



The Royal Commission into Institutional Responses to Child Sexual Abuse (The Royal Commission) made several recommendations to improve record keeping requirements to support child protection. Some aspects of record keeping are the subject of legal requirements under the National Law and National Regulations. Other recommendations are not legal requirements, however they represent best practice and services are strongly encouraged to adopt them.

This information sheet explains both the legal requirements in this area, and the best practice recommendations made in response to recommendations by the Royal Commission.

BEST PRACTICE RECORD KEEPING: SUPPORTING CHILD PROTECTION

LEGISLATIVE REQUIREMENTS

Record of evidence of fitness and propriety of staff members, volunteers, and students

Approved providers are required to keep a record of each educator, volunteer and student's Working with Children Check (WWCC) or Working with Vulnerable People Check (WWVP), under the law of their jurisdiction. The record must include the identifying number of the current check or registration under their relevant law, and the expiry date. This information must be included in the staff record (regulations [147](#), [149](#) and [154](#)).

Note: Exemption for **New South Wales, Queensland, South Australia, and Tasmania**. In those states, the following applies instead:

If the staff member, volunteer, or student has provided:

- proof of their current teacher registration
- a record of the identifying number of the teacher registration
- the expiry date of that registration.

These must be recorded by the approved provider.

A jurisdiction-specific provision also applies in **Victoria**, requiring the approved provider to read, or ensure that a nominated supervisor or person in day-to-day-charge of the service has read, a person's working with children check before the person is employed or permitted to volunteer at the service (regulation [358](#)).

Further details on legislative requirements regarding records that may be relevant can be found:

- in [section 175 of the National Law](#): Offence relating to requirement to keep enrolment and other documents

- in [regulation 177 of the National Regulations](#): Prescribed enrolment and other documents to be kept by approved provider.

BEST PRACTICE RECOMMENDATIONS

The Royal Commission recommended that organisations engaged in child-related work retain records relating to child sexual abuse that has, or is alleged to have occurred, for at least 45 years (Royal Commission into Institutional Responses to Child Sexual Abuse, 2017).

The recommendations aim to:

- strengthen whole service awareness of child protections laws and individual reporting obligations, including resources related to child protection reporting
- enhance and appropriately maintain the record keeping practices of all employers and employees including volunteers in relation to actual or alleged incidents of child abuse, to ensure relevant records and information will be easily accessible to survivors of child sexual abuse.

It is recommended that records related to child sexual abuse that has or is alleged to have occurred, be:

- kept for at least 45 years from the date the record is created
- clear, objective, and thorough
- maintained in an indexed, logical, and secure manner
- retained and disposed of in a consistent manner.

Further details on what records may be relevant to child sexual abuse, and which may therefore need to be kept for 45 years can be found in the [recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse page 22 – 24](#) or on their [website](#).

HOW CAN APPROVED PROVIDERS BEGIN TO IMPLEMENT THE RECOMMENDATIONS?

Approved providers may find it helpful to:

- review existing documents and templates related to records to identify opportunities to include these requirements and recommendations
- review current policies, processes and procedures related to staffing to ensure there are systems in place to obtain employee's current checks or teacher registration information
- review current policies, processes and procedures related to records maintenance and storage to ensure they are indexed in a logical manner and kept securely
- discuss the requirements and best practice recommendations at staff meetings and/or in internal emails, newsletters and online communication platforms.
- refer to the sections of the *Guide to the National Quality Framework* that set out further guidance about good record keeping. These include:
 - [2.5 Incidents, injury, trauma and illness](#)
 - [7.4 Management of records](#)
 - [7.5 Confidentiality and storage of records](#)
 - [7.6 Other staffing arrangements and related notifications and records](#)

RESOURCES AND REFERENCES

Visit the [ACECQA website](#) at www.acecqa.gov.au to download:

- Webpage – [Reporting requirements about children](#).
- Information sheet – [Record keeping requirements for FDC services](#).
- The [Guide to the National Quality Framework](#).

There are many other record keeping requirements that apply to early childhood services concerning a range of matters. For additional information download the [Guide to the National Quality Framework](#) and consult the [National Law](#) and National Regulations.

Find other resources at:

- [Australian Institute of Family Studies](#).
- [Mandatory Reporting of Child Abuse and Neglect](#).
- [Contact your regulatory authority](#).