



This fact sheet outlines each Parish's legislative responsibilities in storing and sharing records related to child protection.

Key obligations

It is essential that child protection records are kept to comply with legislation and assist with any child protection queries or investigations that arise in future. It is the policy of the Archdiocese of Canberra and Goulburn that all Child Protection and Child Related Incident Documents should be permanently retained.

1. What are 'child protection records'?

- 1.1 For the purposes of this protocol, 'child protection records' are records of information that relate to:
- children who are involved with the parish;
 - the employment or engagement (as a volunteer, contractor or otherwise) of persons working with children, including screening of those persons;
 - child protection training (including attendance records); and
 - any concern regarding the safety or well-being of a child, whether or not that concern:
 - has been reported to the AFP / NSW Police, ACT / NSW Ombudsman or Child Youth Protection Services / Department of Communities and Justice; or
 - has otherwise been reported to the Institute of Professional Standards and Safeguarding (IPSS).

2. Obligations to keep and share records

- 2.1 The *Child Protection (Working with Children) Act NSW (2012) (WWC Act)*, *Working with Vulnerable People (Background Checking) Act 2011 (ACT)*, *Ombudsman Act 1989 (ACT)* and *Ombudsman Act 1974 (NSW) (Ombudsman Act)* contain requirements to keep certain child protection records related to the obligations contained in those Acts.
- 2.2 The purpose of these record-keeping requirements is to allow Access Canberra, the Office of the Children's Guardian (Children's Guardian) and the ACT / NSW Ombudsman to conduct audits of child-related employers and designated agencies, and to keep their child protection systems under scrutiny.
- 2.3 In addition, the *Ombudsman's Act* in both jurisdictions, the *Children and Young People Act 2008 (ACT)* and the *Children and Young Persons (Care and Protection) Act 1998 (NSW) (CAP Act)* set out provisions that encourage the exchange of certain child protection records between agencies.

3. Archdiocese policy and procedure

- 3.1 Records relating to children who are involved with the parish or agency
- Each Parish should keep copies of all documents relating to children who participate in Parish activities or are otherwise involved in their parish, including:
 - each child's name and date of birth;
 - any consent forms signed by the child's parent or guardian;
 - the activities the child participates in;
 - the adults who conduct or supervise those activities; and
 - details of the child's allergies or other medical needs.

3.2 Records relating to the employment or engagement of persons working with children, including screening

a) In relation to each person who requires a WWVP / WWCC under the *Working with Vulnerable People (Background Checking) Act 2011 (ACT) / Child Protection (Working with Children) Act 2012 (NSW)*, the Parish must keep records of the person's:

ACT	NSW
i) full name;	i) full name;
ii) WWVP number;	ii) date of birth;
iii) WWVP expiry date; and	iii) WWCC number; and
iv) a colour photocopy of both sides of the WWVP card.	iv) WWCC expiry date.

b) ACT

If the Parish is informed at any time that a current WWVP card holder working in the Parish:

- i) has had a negative risk assessment; or
- ii) has conditional registration;

the Parish must keep a record of this.

NSW

If, during the WWCC verification process, a person has been:

- i) barred; or
- ii) placed under an interim bar;

the Parish must keep a record of this.

d) If a Parish is notified that Access Canberra / the Children's Guardian wishes to conduct an audit of the relevant parish or agency's records relating to WWVPs / WWCCs, it must cooperate with all reasonable requests made by Access Canberra / the Children's Guardian.

e) If a Parish requires any assistance or advice in relation to an audit by Access Canberra / the Children's Guardian, they should contact IPSS.

f) Each Parish must also keep copies of all:

- i) CVs or resumes;
- ii) notes of interviews;
- iii) references received or notes of reference checks;
- iv) employment agreements;
- v) contractor agreements;
- vi) volunteer agreements; and
- vii) correspondence or other documents relating to disciplinary matters;

relating to person who work with children at the parish.

3.3 Records relating to the reporting of child protection concerns

a) Each person who makes a report to the AFP / NSW Police regarding a suspected reportable crime must keep a record of the following information and provide a copy to IPSS:

- i) the date they became aware of the suspected reportable crime;
- ii) the names of the alleged victim and perpetrator (unless the victim has requested their name be kept confidential);
- iii) any correspondence with any other person regarding the suspected reportable crime, including file notes of conversations; and
- iv) a copy of the report made to the AFP / NSW Police.

b) Each Parish must keep records relating to all child protection matters that are reported to them and provide them to IPSS, including but not limited to:

- i) the person who raised the matter;
- ii) date the matter was raised;
- iii) the name of the alleged victim and/or perpetrator (unless the victim wishes to remain confidential);
- iv) brief details of the matter;
- v) the date the matter was notified to IPSS; and
- vi) copies of any documents in their possession created in relation to the matter, before or after it was reported to IPSS.

c) In addition to the above, IPSS must keep records relating to all child protection matters that are reported to IPSS, including but not limited to:

- i) correspondence with any party relating the matter;
- ii) any reports made to the AFP / NSW Police, ACT or NSW Ombudsman or Child and Youth Protection Services / Department of Communities and Justice;
- iii) any investigation reports; and
- iv) copies of any other documents in his possession created in relation to the matter.

3.4 Sharing child protection records

In the event that a request is made by a government or non-government agency for child protection records under the Ombudsman Acts or Child Protection Acts, any such request should be immediately directed to IPSS.