

RECORD KEEPING AND RETENTION POLICY

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1 NQS

QA4	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, co-ordinators 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

QA7	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

2 National Regulations

Regs	55	Quality improvement plans
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3 Aim

To ensure that our service maintains appropriate records in line with our regulatory requirements.

4 Related Policies

The Kids' Uni Policies and Procedures apply to Kids' Uni North, Kids' Uni South, Kids Uni CBD, Kids Uni iC.

Inclusion Policy (CHI-ADM-003)
Administration of Authorised Medication Policy (CHI-ADM-004)
Enrolment and Booking Policy (CHI-ADM-022)
Immunisation and Diseases Policy (CHI-ADM-033)
Infectious Diseases Policy (CHI-ADM-035)
Medical Conditions Policy (CHI-ADM-038)
UOW Pulse Ltd Privacy Policy (PUL-BUS-POL-013)
Staffing Arrangements Policy (CHI-ADM-055)
Working With Children Policy (CHI-ADM-068)
Child Wellbeing Policy (CHI-ADM-009)

5 Who is affected by this Policy?

Children
Families
UOW Pulse Staff

6 Scope of policy

This policy aims to address record retention as outlined in the Education and Care Services Regulation. This policy is not intended to address every record required to be maintained by a Provider of an Early Education and Care service. Other records may include, but not be limited too, payroll, workers compensation and Child Care Subsidy. All records are maintained within UOW in line with legal and regulatory requirements.

7 Implementation – records to be kept in relation to Educators

- 7.1 The following records must be kept in relation to the service's Nominated Supervisors:
- i. The full name, address and date of birth.
 - ii. Evidence of any relevant qualifications held by the Nominated Supervisor.
 - iii. 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.
 - iii. Evidence of any approved training (including first aid training) completed by the Supervisor.
 - iv. The identifying number and expiry date of a Working with Children Check (WWCC) along with the date WWCC are verified.
 - v. If the supervisor is a teacher, then they must keep on file a copy of their teacher registration (Accreditation) number and expiry date.

- 7.2 The following records must be kept in relation to other staff members:
- i. The full name, address and date of birth;
 - ii. Evidence of any relevant qualifications, including Evidence of Teacher accreditation if applicable;
 - iii. If applicable, evidence that the staff member is actively working towards that qualification. If this is the case, the following must be recorded:
 - a. Proof of enrolment.
 - b. 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.
 - c. 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.
 - iv. Evidence of any approved training (including first aid training) completed by the staff member.
 - v. The identifying number and expiry date of a Working with Children Check (WWCC) along with the date WWCC are verified for staff who are over 18 years old.
 - vi. If the staff member is a teacher, then they must keep on file a copy of their teacher registration (Accreditation) number and expiry date.
- 7.3 The following records must be kept in relation to the Educational Leader:
- i. The name of the educator who is designated to this role.
 - ii. Evidence that the person has been designated in writing by the Provider, or a delegate of the Provider to work in this role of Educational Leader.
- 7.4 The following records must be kept in relation to Students and Volunteers:
- i. The full name, address and date of birth of each student or volunteer.
 - ii. A record for each day on which the student or volunteer participates in the service, the date and hours of participation.
 - iii. The identifying number and expiry date of a Working with Children Check (WWCC) along with the date WWCC are verified for students and volunteers who are over 18 years old.
- 7.5 The following records must be kept in relation to the Responsible Person:
- i. The staff record must include the name of the responsible person at the centre-based service for any time that children are being educated and cared for by the service.

- 7.6 The following records will be kept in relation to all staff:
- i. The times of attendance that each staff member is present in the service.
 - ii. The times that each staff member works directly with children.

8 Records relating to Enrolled Children

As a minimum, the following records will be kept in relation to enrolled children:

- 8.1 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.
- 8.2 An Incident, Injury, Trauma and Illness Record (with relation to the *Incident, Injury, Trauma and Illness Policy*), including:
- i.. 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 cared for by the service. The following must be included:
 - a. The name and age of the child.
 - b. The circumstances leading to the incident, injury or trauma.
 - c. The time and date the incident occurred, the injury that was received or the child was subjected to the trauma.
 - ii. Details of any illness which becomes apparent while the child is being educated and cared for by the service. The following must be included:
 - a. The name and age of the child.
 - b. The relevant circumstances surrounding the child becoming ill and any apparent symptoms.
 - c. The time and date of the apparent onset of the illness.
 - iii. 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:
 - a. Any medication administered, or first aid provided.
 - b. Any medical personnel contacted.
 - iv. Details of any person who witnessed the incident, injury or trauma
 - v. 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.
 - vi. The name and signature of the person making an entry in the record and the time and date that the entry was made.

- vii. All incidents and illness must be reported to the Director or Early Education Manager on the day of the incident and recorded as soon as is practicable, but not later than 24 hours after the incident, injury, trauma or onset of illness occurred.

- iv. A medication record which includes the following (with relation to the *Administration of Authorised Medication* policy):
 - a. The name of the child
 - b. The authorisation to administer medication signed by a parent or a person named in the child's enrolment record as authorised to consent to administration of medication.
 - c. The name of the medication to be administered.
 - d. The time and date the medication was last administered.
 - e. The time and date or the circumstance under which the medication should be next administered.
 - f. The dosage of the medication to be administered.
 - g. The manner in which the medication is to be administered.
- v. If the medication is administered to the child:
 - a. The dosage that was administered.
 - b. The manner in which the medication was administered.
 - c. The name and signature of the person who administered the medication.
 - d. If another individual is required to check the dosage, the name and signature of that person.

- 8.3 A record of attendance for enrolled children, including:
 - i. The full name of each child attending the service.
 - ii. The date and time each child arrives and departs.
 - iii. The electronic signature (through Hubworks login) of the person who delivers and collect the child to & from the education and care service premises or the electronic signature (through Hubworks login) of the nominated supervisor or educator.

- 8.4 Child enrolment records which include the following:
 - i. The full name, date of birth and address of the child.
 - ii. The name, address and contact details of:
 - a. Each known parent of the child
 - b. Any person who is to be notified of any emergency involving the child if any parent of the child cannot be immediately
 - c. Any person who is an authorised nominee (*Authorised nominee means a person who has been given permission by a parent or family member to collect the child from the education and care service or the family day care educator*). Including:

- 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.
- Any person who is authorised to authorise the education and care service to transport the child or arrange transportation of the child
- iii. 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.
- iv. 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.
- v. Gender of the child
- vi. Language used in the child's home
- vii. Cultural background of the child and parents (if applicable)
- viii. Any special considerations for the child (e.g. cultural, religious, dietary requirements or additional needs)
- ix. Authorisations signed by a parent (*or a person named in the enrolment record as authorised to consent to the medical treatment*) for nominated supervisor or educator to seek:
 - Medical treatment for the child from a registered medical practitioner, hospital or ambulance service.
 - Transportation of the child by any ambulance service.
- x. Authorisation to take the child on regular outings (if this is a relevant practice at the service).
- xi. Authorisation for regular transportation of the child (if this is a relevant practice at the service)
- xii. The name, address and telephone number of the child's registered medical practitioner or medical service.
- xiii. The child's Medicare number if available.
- xiv. 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.
- xv. Details of any dietary restrictions for the child
- xvi. The immunisation status of the child
- xvii. If a staff member has sighted a child's health record, a notation that states that a staff member or approved provider has sighted this.

9 Records relating to child wellbeing

The following records will be maintained as a minimum with relation to incidents or concerns relating to child wellbeing:

- 9.1 Records of incidents pertaining to children's wellbeing (in relation to the *Child Wellbeing Policy*) including:
 - i. records of any allegation of abuse against a child while they are in the care of the service, including allegations against staff or any other person.
 - ii. records of any indicators of abuse or concerns expressed by staff or other parties about the child's wellbeing either in the service or outside of the service.
 - iii. records of any responses to concerns raised in clauses 8.5 (i) or (ii) including, but not limited to reports to external agencies, copies of *Form 62 Child Wellbeing Record of Concern* and investigation notes.
- 9.2 Records of any allegations of abuse against a UOW Pulse staff member with a clear outline of the allegation and actions taken in response to the allegation, including reporting to external agencies and investigation notes – refer to *Child Wellbeing Policy* for more details on reporting.

10 Other relevant records

- 10.1 A record of the services compliance with the law, including:
 - i. Details of any amendments of the service approval made by the Regulatory Authority including:
 - a. The reason stated by the Regulatory Authority for the amendment.
 - b. The date on which the amendment took, or takes, effect
 - c. The date (if any) that the amendment ceases to have effect.
 - d. 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.
 - e. 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.
 - f. This information must not include any information that identifies any person other than the approved provider.
- 10.2 A record of children embarking and disembarking a means of transport. This record will be kept on *Form 95 – Transportation of Children* and will include all details of this form as outlined in Clause 102 of the Education and Care Services Regulation.

11 Length of time records must be kept (Record Retention)

- 11.1 Our service will keep records for the following periods:
- i. If the record relates to an incident, illness, injury or trauma suffered by a child while being educated and cared for by the service, for 25 years from the child's last attendance at the service. This exceeds the requirements of Regulation 177, which requires records to be maintained until the child is aged 25 years (*excluding child wellbeing incidents – see below*)
 - ii. If the record relates to an incident, illness, injury of trauma suffered by a child that may have occurred following an incident while being educated and cared for by the service, for 25 years from the child's last attendance at the service. This exceeds the requirements of Regulation 177, which requires records to be maintained until the child is aged 25 years.
 - iii. 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.
 - iv. If the record pertains to a child wellbeing concern or allegation, for 45 years after the child leaves the service.
 - v. If the record pertains to an allegation of abuse against a UOW Pulse staff member, for 99 years after the child leaves the service.
 - vi. 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.
 - vii. If the record relates to the UOW Pulse Ltd Children's Services, until the end of 3 years after the last date on which the approved provider operated the education and care service.
 - viii. 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 of staff member provided education and care on behalf of the service.
 - ix. In the case of any other record, 3 years after the date on which the record was made.

12 Confidentiality, Access and Storage of Records

- 12.1 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.
- 12.2 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.
- 12.3 UOW Pulse Ltd Children's Services 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.

- 12.4 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.
- 12.5 The record of compliance referred to in Clause 9 must be available for access on request by any person.

13 Sources

Privacy Act 1988

Education and Care Services National Regulations 2011

National Quality Standard

ACECQA (accessed 21st Aug 2023) <https://www.acecqa.gov.au/sites/default/files/2023-07/Updating%20record%20keeping%20requirements%20to%20support%20child%20protection.pdf>

State Records Act (1998) NSW - FA404 1.1.1; GA28 15.8.1 (Personnel Misconduct); FA404 1.2.2; FA404 1.2.3

UOW Information Compliance Unit

14 Review

This policy will be reviewed every 3 years and the review will include Management, Employees, and Interested Parties.

15 Version Control Table

Version Control	Date Released	Next Review	Approved By	Amendment
1	Feb 2012	Feb 2013	Michele Fowler Manager – Kids Uni	
2	Feb 2013	Feb 2014	Michele Fowler Manager – Kids Uni	Paragraph inserted re application of policies across all centres. Migrated into new QA format.
3	Sept 2013	Sept 2014	Michele Fowler Manager – Kids Uni	Updated to reflect amended record keeping requirements for Working With Children checks.
4	Dec 2014	Dec 2017	Michele Fowler Manager – Kids Uni	Reviewed and no changes required
5	July 2018	July 2021	Kellie Grose Manager Children's Services	Included requirements for teacher accreditation. Clarified length of time records must be kept in relation to the regulation and our practice.
6	Nov, 2019	July 2022	Nicole Bray – Director Kids Uni iC	Updated to reflect name changes and removed information relating to children self-administering medications
7	June 2023	June, 2026	Kellie Grose Head of Early Education	Full review to ensure alignment with the regulation. Added new transportation record requirements Remove reference to Certified Supervisors, no longer needed under the regulation Added scope be clear about the intention of this policy
8	August 2023	August 2026	Kellie Grose Head of Early Education	Update in line with changes to legislation around retention of records pertaining to child protection.