



CONFIDENTIALITY OF RECORDS POLICY

POLICY STATEMENT

The Approved Provider and Management are responsible for overseeing and ensuring records are maintained and archived in accordance with relevant legislation and National Quality Standard. Clovelly out of School Care aims to maintain and manage appropriate records in a private and confidential manner, working in accordance with legislative requirements and best practice standards.

PROCEDURE

The following records are to be retained in a secure location at the Service

- ___ Child assessments or evaluations for delivery of the educational program.
- ___ An incident, injury, trauma and illness record (Keep until child is 25 years).
- ___ Medication records (Keep until the end of 3 years after the child's last attendance).
- ___ Staff records.
- ___ Record of volunteers and students.
- ___ Records of the Responsible Person at the Service.
- ___ Record of Educators working directly with children.
- ___ Children's attendance record.
- ___ Child enrolment records (Keep until the end of 3 years after the child's last attendance).
- ___ Record of the Service's compliance with the Law.
- ___ A record of Responsible person placed in day to day charge of the education and care service.
- ___ Death of a child whilst being educated and cared for (Keep until 7 years from child's death).

Records to be kept in relation to the Nominated Supervisor

- ___ The full name, address and date of birth.
- ___ Evidence of any relevant qualifications held by the Nominated Supervisor.
- ___ Evidence of any approved training (including first aid training and Child Protection) completed by the Nominated Supervisor.
- ___ The identifying number and expiry date of a Working with Children Check (WWCC) and the date this was verified.

Records to be kept in Relation to Staff and Educators

- The full name, address and date of birth.
- Evidence of any relevant qualifications.
- Evidence of any approved training (including first aid training) completed by the staff member.
- ___ The identifying number and expiry date of the Working with Children Check (WWCC) and the date this was verified.

Records to be kept in relation to the Educational Leader

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



Records to 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 Service for each time that children are being educated and cared for by the Service.

The following records must be kept in relation to Educators working directly with children

- The name of each educator.
- The hours that each educator works directly with children.
- A staff roster or time sheet stating Educators working hours/shift.

Records Relating to Enrolled Children

Documentation relating to child evaluations for delivery of the education program, including:

- ___ Evaluations of the child's developmental needs, interests, experiences and participation in the education program.
- ___ Evaluations and documentation of the child's progress against the outcomes of the 'My Time Our Place' Framework.

Incident, Injury, Trauma and Illness Record

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 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.
- ___ Date when the child was last at the service.

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 witnessed 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.

Medication record

- ☐ 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 the 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.

Record of attendance for enrolled children

- ☐ The full name of each child attending the Service.
- ☐ The date and time each child arrives and departs.
- ☐ The digital 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

- ☐ 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 or 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

- ☐ 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 responsible persons placed 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.

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.

Archiving Records

Archives refer to a collection of records that have been created during the development of the inventory (references, methodological choice, expert comments, revisions, etc.), as well as document the location where these records are kept.

RELEVANT DOCUMENTS FOR CONSIDERATION

The Business of Childcare, Karen Kearns 2004

Education and Care Services National Regulation 2015

Privacy Act

NSW Office of the Children's Guardian

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

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

National Childcare Accreditation Council - www.ncac.gov.au

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

Department of Families, Community Services and Indigenous Affairs

National Quality Standards

Australian Children's Education and Care Quality Authority.

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations.

ECA Code of Ethics.

National Quality Framework.

Version number	Date effective	Description of amendment
4	April 2017	Changes to wording
5	May 2018	Changes to wording in accordance with the changes to the National Regulations
6	April 2020	Changes to wording
7	May 2022	Changes to wording

Considered and accepted by the Management Committee (representative) – S. Skelton

Considered and accepted by the staff (representative) – Katrina Thomas