next administered.
- f) Dosage of the medication to be administered.
- g) Manner in which the medication is to be administered.
- h) If the medication is administered to the child:
 - ii) the dosage that was administered.
 - iii) the manner in which the medication was administered.
 - iv) the name and signature of the person who administered the medication.
 - v) if another individual is required to check the dosage, the name and signature of that person.

4.14 Records to be kept in relation to children's attendance: (Regulation 158)

- d) Full name of each child attending Baringa.
- e) Date and time each child arrives and departs.
- f) Signature or online check in/out from the person who delivers and collects the child when he or she arrives and departs or the Nominated Supervisor or Educator.

4.15 Records to be kept in relation to Baringa's compliance with the law: (Regulation 167)

- a) Details of any amendments of the Service Approval made by the Regulatory Authority including:
 - ii) the reason stated by the Regulatory Authority for the amendment.
 - iii) the date on which the amendment took, or takes, effect.
 - iv) the date (if any) that the amendment ceases to have effect.
 - v) details of any suspension of Baringa's 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.
- b) Details of any compliance direction or compliance notice issued to the approved provider in respect of Baringa, including:
 - ii) the reason stated by the Regulatory Authority for issuing the direction or notice
 - iii) the steps specified in the direction or notice.
 - iv) the date by which the steps specified must be taken.

- v) this information must not include any information that identifies any person other than the approved provider.
- c) The Approved Provider must ensure that the documents referred to above in relation to a child enrolled at Baringa are made available to a parent of the child on request. Accordingly, 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.
- d) The record of compliance referred to above must be available for access on request by any person.

4.16 Storage of Records (Regulation 183, 184)

- a) Records made by Baringa 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.
- b) If the record relates to the death of a child while being educated and cared for by Baringa or as a result of an incident while being educated and cared for by Baringa, the records must be kept for 7 years after the death.
- c) Records related to an incident, illness, injury, or trauma must be kept until the child is aged 25 years.
- d) Any other record relating to a child enrolled at Baringa, until 3 years after the last date on which the child was educated and cared for by Baringa.
- e) All records required to maintain approval as listed in *Child Care Providers Handbook*, must be kept for seven years.
- f) 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.

4.17 Confidentiality of Records (Regulation 181)

- a) 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:
 - i) the extent necessary for the education and care or medical treatment of the child to whom the information relates.
 - ii) a parent of the child to whom the information relates, except in the case of information kept in a staff record.
 - iii) the Regulatory Authority or an authorised officer.
 - iv) as expressly authorised, permitted or required to be given by or under any Act or law.
 - v) with the written consent of the person who provided the information.

4.18 Baringa must display the following information (Regulation 173).

- a) In relation to the provider approval;
 - i) the name of the approved provider.
 - ii) the provider approval number.
 - iii) any conditions on the provider approval.
- b) In relation to the service approval:
 - i) the name of the education and care service.
 - ii) the service approval number.
 - iii) any conditions on the service approval.
- c) The name of each Nominated Supervisor.
- d) In relation to the rating of the service:
 - i) the current rating levels for each quality area stated in the National Quality Standard, and
 - ii) the overall rating of the service.

- e) In relation to any service waivers or temporary waivers held by the service, the details of the waivers including:
 - i) the elements of the NQS and the regulations that have been waived, and
 - ii) the duration of the waiver, and
 - iii) whether the waiver is a service waiver or a temporary waiver.

4.19 Baringa must also display:

- a) The hours and days of operation of the education and care service.
- b) The name and telephone number of the person at the education and care service to whom complaints may be addressed.
- c) The name of the educational leader at the service.
- d) The contact details of the Regulatory Authority.
- e) If applicable, a notice stating that a child who has been diagnosed as at risk of anaphylaxis is enrolled at the service.
- f) If applicable, a notice stating that there has been an occurrence of an infectious disease at the premises.
- g) Information relating to the educational program.
- h) The weekly menu.
- i) Emergency and evacuation floor plans and instructions.
- j) The certificate issued by the regulatory authority displaying the current rating levels of the National Quality Standards and the overall rating of the service.

5. **Feedback**

Families and staff may provide feedback about this document by emailing admin@baringa.org.au.

6. **Approval and Review Details**

Approval and Review	Details
Approval Authority	Centre Management
Administrator	Centre Director
Next Review Date	31 October 2024

History	Details
Original Approval Authority/Revision Date	1 October 2021
Amendment Authority and Date	25 May 2023
Modifications made	Information added to reflect regulations. 4.14C wording change from 'signature of the person who delivers and collects the child when he or she arrives and departs or the Nominated Supervisor or Educator' to 'signature or online check in/out from the person who delivers and collects the child when he or she arrives and departs or the Nominated Supervisor or Educator.'

Appendix 1 Family Assistance Law

Family Assistance Law is a broad term that encompasses the following legislation:

[A New Tax System \(Family Assistance\) Act 1999](#)

[A New Tax System \(Family Assistance\) \(Administration\) Act 1999](#)

[Child Care Subsidy Minister's Rules 2017](#) (Minister's Rules)

[Child Care Subsidy Secretary's Rules 2017](#) (Secretary's Rules)

Any other instruments (including regulations) made under the [A New Tax System \(Family Assistance\) Act 1999](#) and the [A New Tax System \(Family Assistance\) \(Administration\) Act 1999](#)

Schedules 5 and 6 to the [A New Tax System \(Family Assistance and Related Measures\) Act 2000](#).

Appendix 2 Education and Care Services National Regulations

Education and Care Services National Regulations	
55	Quality improvement plans
74	Documenting of child assessments or evaluations for delivery of educational program
87	Incident, injury, trauma and illness record
92	Medication record
118	Educational leader
126	Centre-based services – general educator qualifications
146	Staff Record – Nominated Supervisor
147	Staff record – Staff Members
149	Volunteers and students
151	Record of educators working directly with children
152	Record of access to early childhood teachers
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
183	Storage of records and other documents
184	Storage of records after service approval transferred

Appendix 3 Source

Australian Government Department of Education Skills and Employment Child Care Provider Handbook

<https://www.education.gov.au/child-care-provider-handbook-0>

Australian Legal Information Institute: www.austlii.edu.au

Australian Taxation Office: www.ato.gov.au

Community Early Learning Australia: www.cela.org.au

Department of Community Services: www.community.nsw.gov.au

Child Care Subsidy Secretary's Rules 2017.

Department of the Officer of the Privacy Commissioner: www.privacy.gov.au

Early Childhood Australia: www.earlychildhoodaustralia.org.au

Education and Care Services National Law Act 2010. (Amended 2018).

Education and Care National Regulations. (2011).

Karen Kearns. (2017). *The Business of Childcare* (4th Ed.).

NSW Office of the Children's Guardian: www.kidsguardian.nsw.gov.au

Privacy Act 1988.

Revised National Quality Standard. (2018).