

Education and Care Services National Regulations

Regulation	Description
2.1	Provider Approvals
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National Quality Standards for Children's Education and Care Services

Quality Area	Description
QA 7	Leadership and Service Management
7.1	Effective leadership promotes a positive organisational culture and builds a professional learning community.
7.2	There is a commitment to continuous improvement
7.3	Management and administrative systems enable the effective provision of a quality service.
7.4	Adults working with children and those engaged in management of the service or residing on the premises are fit and proper

Related Policies and Procedures

CE Privacy Policy
 Employment Policy for Catholic Systemic Schools
 Offshore Data Hosting Policy and Subscription Guidelines
 Confidentiality Policy
 Records Keeping – Schools Policy
 Legal Responsibilities and Authority Policy

Purpose

The governance of an organisation is concerned with the systems and processes that ensure its overall direction, effectiveness and accountability. Catholic Education (CE) Early Learning Centres (ELC) have a responsibility to ensure that their objectives and practices are aligned with not only the values and ethos of Catholic Education, but also with the constitutional, legislative and regulatory requirements of the organisation.

The purpose of this procedure is to provide guidance and direction in the creation and management of information and records, and to clarify staff responsibilities in CE ELCs. This Procedure applies to all ELC Staff, and has compliance requirements for parents or guardians of students enrolled in CE ELCs. This procedure should be used in conjunction with the CE Privacy and Records Keeping – Schools Policy.

CE ELCs are committed to establishing and maintaining information and records management practices that meet its business needs, accountability requirements and stakeholder expectations. There is an expectation that CE ELCs maintain accurate records, and that these documents are stored and disposed of securely in accordance with all system, regulatory and legislative requirements. In order to do this, CE ELCs are required to develop information and records management practices and systems to ensure the creation, maintenance and protection of reliable records.

Definitions

Personal Information

Information or an opinion about an identified individual, or an individual who is reasonably identifiable:

- a) whether the information is true or not
- b) whether the information or opinion is recorded in a material form or not.

Sensitive Information

a) information or an opinion about an individual's:

- i) racial or ethnic origin
- ii) political opinions
- iii) membership of a political association
- iv) religious beliefs or affiliations
- v) philosophical beliefs
- vi) membership of a professional or trade association
- vii) membership of a trade union
- viii) sexual orientation or practices
- ix) criminal record that is also personal information

b) health information about an individual (including information about a disability or an ILP)

c) genetic information about an individual that is not otherwise health information

d) biometric information that is to be used for the purpose of automatic biometric verification or biometric identification

e) biometric templates.

Work Experience Students

Secondary or tertiary students assisting in ELCs on a Work Experience placement.

Volunteers

A volunteer is considered to be any person engaging in activities on School Grounds where they are likely to come into contact with vulnerable persons. This includes visiting family members of students, as well as speakers, performers, adjudicators, and assessors.

Records

All documented information, regardless of its characteristics, media, physical form and the manner in which it is created and stored.

Serious incidents

ACECQA defines a serious incident as:

- the death of a child while being educated and cared for by the service, or following an incident while being cared for by the service
- any incident involving serious injury or trauma to, or illness of, a child while being educated and cared for by an education and care service which a reasonable person would consider required urgent medical attention from a registered medical practitioner (eg. whooping cough, broken limb, anaphylaxis reaction); or for which the child attended, or ought reasonably have attended, a hospital.
- attendance of emergency services at the education and care service premises was sought, or ought reasonably have been sought.
- a child was missing from the service or was not able to be accounted for.
- a child was taken or removed from the service in a manner that contravenes the *National Regulations*.
- a child was mistakenly locked in or locked out of the service premises or any part of the premises.

Play based learning

The Early Years Learning Framework defines play-based learning as 'a context through which children organise and make sense of their social worlds, as they actively engage with people, objects and representations.

Children's Education and Care Assurance, Education and Training Directorate (CECA)

CECA is the regulatory authority which oversees compliance of ACT Early Learning Centres.

The Catholic Early Learning Curriculum

The Catholic Early Years Learning Curriculum is the curriculum that has been developed by the Catholic Education Archdiocese of Canberra and Goulburn for CE ELCs.

Governance of CE ELCs

Approved Provider:

The Catholic Education Office Canberra and Goulburn runs CE ELCs on behalf of the Trustees of the Roman Catholic Archdiocese of Canberra and Goulburn, who are the approved providers for CE ELCs.

The Nominated Supervisor:

The Director of CE has appointed a Director for each ELC. It is these Directors, or in some cases the Principal of the attached Primary Schools that act as the Nominated Supervisor for the service. These individuals are tasked with overseeing the day-to-day management of the centres, and ensuring that the ELCs:

- employ good management practices, and that appropriate systems are in place to monitor compliance
- provide leadership and guidance for employees, particularly regarding the development of a positive corporate culture
- abide by all relevant CE Policies and Procedures, and ensure that adequate ELC level policies and procedures are in place to ensure legislative and regulatory compliance
- oversee the systems employed for the appropriate creation, retention and destruction of records in accordance with regulatory requirements
- approve all excursions prior to permission being sought from parents
- comply with all applicable legislative, regulatory and constitutional requirements
- adhere to the agreed supervision requirements at all times of operation

- ensure that all employees meet the required qualification standards
- delivery of learning programs in accordance with the approved curriculum and pedagogy.

Supervisors placed in day-to-day charge:

Whenever the Nominated Supervisor of the ELC is absent during hours of operation, they are required to ensure that a Supervisor is placed in day-to-day charge of the ELC in their absence. These individuals are required to meet a strict criteria (see ELC Staffing and Supervision Policy for reference), and have provided written consent to accept this responsibility. These individuals are no longer required to hold a Supervisor's Certificate, as they are automatically covered by the Service's Supervisor Certificate. While these individuals do not have the same legal responsibilities as the Nominated Supervisor, they are legally responsible for ensuring the safety of the employees and students in their charge. They must also ensure the centre's compliance with CE Policies and Procedures, and the appropriate legislative and regulatory requirements.

Early Childhood Teachers

Each CE ELC classroom should be staffed throughout the school term with one suitably qualified Early Childhood Teacher, in order to exceed the minimum required attendance requirement for ELCs. Early Childhood Teachers are required to work directly with children, assist in the planning and development of Early Learning Programs and ensure that supervision requirements are met. Early Childhood Teachers are often required to act as the Supervisor in day-to-day charge of the ELC in the Nominated Supervisor's absence, however this is not the automatic delineation of authority in the Nominated Supervisor's absence.

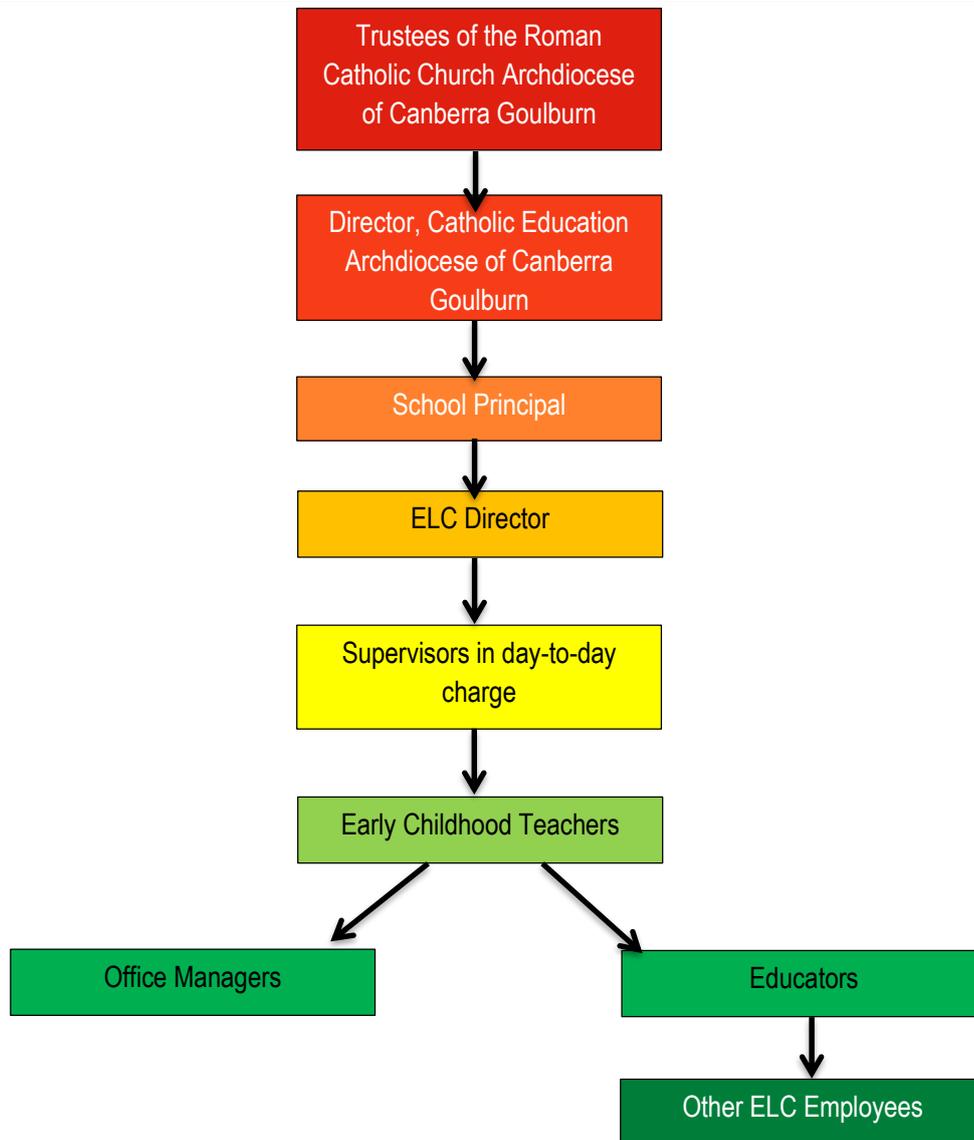
Required Policies for CE ELCs

CE ELCs are required to have policies regarding:

- Delivery and Collection of Children
- Excursions
- Refusal of Authority for a child to leave the service
- Dealing with infectious diseases
- Dealing with medical conditions
- Emergency and Evacuation
- Health and Safety
- First Aid, Incident, Injury, Trauma and Illness
- Child Safe Environments
- Staffing Arrangements
- Staffing and Supervision requirements
- Relationships with children
- Interactions with children
- Service Management
- Governance and Management
- Enrolment and Orientation
- Payment of fees
- Dealing with complaints
- Mandatory Reporting

- Volunteer Induction
- Water Safety

ELC Governance Structure



Notification Requirements to CECA

CE ELCs are required to notify CECA within 7 days of ELC staff becoming aware of the following:

- Any change to the hours and days of operation of the ELC
- Any incident that requires the ELC to close, or reduce the number of children attending for a period (eg. fires or floods).
- Any circumstances arising at the ELC which poses a risk to the health, safety or wellbeing of a student or staff member.
- The attendance of any additional children at the service being cared for in an emergency

Staff Records

CE ELCs are required to record the following information for all ELC employees:

- a) their full name, date of birth and address
- b) evidence of relevant qualifications held by the staff member, or a record of their progress if they are currently studying towards a relevant qualification
- c) evidence of any approved training (including first-aid qualifications)
- d) a copy of the staff member's Working With Vulnerable People (WWVP) card (front and back), as well as notes regarding how any conditions which may be placed upon their authorisation will be obeyed
- e) Teacher's Quality Institute (TQI) identifying number and expiry date for any educator who is certified by TQI.

Records that contain personal or sensitive information must be stored in compliance with the CE Privacy Policy.

Volunteer, Work Experience and Practicum Students

CE ELCs are required to maintain accurate records for every person who assists with the day-to-day activities of the ELC, including Volunteers or Students on work experience or a placement. These individuals are expected to comply with all relevant CE and CE ELC policies and procedures in their interaction with students, and should be inducted according to the CE ELC Volunteer induction Policy. These individuals may not be included in relevant educator to child ratios.

Volunteer and Work Experience Student Records:

CE ELCs are required to maintain the following records for all Volunteers and Work Experience Students:

- a) their full name, date of birth and address
- b) records for each day on which the student or volunteer participates in the service, including the date and hours present
- c) a copy of the individual's WWVP card, or any statutory declarations made

Information to be prominently displayed in the ELC at all times

The following information must be displayed prominently at the service at all times:

- The name of the approved service provider and the name of the education and care service
- The provider approval number and service approval number
- Any conditions upon the provider/service approval
- The name of the nominated supervisor
- The service's current rating level for each Quality Area and the overall rating
- Details of any waivers held by the service
- The hours and days of operation of the service
- The name and telephone number of a person at the service to whom complaints may be addressed
- The name and position of the responsible person in charge *at any given time**
- The name of the Educational Leader
- The contact details of the Regulatory Authority
- If applicable, a notice stating that a child who has been diagnosed as at risk of anaphylaxis is enrolled at the service
- If applicable, a notice of an occurrence of an infectious disease at the service.

*The name and position of the responsible person in charge of the centre at any given time must be displayed so that it is visible from the main entrance. It is the responsibility of the Supervisor in charge to ensure that their name is displayed at all times that they are responsible for the management of the ELC.

Student Records

ELCs have a legislative requirement to ensure that the following records are maintained regarding Students:

Attendance

ELCs must ensure that accurate records are created and retained regarding the dates and times that a child arrives and departs from the service. Best Practice requires this record to be signed by either the individual who drops off or collects the child from the service, or the Supervisor in day-to-day charge at the time.

Enrolment

ELCs are required to utilise the provided CE ELC enrolment forms to ensure that the correct data is collected regarding students. These forms are required to be stored in accordance with the confidentiality requirements placed upon health information for the designated period below.

Health records and authorisations

Staff are required to ensure that comprehensive records are maintained regarding all health issues of students attending the service. This includes information provided by parents through enrolment or excursion permission notes, general emails regarding the student's wellbeing, and information provided by a student's treating physicians. All records which contain health information are required to be treated with the most stringent confidentiality. For information regarding the storage and access requirements for such records, please refer to the CE Privacy Policy.

Other Required Records

ELCs are required to maintain and retain the following documents:

1. documentation relating to child assessments and evaluations of all Student's developmental needs and progress
2. the name of the individual performing the role of Educational Leader
3. records of the person in day-to-day charge of the centre for each time that students are present at the service
4. records of the names and hours that each educator works directly with students
5. the name and hours of attendance of each Early Childhood Teacher

Records 3-5 may take the form of a time sheet or roster, as these records are not required to be stored on each individual's file.

Destruction of documents

Prior to destroying or disposing of records, it is important to ensure:

- the records are no longer required by the School or CE for ongoing business
- the records are not required for any ongoing or upcoming legal proceedings, or any applications for access through the *Government Information (Public Access) Act 2009 (GIPA)*, or similar legislation
- there is documentation identifying which records have been destroyed, when they were destroyed, how they were destroyed, and under whose authority
- the records have been destroyed appropriately according to the nature of information within these documents.

In order to comply with the applicable privacy requirements for documents containing personal or sensitive information, it is necessary to ensure that these documents are disposed of correctly. This entails ensuring that these documents are either shredded prior to disposal, or disposed of by a company which can ensure confidential and secure disposal of such records. If ELCs choose to shred these documents themselves, it is important to ensure that shredding is sufficient to ensure that information is rendered incapable of reconstruction. For the permanent destruction of data stored electronically, ELCs should contact the CE IC< department.

Records destroyed accidentally, or in a natural disaster (eg. flood or fire):

Occasionally, documents may be accidentally destroyed or severely damaged by natural disasters, such as flood or fire, before the permissible date of disposal. To minimise the likelihood of this occurring, CE suggests that documents be retained electronically where possible. This also allows for stringent security and monitoring practices for information regarding sensitive information. In the event that documents are destroyed inadvertently, the CE Head of Directorate Services should be advised immediately.

Destruction Schedule for records related to:

Incidents and Injuries

<p>an incident, illness, injury or trauma suffered by a child while being educated and cared for by the education and care service OR an accident, illness, injury or trauma suffered by a child that may have occurred following an incident while being educated and cared for by the education and care service.</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> - Accident reports - Illness reports - Care and protection reports - Serious incidents
<p>The death of a child while being educated and cared for by the education and care service or that may have occurred as a result of an incident which occurred while being educated and cared for.</p>
<p>CE Critical Incident Notifications</p>
<p>ACECQA Serious Incident Notifications</p>
<p>WorkSafe Incident or Injury Notifications</p>

KEY:
Keep Permanently
Keep until the student reaches the age of 25
Keep for 7 years after the employee provided education and care on behalf of CE
Keep until the end of 3 years after the last date on which the child was educated or cared for by the service
Destroy at the end of the school year
Destroy after relevance

Student Records

<p>(2)(d) All records relating to a child enrolled at the education and care service.</p> <p><i>Examples:</i></p> <ul style="list-style-type: none"> - Individual enrolment forms - Behaviour plans - Inclusion support information - Court orders and custody information - Behaviour reports - Individual parental permissions - Documentation of child's assessment and learning - Incident (behaviour) reports/Thinking Time Sheets - Service complaints relating to the child - notifications to ACECQA
<p>Inclusion support information</p>

Official Records related to Provider Approval

Records related to the provider approval for CE Examples: - licences - service approvals - suspensions and compliance directions
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Employee Records

Staff files
Performance reviews
Individual meetings
Performance Management
Grievances
Certificates
Variations
Qualifications
Training records

Management Records

Director's diary or calendars
Staff rosters
Staff sign in/out registers
Meetings - Full staff - leadership team -parent
Financial records

Other information

Programs
Parental information
Accreditation information
Assessment and ratings information

Records of emergency procedures
Records of visits by the Children's Policy Regulation Unit (CPRU)
Records of visits by ACECQA
Children's surveys
Parent surveys
School based and CE Policies and Procedures
Correspondence with the Catholic Education Office
Yard checks
Risk assessments

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Issuing Group	School Services
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