

PURPOSE

Clarence Family Day Care aims to manage and maintain records in a private and confidential manner in accordance with best practice and legislative requirements.

SCOPE

This policy applies to the approved provider, staff, educators and educator assistants of the Family Day Care Service. This policy is specifically for all records other than those required to be kept under Family Assistance Law.

POLICY

The service has an efficient, effective and ethical process for the management of records. We are all responsible for overseeing and ensuring records are maintained and stored in accordance with the relevant legislation.

PROCEDURE

Confidentiality

Staff, educators and children records shall be kept up to date and in a safe and secure area. The records will remain confidential and will only be made available to those who have a lawful right to them. Information will not be disclosed to another party without the consent of the individual concerned unless it is a requirement by law. Confidentiality will be maintained when discussing matters with educators, staff, and other agencies.

Educators are to ensure that all records kept on their FDC premise are confidential and cannot be accessed by other residents and/or visitors to their premise. This includes access to online/computerised files and work-related emails.

Compliance with relevant legislative requirements

Everyone involved with the service – committee (as the approved provider), staff, educators and educator assistants – will abide by all legislative requirements in relation to the storage and management of records.

Amendment and Approval of Changes to Records

The service will take reasonable steps to ensure that the records we keep are accurate, complete, up-to-date and written in objective non-judgmental language. However, should a person discover that the information held about them is inaccurate or misleading, they are required to inform the manager and provide in writing what information they would like changed, including the reason why and if applicable, supporting evidence. The matter will be reviewed, and the records may be amended accordingly. A record of the request and the changes will be kept.

Access

Families, educators and staff have the right to know what information is held about them. Should either party seek access to their records, the manager will arrange a suitable time to for the record to be viewed.

Content of Information Held

The service reviews the amount and type of information that is held. Information held by the service will be for the express purpose of administering the service in adherence with government legislation and regulations for example, delivery of quality care and education, administration of Child Care Subsidy, Australian Taxation requirements, etc.

Storage

All records held about families, educators and staff will be kept in such a way as to:

- prevent access by unauthorised persons

- remain secure
- be archived in accordance with legislative requirements
 - Educator – 7 years from the last day they provided education and care on behalf of the service
 - Child – 7 years from the last day they were educated and cared for by the service
 - Staff – 7 years from the last day they were employed by the service
 - Financial – 7 years
 - Incident/injury – Until the child is 25 years

To safeguard the service, the office will retain records for longer than required under the regulations to ensure that we are covered.

Disposal of Records

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

The service will use a secure document destruction company to dispose of all archived documents. They will remove the records in a locked container and shred them in a secure manner.

Educators are to notify the service of which company/method they use for the secure destruction of their records. Alternatively, Educators can return their records to the service to ensure secure destruction.

Privacy Statement

The service has a privacy statement informing families of the purpose of information held in confidence by the service about them.

Misuse of Information

Staff/Educators of the service must not misuse information held by and on behalf of the service. In the event that a staff member or educator of the service misuses such information, disciplinary action will be taken, this may include, but is not limited to, termination of employment or deregistration. Depending on the nature of the misuse, the matter may be escalated in accordance with the Federal Privacy legislation or relevant legislation.

Children's Records

The following details will be kept on children's records:

- the child's name, date of birth, gender and residential address
- details of allergies or other relevant medical history or detail
- Medical Management, Risk Minimisation and Communications Plan, if applicable
- the full name, residential address, place of employment and contact telephone number of the parents/guardians
- date of enrolment; and date of commencement
- days and hours of attendance
- school, preschool, kindergarten, transport arrangements
- any special requirements notified by a parent/guardian e.g. 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 has not learnt to speak, the child's family
- court orders affecting custody of, and access to, the child
- changes in the family's circumstances
- the name, address, email and telephone number of a person authorised by a parent/guardian 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/guardian is not available)
- the name, address and telephone number of the child's doctor or hospital
- if any medication is administered to the child whilst in family day care:
 - the name of the medication
 - the date, time and dosage administered
 - the name of the person who administered the medication; and

- the family’s written permission for, and any doctor’s instructions regarding the medication
- a parent/guardian’s permission for emergency medical, hospital and ambulance service
- childhood and serious illnesses
- critical incidents or injuries
- complaints and their outcome
- a parent/guardian’s permission for a child to be taken on an excursion 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

Families must have access to the following information:

- the Service Approval to operate the family day care service, which must be displayed in a prominent place
- written policies and procedures
- procedures for dealing with families’ concerns and complaints
- emergency evacuation procedures
- the telephone number, address and other relevant information of the nearest appropriate office of the government department with responsibility for child care; and
- procedures for the arrival and departure of children.

Family day care educator to provide documents on leaving service

Regulation 179 outlines the requirements for a family day care educator must provide all documents referred to in regulation 178(1) to the approved provider of the family day care service on ceasing to be engaged by or registered with the service. These include but are not limited to:

- the documentation of child assessments or evaluations for delivery of the educational program
- incident, injury, trauma and illness record
- medication record as set out in regulation
- a children’s attendance record
- child enrolment records
- a record of visitors to the family day care residence or approved family day care venue

Any costs, incurred by the service, to recover these documents from the educator, will be billed to and recovered from the educator.

Other

- The following is applicable to educators and records held at the office:
 - Records are kept in lockable filing systems. This is applicable to files kept at educator residence/venue and in the office
 - All computer records are maintained in password protected systems.
 - Records are not to be disposed of in a manner by which a breach of confidence might arise, e.g. inadvertent dumping in public places.
- In the event of the death of a child detail of the circumstances surrounding the child's death should be held for a period of seven years from the day the record is made. However, our service will keep these records locked securely for 21 years.

NATIONAL QUALITY FRAMEWORK

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	NATIONAL QUALITY AREA	NATIONAL QUALITY ELEMENT/STANDARD
74, 87, 92, 159, 160, 161, 162, 165, 167, 173, 177, 178, 179, 180, 181, 182, 183, 184, 191	7	7.1, 7.1.2, 7.1.3

REFERENCE & RELATED INFORMATION

- Commonwealth Privacy Act 1988
- Education and Care Services National Law Act
- Child Care Provider Handbook
- Australian Children's Education & Care Quality Authority (ACECQA)
- National Quality Standards

Australian Children's Education & Care Quality Authority (ACECQA) – Record Keeping Diagram

