

BEST PRACTICE RESOURCE SAMPLE

Access to Child's File

(This information is subject to change, please consult with the appropriate governmental agency if in doubt about what to do with business records and personal information.)

How long do we keep records and who has access?

Financial records, including attendance are kept for 7 years. Legal records are kept as long as the provider is in business and may be kept longer if need be. (License, business license, any contracts, insurance, etc)

Records pertaining to any serious accident and potential or actual insurance claim should be kept until the child involved is 2 years past the age of majority (18). Otherwise, child files are kept as long as the provider is operating. Personnel records must be kept for at least 2 years after employment is terminated. The original criminal record authorization forms must be retained for a minimum of 5 years. Other types of records could be kept for one to seven years depending on its importance or relevance. If the record has no relevance or is not needed, dispose of after one year. If in doubt about a record's importance, keep it for at least 7 years.

When records specific to children or employees are disposed of, they must be shredded.

Who has access to files?

Under normal circumstances, records and files are kept confidential. If a child care facility is licensed, Community Care Facility Licensing Officers have access to all files.

Files related to a specific child are normally accessible by the custodial parent only. Because of this access, it is important that a child's file does not contain any specific information about other children or families. Any notes that detail the child's interactions with others should not include the names of the others. Families do not have access to any other files that a child care provider might have.

There may be a time when someone else such as a therapist, social worker or a lawyer may want access to child care files. They need a court order to get that access, unless there is specific written permission from the custodial parent.

Check information with appropriate authorities as policies change from time to time. Check with Revenue Canada, Provincial Employment Standards and the insurance company for updated information.

Records kept by child care facilities may be subject to *Freedom of Information and Protection of Privacy Act*.

Westcoast Child Care Resource Centre developed an administrative manual mainly for not-for-profit child care entitled Westcoast INFORM Guide (formerly Child Care INFORM). This manual was updated in 2006 and has a good section on record keeping for child care programs that can be used by private operators as well as not-for-profit organizations.