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## Policy and Procedure Organisational Structure & Governance Management of Records

### Purpose

Acacia Indochinese Community Support Association (Acacia Children's Centres) is committed to outlining the duties, roles and responsibilities of the Governance of all Acacia Centres within the Acacia

### Scope

This policy applies to the Approved Provider, Nominated Supervisor/Primary Nominee, Nominee, Certified Supervisor, educators, staff, students on placement, volunteers, parents/guardians, children and others attending programs and activities run by Acacia.

### Background

The Governance of an organisation is concerned with the systems and processes that ensure the overall direction, effectiveness, supervision and accountability of a service.

Under the National Law and National Regulations early childhood services are required to have policies and procedures in place relating to the Governance and management of the service, including confidentiality of records (refer to *Privacy and Confidentiality Policy*).

### Definitions

**Governance** - The process by which organisations are directed, controlled and held to account. It encompasses authority, accountability, stewardship, leadership, directions and control exercised in the organisation (Australian National Audit Office, 1999).

### Policy

Acacia is committed to ensuring that there are appropriate systems and processes in place to enable:

- good Governance and management of the organisation;
- accountability to its stakeholders;
- compliance with all regulatory and legislative requirements placed on the organisation;
- the organisation to remain solvent and comply with all its financial obligations.

### Responsibility/Accountability

Acacia Indochinese Community Support Association Inc., according to Regulations is responsible for the implementation of this policy. This will be achieved through the Leadership Group and their service staff:

- ensuring that the service has appropriate systems and policies in place for the effective management of the service;
- ensuring that good practices and appropriate checks and balances are in place;
- being accountable to members of the service;
- maintaining the focus, integrity and quality of the service;
- overseeing legal functions and responsibilities.



### **Managing Director & Nominated Supervisor**

Managing Director provide efficient and effective administration systems to the service. The Managing Director is responsible for liaising with Commonwealth Departments in regard to Child Care Subsidy, the invoicing of fees, and the implementation of waiting lists when required. The administration officer processes enrolment applications and assists families in the enrolment process for the service.

The Nominated Supervisor is responsible for the supervision of the children and for also ensuring that staff, volunteers and students are working efficiently and effectively. The supervisor oversees the day-to-day operations of the Centre and ensures that the programs, policies and guidelines are adhered to.

### **Educational Leader**

The Educational Leader reports to the Nominated Supervisor and is based at a Centre, fulfilling a supportive role to all fellow educators. The Educational Leader is responsible for leading the development and implementation of educational programs in the service.

### **Leaders/Qualified Leaders**

Leaders and qualified leaders are responsible for the supervision and transportation of children to and from the Centre on excursions. Leaders assist in all aspects of the program and work as a team in the day-to-day operation and planning of the program. Qualified Leaders are leaders that have studied and are trained in the childcare or education field. Leaders report to the Nominated Supervisor.

### **Relieving Educators**

Acacia employs the use of relieving early childhood educators to work at the Centre in the event that permanent or casual staff are sick, take leave or are unavailable.

Temporary staff report to and work in consultation with the Nominated Supervisor of the Centre. All temporary staff in programs are required to have Working with Children Checks.

### **Administrative Staff**

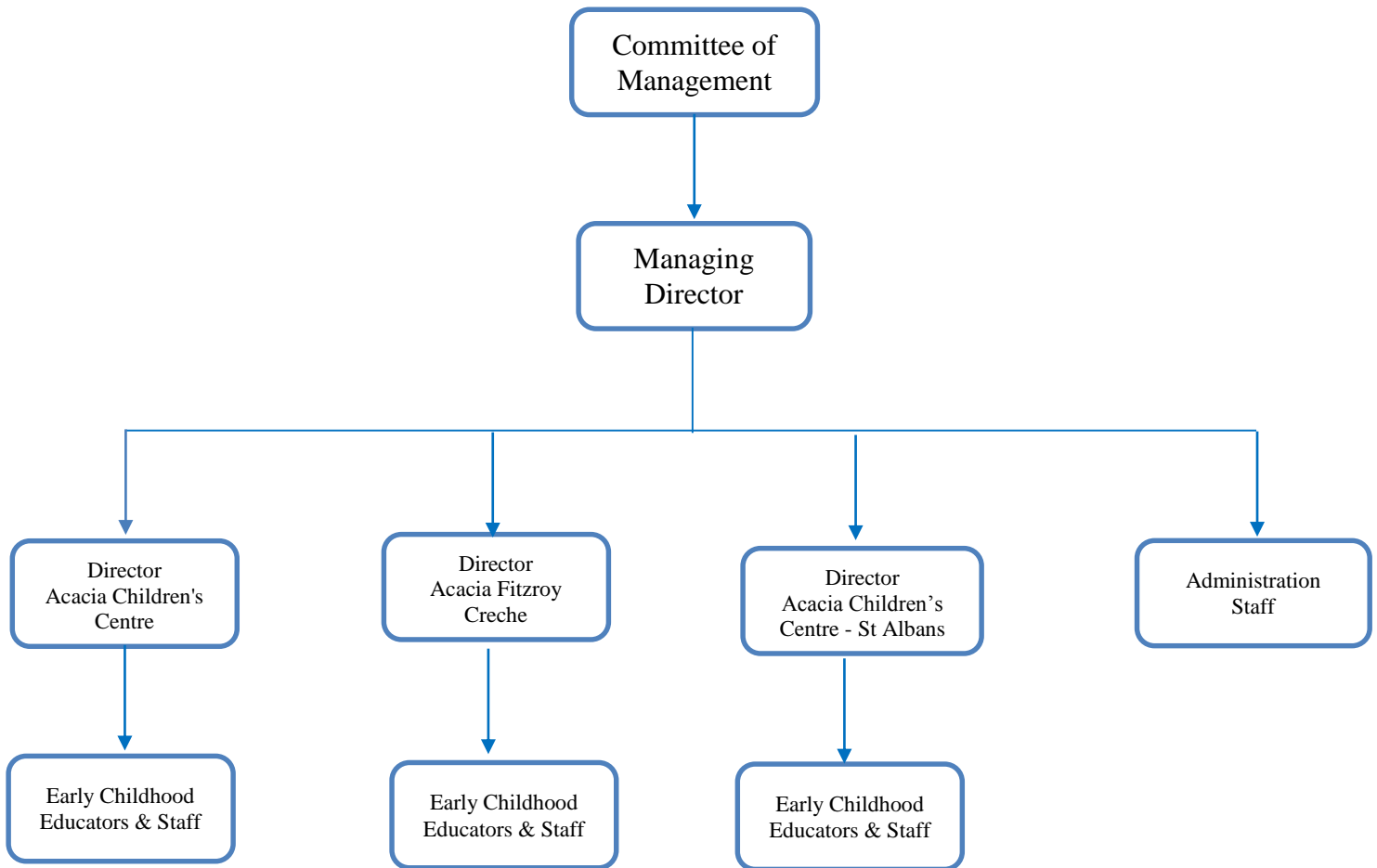
Administrative Staff report to the Managing Director and work in collaboration with the Managing Director and Nominated Supervisors with all administrative works, i.e. accounts, information technology, etc. All staff in programs (including administrative staff) are required to have current Working with Children Checks.

### **Management Committee**

A voluntary management committee administers the children's centres and other activities of Acacia. All parents and local community people are eligible for election as a committee member by nomination at the Annual General Meeting. The committee meetings are held on a rotation basis at each Centre.

### **Organisation Structure**

Below is the organisational structure of Acacia Indochinese Community Support Association Inc.:



### Management of Records

The purpose of records management is to ensure that children, educators, staff, students and volunteer's records are kept in accordance with the Information Privacy Act 2000, Education and Care Services National Law Act 2010, Education and Care Services National Regulations 2018 and other legal requirements.

Acacia will maintain record keeping systems that are relevant, secure, and up to date.

Records related to Child Care Subsidy and other documents related to the child will comply with funding requirements and regulations.

Any documents containing personal information and deemed no longer necessary will be shredded.

### Children's Records

Acacia will keep complete, accurate and up to date records of:

- enrolments form
- attendance records
- medication, accident, injury and illness records/ medical conditions
- *Children individual learning observations and assessments*
- *Death of a child whilst educated and cared for at the service*

Copies of these records shall be available to parents/guardians on request.



## **Educators/ staff Records**

An individual personnel file will be kept for each educator, staff member, student and volunteer. Educator, staff, student and volunteer personnel files will contain the following information:

- Staff details
- tax file number declaration, bank details proof of qualifications (staff and volunteers must provide original copies of qualifications and verified translations)
- working with children check, VIT and/or police records check
- Leave entitlements
- Letter of appointment)
- immunisation and illness records
- Staff performance appraisals
- professional development activities

## **Volunteers, and Students Records**

- Personal details along with signed agreement from organisation
- Copy working with children check
- Induction, Orientation checklist
- Attendance records

## **Keeping Records Secure**

Acacia is required by law to protect the personal and health information it has collected against unauthorised use or disclosure. Acacia's responsibility is to maintain accurate and up to date records. To be able to meet the requirements of government and statutory bodies, Acacia has a policy of record keeping. It is also play a crucial part of effective and ethical management practice to ensure that good records are kept.

The following procedures are enforced:

- Personal information about children, educator, staff, students and volunteers must be kept secure at all times.
- Completed enrolment forms must be kept in locked cabinets or in a locked office.
- Staff records are kept in a locked cabinet to which only the Director has access.
- All the personal information about the child, educator, staff, students and volunteer records must not be disclosed to anyone other than Director, authorised person for the service, a parent or guardian of the child.

## **Access to Own Records**

Educators, Staff, students and volunteers can have access to the information kept about them. Parents/guardians can have access to the information kept about their child. To access this information they need to speak to the Director.

## **Privacy and Confidentiality**

Acacia adheres to the Commonwealth Privacy Act and National Privacy Principal 2001, and the Victorian Information Privacy Act 2000 and Health Records Act 2001 and other States and Federal legislations.



Acacia information collection is based on in the Privacy Act and National Privacy Principles 2001:

- The centre collects personal information, including sensitive information about parents and children before and during the course of a child's enrolment at the Centre. The primary purpose of collecting this information is to enable the Centre to provide care for your child.
- Some of the information collected by the Centre is to satisfy legal obligations and in particular, to enable the Centre to discharge its duty of care.
- Health information about children is sensitive information within the terms of the National Privacy Principles stipulated under the Privacy Act. The Centre will ask parents to provide reports about their child from time to time.
- Dealings with other agencies in relation to health issues, learning difficulties or behaviour difficulties will be anonymous until parents/guardians have been consulted and approval obtained.
- Specific Medical information will be displayed appropriately for the use of staff.
- Parents may seek access to personal information collected about them and their child by contacting the Centre. However, there will be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the Centre's duty of care to the child, or where children have provided information in confidence.
- If parents provide the Centre with the personal information of others, such as doctors or emergency contacts, it is encouraged that parents inform them that they are disclosing that information to the Centre and why. They can access that information if they wish and that the Centre does not usually disclose information to third parties.

### **Use and disclosure of personal information**

Acacia is occasionally obliged to disclose personal or health information to others for the health and safety of staff and children. This includes disclosing information to government departments, medical practitioners and other service providers who assist us with providing Acacia services. We only do this with written consent of parents, or as required or authorised by law.

### **Photographs**

Parents/guardians are discouraged to take photos of their child with other children for privacy reasons, unless Acacia obtains written permission from the guardians of the other children. Acacia can take photos for the purpose of the educational program only. Photos of children in the learning portfolios can only be included once written permission is obtained from the individual parents/guardians via enrolment form. Photos can be emailed to families with consent. No photos or images of children's faces will be posted on any social media or media advertising unless families written consent has been obtained. The consent form must explain what the image is used for and who owns the image, e.g. newspaper and TV ownerships.

### **Confidentiality (refer to appendix 1)**

Acacia protects and maintains the privacy and confidentiality of individuals by ensuring that all records and information about individual children, parents/guardians, staff, management and others are:

- sensitively and accurately collected and recorded.
- kept in a protected filing system. This includes using locked filing cabinets and taking appropriate measures to protect information that is stored electronically.
- accessed by or disclosed to only those people who need the information to fulfil their responsibilities at the Centre or have a legal right to know.
- All private information given to the Centre is kept confidential.



- Personal records, details, appraisals are treated as confidential and will only be accessed by the Director, admin staff and individual staff members who may access their own records.
- Email communication between families are directed via the Centre Director.
- Staff personal email and phone numbers can be used or disclosed once consent is obtained by each individual person via consent form or verbally.
- A Confidentiality Statement form will be used for all personnel dealing with handling information about the Organisation and individual stakeholders associated with Acacia.

### Implementation

- All staff, Management Committee members, families and students will be made aware of the policy on confidentiality and will discuss this with their supervisor prior to commencing at the Centre.
- Any confidential conversations will be conducted in a quiet area away from other children, parents and staff.
- Students on work experience/volunteers will not make staff/children or families at the Centre the object of discussion outside of the Centre (e.g. tertiary institution, school, home etc.), nor will they, at any time use family names in recorded or tutorial information.
- No member of staff may give information or evidence on matters relating to children and/or their families to anyone other than the custodial parent/guardian when that information has been obtained in the course of employment at the Centre. Exceptions may apply regarding information about children when subpoenaed to appear before a court of law.

Not with standing these requirements, confidential information may be exchanged in the normal course of work with other staff members at the Centre and may be given to the Management Committee, when this is reasonably needed for the proper operation of the Centre and the well-being of users and staff.

### Access to Personal Records

Parents/guardians and staff will be given access to any information held about them.

In the Centre's daily program, room leaders will make developmental records of children available to the child's parents/guardians. Other specific requests should be made through the Director.

### References:

- Commonwealth Privacy Act and National Privacy Principal 2001
- Victorian Information Privacy Act 2000
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2018

### BREACH OF THIS POLICY

Any educator or staff found to have violated this policy may be subject to disciplinary action.

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## Appendix 1

### Confidentiality Statement

- Educators, staff, students, nominated supervisor, director and approved provider will respect the rights to privacy of: enrolled children and their families; educators, staff, students, the operator, elected management committee members and their families, and agree to comply with the National Privacy Principles, included in the Privacy Act.
- Information pertaining to children and their families, or educators, staff, students, approved provider, elected management committee members and their families is not discussed with, or made available to, any person who has not been authorised by the individual family, or educator, staff, student, approved provider or elected committee member, except in circumstances involving an authorised government officer covered by legislation. This includes any discussions about the service or any of the above named persons on social media sites.
- Information about individual children or their families is only discussed with authorised persons within the service. All discussions relating to individual children and their families by educators, staff, students the operator or elected management committee members will be on a confidential professional basis.
- Photos of children or any information that may identify a child or their family, will not be used on social media sites, or used for any purpose without the specific written consent of the parent/guardian.
- Information about an educator or staff member and their family is not discussed with other educators or staff at the centre or with any person or people either within or external to the service, without the educator or staff member's consent.
- Information pertaining to the centre's confidential business transactions is not discussed with any person or people within or outside the centre, except where this is within the educator or staff or elected management committee member's professional work at the service.

I agree to abide by the above Statement.

Name: \_\_\_\_\_  
(Please print)

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/20\_\_



TYPE OF RECORD	EXAMPLES OF RECORDS	ARCHIVE PERIOD	FURTHER INFORMATION
CHILD RECORDS	<ul style="list-style-type: none"> <li>• Accident/Injury, incident</li> <li>• Illness,</li> <li>• trauma</li> </ul>	Until child is 25 year-old	A child may sue for negligence, regardless of how long ago the injury occurred up until the age of 25yrs
	<ul style="list-style-type: none"> <li>• Enrolment Records</li> <li>• Attendance Records</li> <li>• Transition Report Records</li> <li>• Child assessments</li> <li>• Medication Reports</li> </ul>	Until the end of 3 years after the child's last attendance	This is a requirement of the Federal Government.
FINANCIAL RECORDS	<ul style="list-style-type: none"> <li>• Accounting Documents</li> <li>• Taxation Records</li> <li>• Bank Statements</li> <li>• Receipt Books</li> <li>• Salary Payment Records</li> </ul>	5 years	Records relating to all financial transactions of the business are required to be kept by the Australian Taxation Office (ATO) for a period of five years.
STAFF RECORDS	<ul style="list-style-type: none"> <li>• Wage records &amp; Time sheets</li> <li>• Workers compensation claims</li> </ul>	7 years	Regarding Workers compensation claims, there are no legislative requirements imposed, however Worksafe recommend 7 years.
	<ul style="list-style-type: none"> <li>• Date of commencement</li> <li>• Employment terms &amp; Conditions</li> <li>• Sickness, annual and other leave</li> <li>• Long service leave</li> <li>• Immunisation Record</li> <li>• Staff performance appraisals</li> </ul>	6 years after employee has ceased employment	The Australian Government can request this information for a period of up to 6 years
FEES & GOVERNMENT RECORDS	<p>All documents relating to Child Care Subsidy (CCS) including:</p> <ul style="list-style-type: none"> <li>- Statement of child care attendance</li> <li>- Allowable/Approved Absences</li> <li>• Waiting Lists</li> <li>• All documents relating to capital &amp; equipment grants.</li> </ul>	3 years	The Federal Department requires these records be kept for this period.
INSURANCE	<ul style="list-style-type: none"> <li>• Policy details</li> <li>• Claim details</li> </ul>	7 years	
REGISTERED BUSINESSES & INCORPORATED MANAGEMENT BODIES	<ul style="list-style-type: none"> <li>• Minutes of ordinary &amp; annual general meetings</li> <li>• Annual Reports</li> <li>• Financial reports</li> </ul>	To be decided by Management Committee	The Office of Fair Trading and Business Affairs maintains their own copy of these records and imposes no requirement regarding services keeping these records, provided they have been submitted in accordance with government legislation governing these management bodies.