

Policy Name	Record Keeping Policy and Procedures
Date Last Reviewed	February 2023
Scheduled Review Date	February 2024
Approved By	Board of Directors

Background

Skyline Education Foundation Australia is committed to ensuring the safety, wellbeing, and participation of all children and young people under our care. We understand that not all individuals may have English as their first language, and as such, we offer translation assistance. If you need help understanding this Policy and Procedures, please contact us at info@skylinefoundation.org.au or call 0403 436 474.

This Policy and Procedures document is available to the public on our website at www.skylinefoundation.org.au/childsafety. Furthermore, before commencing any work, a copy of this document will be provided to all Skyline staff, volunteers, contractors, service providers undertaking child-related work, and Board members.

The **Record Keeping Policy and Procedures** outlines how Skyline manages records related to child safety and wellbeing. It ensures that staff, volunteers, and other relevant individuals at Skyline understand their record-keeping obligations. This is an essential part of Skyline's commitment to embedding child safety and wellbeing into our governance processes.

Scope

This Record Keeping Policy and Procedures applies to the following:

- Staff
- Volunteers, contractors and service providers undertaking child-related work
- Board of Directors and Committee members.

Purpose

This Policy and Procedures outline Skyline's commitment to creating, maintaining, and securely storing accurate records to effectively manage child safety and wellbeing risks and appropriately respond to child abuse related concerns or complaints. We comply with our confidentiality, privacy, and information sharing obligations in the process.

Effective record keeping practices are essential for child safety and wellbeing. Records are vital for efficient and effective operations, transparency and accountability, risk management, legal compliance, and maintaining the integrity of our organisation. This Policy applies to all staff, volunteers, contractors, service providers undertaking child-related work, and Board of Directors and Committee members at Skyline.

Policy

At Skyline, maintaining accurate and secure records is crucial for effective child safety and wellbeing management. All information received or created in relation to child safety and wellbeing concerns, complaints, actions, omissions, or decisions must be documented as a record.

All Skyline staff, volunteers, contractors, service providers undertaking child-related work, and Board members have record keeping responsibilities. They must create, use, and manage child safety and wellbeing records relevant to their role and receive induction and periodic training on record keeping requirements. They must also be aware of their obligations to protect, access, use, and disclose personal and confidential information in the context of child safety and wellbeing activities and

decisions. Skyline staff are responsible for securely storing and disposing of child safety and wellbeing records.

Skyline complies with legal obligations when managing child safety and wellbeing records. These obligations include reporting child abuse or harm to relevant authorities and cooperating with law enforcement, even if the law does not require reporting. Relevant authorities may include Victoria Police, the Department of Families, Fairness and Housing (DFFH) Child Protection, or the Commission for Children and Young People. Skyline must not destroy or prevent records from being used as evidence in legal proceedings. Skyline may also need to retain records for use in court proceedings for damages against us in respect of child abuse. Finally, Skyline must comply with privacy and employment laws.

In summary, effective record keeping practices are essential for Skyline's operations, transparency, accountability, risk management, legal compliance, and integrity. All relevant people at Skyline must fulfill their record keeping obligations in the context of child safety and wellbeing activities and decisions.

Examples of the types of records that Skyline creates, uses and retains to effectively manage our child safety and wellbeing risks and respond to a complaint of child abuse or harm include (but are not limited to):

Recruitment processes

We keep records of our recruitment processes to ensure staff, volunteers, and relevant others are suitable to work with Skyline students. This includes records of our employment advertising that includes our commitment to child safety and wellbeing, position descriptions which set clear expectations about the role's requirements, duties and responsibilities regarding child safety and wellbeing, interview questions and answers that include a range of value-based questions to establish suitability to work with children, referee checks, and pre-employment and engagement screening of relevant staff, volunteers, and others. This includes current valid Working with Children (WWC) Checks, police and background checks, and verification that required qualifications are valid and up to date.

Training

We keep a training register to record completion of induction and training by staff, volunteers, and relevant others on the training and information provided to them by Skyline. This includes how to implement our Child Safety and Wellbeing Policy, recognise indicators of child harm (including harm caused by other children), respond effectively to issues of child safety and wellbeing, support colleagues who disclose harm, and on building culturally safe environments for our students. The aim is to ensure the safety of students through ongoing education and training.

Concerns and complaints

Records are kept of complaints made to Skyline, including concerns raised about the safety of children and disclosure about alleged abuse or harm of children, and actions taken to respond, including interactions with relevant authorities. This enables Skyline to examine complaints, concerns, safety incidents, or significant breaches of policy related to child safety and wellbeing to understand what caused the problem, whether there are any flaws in our policies, procedures, and practices that contributed to the problem, and make improvements to prevent the problem from happening again. Effective record-keeping also enhances Skyline's cooperation with law enforcement in reporting child abuse-related complaints and concerns to relevant authorities such as Victoria Police and/or DFFH Child Protection by assisting their investigation processes, including witness identification and contact and evidence gathering through the creation, retention, and easy accessibility of accurate records.

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Procedure

Induction and training

To ensure that everyone working with Skyline students reflects child safety and wellbeing values in practice, all staff, volunteers, contractors, service providers, and Board members undertaking child-related work must complete an appropriate induction and regular training. The induction and training must be adjusted to each role's requirements, duties, risks, and responsibilities in relation to child safety and wellbeing. It includes making all relevant personnel aware of their responsibilities to students, including their record keeping obligations as outlined in this Policy and Procedures.

Minimum record keeping requirements

All Skyline staff, volunteers, contractors, service providers, and Board members are responsible for creating full and accurate child safety and wellbeing records during their work at or engagement with Skyline.

This involves creating records as soon as practicable after the activity, omission, or decision for which a record is required. Examples include file notes of phone calls and important conversations, such as disclosures of child abuse or harm by students, or notes of actions taken, meetings, or official meeting minutes.

All child safety and wellbeing records at Skyline must be:

- Accurate, complete, clear, and contain as much information as possible to enable them to be read and easily understood by a person who was not involved in the activity, omission, or decision. A "when, where, who, what, how, why" format may be used.
- Maintained on Skyline systems or infrastructure or in designated storage areas at Skyline and not transferred or removed without authorisation from the Chief Executive Officer (CEO) or their delegate.
- Kept in Skyline authorised business systems if they are electronic records and not in personal drives, devices, cloud storage locations, or on media such as CDs or portable storage devices such as USBs.
- Organised and managed to preserve their context and enable easy retrieval, accessibility, and use where authorised and in accordance with that authorisation.
- Protected from unauthorised access, alteration, deletion, damage, loss, or destruction.
- Retrieved and used only for authorised purposes and in accordance with legal obligations, including privacy and confidentiality.
- Made available in accordance with legal obligations and within the constraints of security, confidentiality, privacy, and access conditions.
- Stored in conditions suitable for the length of time they must be retained, the nature of their content, and their medium. For example, hard copy records must be stored in designated records storage areas, and electronic records must be kept in authorised systems that ensure their preservation and accessibility for the required retention period.
- Retained and only disposed of using secure and permanent destruction methods in accordance with applicable legal obligations. Records should not be disposed of where there is pending or anticipated legal action. Disposal should only occur if authorised by the CEO or their delegate.
- Logged in Skyline's Child Safety and Wellbeing Records Disposal Schedule where disposal is authorised. This includes a description of the record, the authorisation date, disposal date, and method of disposal, signed by the CEO.

Specific record keeping requirements

To ensure that Skyline can meet its legal obligations to cooperate with law enforcement and report complaints and concerns to relevant authorities, all Skyline staff, volunteers, contractors, service providers and Board members who undertake child-related work must promptly report any concerns or suspicions of child abuse or harm, regardless of whether the law requires reporting. In order to assist in making a referral or report to a relevant authority, they are required to take the following steps as soon as reasonably practicable:

- make detailed, legible, and dated notes of all observations, beliefs, concerns, or suspicions of child abuse or harm, including grooming or student sexual offending;
- document all verbal and written communications regarding child safety matters, including all disclosures or allegations of abuse, grooming, or student sexual offending, meetings and telephone calls, and provide sufficient detail to record the key conversations, particularly those relating to any student disclosures; and
- ensure that all child safety records are securely stored, including storing original documents in their original condition, in accordance with this Policy and Procedures.

By following these steps, Skyline staff, volunteers, contractors, service providers and Board members can ensure that they are properly documenting any concerns or suspicions of child abuse or harm, and that all relevant information is available to assist in making a referral or report to the appropriate authorities.

Where any child safety and wellbeing concern or complaint is investigated by Skyline, the investigator must:

- be aware of Skyline's legal, contractual, professional and other obligations to document allegations and maintain proper records
- document all information about the investigation including everything they did and why
- make records of all of the evidence collected
- ensure that all records are stored securely and in accordance with strict controls with access and sharing restricted to the CEO or the Chair of the Board in case of a conflict and/or delegate and the reasons for and circumstances under which they can be accessed, and who has responsibility for looking after the records and keeping them secure clearly documented.

Skyline will ensure that:

- investigation records are shared with other organisations, such as regulatory bodies or law enforcement agencies, as legally required
- individuals whose personal information is contained in a record, including that of victims and the subject of any allegation of child abuse or harm, who may also have a legal right to access such records under relevant legislation, such as privacy legislation or employment laws are provided access as legally required
- investigations that include the provision of medical or other health records where more stringent disclosure and document retention obligations may apply are followed.

Retention and storage

Examples of specific child safety and wellbeing records that Skyline keeps include (but are not limited to):

- Recruitment records, including employment advertising, position descriptions, interview questions and answers/notes, reference checks, and qualifications.
- All records for each person that Skyline requires to have a Working With Children (WWC) Clearance or equivalent background check, including full name, date of birth, WWC Check Card Number, WWC Check Clearance expiry date, all correspondence, including any notices sent by or provided by the person from WWC Victoria (Department of Justice and Community Safety), and Victorian Institute of Teaching registration/other equivalent background checks.
- All child safety and wellbeing induction and training records.
- All records relating to any concern or complaint that a child or student may be in need of protection from child abuse or harm and relating to any contact or dealings with relevant authorities, decisions and actions including correspondence and documents relating to any investigation, interviews, statements, meetings, documentary evidence, photos, notes, reports, findings, recommendations, disciplinary actions, etc.
- All child safety related policies, procedures, work systems, and strategies, should such evidence ever be required in legal proceedings in respect of child abuse related to actions taken at a particular point in time.

All child safety and wellbeing records must be stored, accessed, and maintained as follows:

- Physical records are stored in a secure cabinet that is fire-resistant and located in an area that affords its contents the most protection from damage or destruction due to water, moisture, heat, dust, fumes, insects, and vermin. Only the CEO and personnel authorised by the CEO can access the cabinet, and it is regularly inspected.
- Electronic/digital records are kept in readable formats in digitally secure storage systems and devices, which are regularly tested, updated, and security patched. They are backed up, restored, and/or replaced if necessary. They are stored in password-protected folders so that access or amendment is limited to the CEO and personnel authorised by the CEO, and access can be revoked if required.

These revisions clarify the specific types of records that Skyline retains and the necessary methods for retention and storage to ensure that they are secure and accessible.

Breach

Formal complaints about a breach of this Record Keeping Policy and Procedures must be reported to the CEO Bridget Sutherland through the official complaint process. Bridget can be contacted on 0403 436 474 or by email at ceo@skylinefoundation.org.au.

Skyline staff, volunteers, contractors and service providers undertaking child-related work who breach this Policy may be subject to disciplinary procedures in accordance with their employment agreement or relevant industrial instrument, professional code or terms of engagement.

This includes (but is not limited to) the following actions depending on the nature of the relationship and the breach:

- remedial education
- counselling
- increased supervision
- restriction of duties
- appointment to an alternate role
- suspension
- in the case of serious breaches, termination of the employment, contract or engagement.

Compliance monitoring

The CEO is responsible for monitoring compliance with this Policy and Procedures. This includes conducting independent audits and reviews to ensure that the policy is fully implemented and being followed by everyone, including contractors and service providers undertaking child-related work. Our leaders will model compliance by taking a proactive approach on the importance of child safety and wellbeing, responding promptly and thoroughly to concerns, and helping to embed child safety practices throughout Skyline.

Review

Skyline is committed to continuously improving our Child Safety Program. To achieve this, we have established the following processes for the review and ongoing improvement of our child safe policies, procedures, and practices:

- The CEO is responsible for reviewing and updating the **Record Keeping Policy and Procedures** at least every two years, or more frequently if there is a significant child safety incident or significant breaches of policy (such as the Code of Conduct). The CEO will seek feedback from staff, volunteers, students, families, and the Skyline community to inform any updates or changes.
- We use best practices and engage in regular stakeholder consultations on child safety to inform the development of our policies and procedures.
- We record and analyse all complaints, concerns, and safety incidents to identify causes and systemic failures, and use this information to inform continuous improvement. If any flaws or failings are identified in our policies, procedures, or practices, improvements are made to prevent the problem from happening again.
- We act with transparency and share reports on the findings of relevant reviews with staff, volunteers, families, students, and the Skyline community to promote a culture of openness and accountability.

Through these processes, Skyline aims to ensure compliance with all child safety related laws, regulations, and standards, and to continuously improve the effectiveness of our Child Safety Program.

Skyline policy and procedure linkages

- Child Safety and Wellbeing Policy
- Child Safety Code of Conduct
- Child Safety Responding and Reporting Obligations Policy and Procedures
- Complaints Policy
- Privacy Policy.

Related legislation

The following legislation, standards and regulations apply and this Policy and Procedures align with these mandated requirements:

- *Child Wellbeing and Safety Act 2005 (Vic)* and the Child Safe Standards made pursuant to that Act
- *Children, Youth and Families Act 2005 (Vic)*
- *Crimes Act 1958 (Vic)*.