

POLICY:10.3 Confidentiality, Records and Register Management

Procedure: 10.6 Record Management and Storage

The Service aims to ensure all records are managed and stored in accordance with the National Privacy Principles and relevant legislation including the Education and Care Services National Law and Regulations.

10.6.1 Linking to Policy

This procedural guidance should be read in conjunction with the Service's **10.3 Confidentiality, Records and Register Management** and will assist the Approved Provider, management, staff (Nominated Supervisors, Coordinators, and Administrative Staff members) Educators, Educator Assistants and parents to implement the policy. The procedure covers:

[10.6.2 Roles and Responsibilities](#)

[10.6.3 Secure Record Keeping](#)

[10.6.4 Amendment, Approvals and Change of Records](#)

[10.6.5 Access to Records](#)

[10.6.6 Record Keeping](#)

[10.6.7 Retention and Disposal of Records](#)

10.6.2 Roles and Responsibilities

The Approved Provider will ensure:

- the procedure assists staff and Educators to understand their obligations with regards to record keeping, management and secure storage.

The Nominated Supervisor will ensure:

- Staff and Educators are provided with clear written guidelines detailing:
 - o what information is to be kept confidential and why
 - o what confidential information they may have access to fulfil their responsibilities and how this information may be accessed
 - o who has a legal right to know what information (refer to *10.5 Confidentiality and Privacy Procedure*)

- where and how confidential information should be stored?
- the records (staff, Educators and families personnel records) held by the Service are managed in accordance with the National Privacy Principles and Education and Care National Law and Regulations
- the records (staff, Educators and families personnel records) are kept for a period of time prescribed within the Education and Care National Law and Regulations
- the records (staff, Educators and families personnel records) are stored securely.
- the Service requests updates of personal information at least annually from staff, Educators, families (and about their child/ren).

Staff members will ensure:

- they follow the procedures when managing, storing or accessing other staff, Educators, families and children's records
- they are conscious, factual and respectful when documenting any aspect of practice, behaviour, circumstances or development in relation to other staff, Educators, parents/guardians and children at the Service
- in the event that they are unsure of protocols for access or managing personnel records, discuss this with their line manager or the Nominated Supervisor
- they support Educators to develop protocols and processes that protect each child and family's personal information kept at the Educator's residence.

Educators will ensure they:

- follow the procedures when managing and storing personal information of families, children's developmental and health records
- have discussed maintaining the confidentiality of the families they provide education and care to, with their own children, other adults residing at their home and family members
- have processes in place that protect each child's personal information including how this information is stored and disposed of.

Families will ensure they:

- provide accurate information about themselves and their child
- update Service records if circumstances change for them or their child

10.6.3 Secure Record Keeping

Staff, Educators, parents/guardians and children's records are kept up to date and in a safe and secure area by the Service.

The following processes and strategies are used to maintain the confidentiality of records at the Service office:

- all records collected are relevant to the Service and are filed securely.
- only the relevant staff are able to access them.

Each Educator will maintain the confidentiality of parents and each child's records kept at their residence by:

- having secure facilities to store record such as:
 - o key locked filing cabinet
 - o having separate files in an office which are not accessible to others
 - o on a password protected computer.

The records will remain confidential and will only be made available to those who have a lawful right to them. (Refer *10.5 Confidentiality and Privacy Procedure*)

All staff and Educators ensure the information will not be disclosed to another party without the consent of the individual concerned unless it is a requirement by law.

- Exceptions may apply regarding information about children when subpoenaed to appear before a court of law; and
- Where there is a matter that may put a child at risk of harm or there is a disclosure of harm. (refer to *2.7 Reporting Child Abuse Procedure*)
- Where medical attention is required.

Notwithstanding these requirements, confidential information may be exchanged in the normal course of work with staff at the Service and may be given to the Approved Provider and Regulatory Authority (Authorised Officer) when this is reasonably needed for the proper operation of the Service and the wellbeing of families, staff or Educators. (Education and Care Services National Law and Regulation [R.182] and Privacy Act 1988).

10.6.4 Amendment and Approval of Changes to Records

The Service will take reasonable steps to ensure that the records kept are accurate, complete, up-to-date and written in objective non-judgmental language by:

- ensuring all staff and Educators, during induction, receive training highlighting expected practice and through ongoing mentoring and support
- requesting updates from families at least annually
- ensuring where Educators are aware of changes, that they support families to update their enrolment or other documents such as medical records and plans
- ensuring staff are actively checking records when visiting Educators and when they become aware of a change in circumstances, they follow up and initiate the update process.

Should a person (staff member, Educator or family member) discover that the information held about them is inaccurate or misleading, they are required to inform the Nominated Supervisor or

Coordinator and provide accurate information regarding the change required, and the records will be amended immediately.

Parents/guardians have the responsibility to ensure all records held by the Service are accurate and where there is a change in the family's circumstance in particular:

- any changes in their child's health; or
- court orders; or
- developmental issues which may impact or influence the child's participation, safety and wellbeing.

If there is a change in the family's circumstances, this can be discussed with the Educator or parents/guardians can contact the Service office to discuss the matter.

10.6.5 Access to Records

Parents/guardians, Educators and staff have the right to know what information is held about them. To access their own personal information they will: Request access in writing

- Include what information they require eg. date and type of record kept
- address this request to the Nominated Supervisor.

The Nominated Supervisor will:

- seek to arrange a suitable time to provide this information
- make copies of such records available upon request; and
- at a mutually agreed time. (refer to *10.5 Confidentiality and Privacy Procedure*).

10.6.6 Record Keeping

The Service will collect and keep up to date records of the following information for children's records:

- the child's name, date of birth, residential address
- details of allergies or other relevant medical history (Medical Management Plans (ASCIA) or Health Care Plans
- the full name, residential address, place of employment and contact telephone number of the families/guardian
- date of enrolment
- date of commencement
- days and hours of attendance
- school, preschool, kindergarten, sporting and other transport arrangements
- any special requirements notified by a parent eg. culture or religion, the needs of a child with a disability or with other special needs

- the primary language spoken by the child or, if the child is non verbal, the family's primary language spoken
- court orders affecting custody of, and access to, the child;
- changes in the family's circumstances
- the name and address and telephone number of the people authorised by a parent to collect the child
- the name, address and telephone number of at least one person who may be contacted in an emergency (if the parent is not available)
- the name, address and telephone number of the child's doctor or hospital
- if any medication is administered to the child while in Family Day Care:
 - o the name of the medication
 - o the date, time and dosage administered
 - o the name of the person who administered the medication
 - o the parent's written permission for, and any doctor's Instructions regarding the medication
 - o the parent's permission for emergency medical, hospital and ambulance service; and
 - o childhood and serious illnesses
 - o accidents and critical incidents
 - o complaints and their outcome
- the parent's permission for a child to be taken on an excursion (routine or non-routine) or escorted to or from a specified place
- the nature and circumstances of any injury to the child while in Family Day Care
- particulars of treatment given to the child who is injured or becomes ill while in Family Day Care
- if a child dies while in Family Day Care, the details surrounding the death
- the child's and parent's relationship to the Educator and the Educator partner (relatives?)
- record of child's assessment of learning

The Service will collect and keep up to date records of the following information with regards to the Educator:

- start and finish dates of registration with the Service
- name and previous names
- full contact details including address, phone and email
- the address where education and care will be delivered and if it is a residence or a venue

- date and place of birth
- cultural background, if disclosed
- work history
- Educator Agreement and Schedule
- health information
- references
- qualifications
- first aid certificate and CPR certificates
- anaphylaxis and asthma certification
- other training completed
- drivers licence
- suitability card
- medical certificate
- public liability insurance
- monitoring records and audits
- days and hours usually worked
- names and dates of birth of all persons living in the residence
- certified copies of suitability cards or notice of Educator and where applicable all adult residents over the age of 18 years including identifying number and expiry date of the card
- accidents and critical incidents
- register of support provided
- assessment of learning of children in their care.

The Service will collect and keep up to date records of the following information with regards to the Educator Assistant:

- full name and previous names
- date and place of birth
- registration date and finish date where applicable
- first aid certificate and CPR certificates
- anaphylaxis and asthma certification
- drivers licence
- medical certificate
- copy of suitability card, identifying number and expiry date or portal evidence
- Educator who is assisted

The Service will collect and keep up to date records of the following information with regards to the adult members of the Educator's household:

- name and previous names
- date and place of birth
- suitability card, identifying number and expiry date

The Service will collect and keep up to date records of the following information with regards to the assessment process for:

- the original & current assessment for the Educator's suitability, fitness and propriety to provide education and care
- the Educator Assistant's suitability, fitness and propriety to provide education and care
- other members of the household's suitability, fitness and propriety to be in the company of children being educated and cared for
- evidence that the Educator's residence/venue environment and facilities are fit for purpose and age and number of children
- other facilities used for Family Day Care.

The Service will collect and keep up to date records of the following information with regards to the following:

- Emergency Exit Plans for office and all educators' residences
- Risk Assessments for all routine and non-routine excursions
- data back-up arrangements
- in-service and online training attended by Educators
- the registration of all vehicles used for the transport of children
- drivers licence of any person who transports children enrolled at the service
- Pool Safety Certifications
- documented restraints – certification
- current Certificate of Approval.

10.6.7 Retention and Disposal of Records

The Service ensures that all records are retained for the following periods in line with the requirements of the Education and Care Services National Law and Regulation:

- family's information - 3 years after the end of the year in which they cease to be a client
- Educator's information – 3 years after the end of the year in which they cease
- child's information (see exceptions – incident, injury, trauma and illness) – 3 years after the end of the year in which they cease

- staff member's information – 3 years after the end of the year in which they cease
- financial – 7 years after the end of the financial year
- where a child is involved in an incident, accident, trauma, illness or injury – until the child is 25 years of age
- death of a child – 7 years after the date of the death of the child.

Records will be filed under the child's /family's name and date on last day in the Service is included for easy of disposal after the prescribed record retention period

Records will be held in a locked storage area until the time they can lawfully be destroyed

The Service will use a company who can dispose of all archived documents in a secure manner. They will remove the records in a locked container, shred and dispose them

If an Educator leaves the Service, all records pertaining to families enrolled with the Service will be returned to the Service office. Staff will follow up with the Educator to ensure this occurs within 7 days of being informed they are ceasing to be an Educator with the Service.

All collected records will be placed securely on the child's file.

Review

	Date	Details
Revision 00	07/2015	Original Policy Issued
Revision 01	12/2016	Reviewed
Revision 02	08/2017	Reviewed
Revision 03	11/2020	Reviewed and separated from Policy

Related Documents

Policies

10.3 Confidentiality, Records and Register Management

Reference

Refer to 10.3 Confidentiality, Records and Register Management