



POLICIES & PROCEDURES

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Educational Program and Practice

EDUCATIONAL PROGRAM POLICY

Research accentuates that quality programs significantly influences children’s growth and development. We have the opportunity to construct a supportive learning environment and program, with inspirations from the children and families. This contribution can encourage children to feel a sense of control over their actions, interactions, to explore, be curious and test out their understanding of themselves others and the world around them.

In school age education and care services, the educational program supports learning through play and leisure. Based on the nationally approved learning framework, My Time, Our Place: Framework for School Age Care (MTOPE), the educational program *‘includes all the spontaneous and planned experiences for children at the Service designed to support wellbeing and facilitate learning. It includes all the interactions, experiences, routines and events’* (MTOPE, p.42).

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 1: EDUCATIONAL PROGRAM AND PRACTICE		
1.1	Program	The educational program enhances each child’s learning and development
1.1.1	Approved learning framework	Curriculum decision making contributes to each child’s learning and development outcomes in relation to their identity, connection with community, wellbeing, and confidence as learners and effectiveness as communicators.
1.1.2	Child-centred	Each child’s current knowledge, strengths, ideas, culture, abilities and interests are the foundation of the program.
1.1.3	Program learning opportunities	All aspects of the program, including routines, are organised in ways that maximise opportunities for each child’s learning.
1.2	Practice	Educators facilitate and extend each child’s learning and development.
1.2.1	Intentional teaching	Educators are deliberate, purposeful, and thoughtful in their decisions and actions.
1.2.2	Responsive teaching and scaffolding	Educators respond to children’s ideas and play and extend children’s learning through open-ended questions, interactions and feedback
1.2.3	Child directed learning	Each child's agency is promoted, enabling them to make choices and decisions that influence events and their world.

1.3	Assessment and planning	Educators and co-ordinators take a planned and reflective approach to implementing the program for each child.
1.3.1	Assessment and planning cycle	Each child's learning and development is assessed or evaluated as part of an ongoing cycle of observation, analysing learning, documentation, planning, implementation and reflection.
1.3.2	Critical reflection	Critical reflection on children's learning and development, both as individuals and in groups, drives program planning and implementation.
1.3.3	Information for families	Families are informed about the program and their child's progress.

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS	
73	Educational programs
74	Documenting of child assessments or evaluations for delivery of educational program
75	Information about educational program to be kept available
76	Information about educational program to be given to parents
118	Educational leader
148	Educational leader
274A	Programs for children over preschool age
289A	Programs for children over preschool age
298A	Programs for children over preschool age

PURPOSE

To enhance children's learning and development through the pedagogical practices of educators and families in a positive learning environment which is promoted across the five learning outcomes from *My Time, Our Place: Framework for school age care in Australia*. The program will nurture the development of life skills and complement children's experiences, opportunities and relationships at school, at home and in the community.

SCOPE

This policy applies to children, families, staff and management of the Service.

IMPLEMENTATION

The National Quality Framework focuses on outcomes for all children. It requires Out of School Hours Care services to deliver a tailored program catering to the children's age, skill, interests and abilities through a variety of challenging and recreational activities. Developing an educational program involves observing, gathering and interpreting information about children to inform the preparation of environments and experiences that engage them and are meaningful for them. It also involves reflecting on and documenting children's experiences and learning.

Under the Education and Care Services National Law and National Regulations, approved services are required to base their educational program on an approved learning framework. The program should focus on addressing the developmental needs, interests and experiences of each child, while taking into account the individual differences of each child.

The national approved learning framework which outlines practices that support and promote children's learning is *My Time, Our Place: Framework for School Age Care in Australia ('Framework for School Age Care')*. The aim of the Framework for School Age Care is to extend and enrich the wellbeing and development of school age children in education and care settings. It acknowledges time and place as children engage in a range of play and leisure experiences that allow them to feel happy, safe and relaxed; interact with friends and practice social skills; solve problems; try new activities; and learn life skills. This Framework for School Age Care is strongly linked to the Early Years Learning Framework and extends the principles, practices and outcomes to accommodate the contexts and age range of the children and young people who attend school age care settings. Further it supports Goal 2 of the Melbourne Declaration on Educational Goals for Young Australians that all young Australians become:

- successful learners
- confident and creative individuals and
- active and informed citizens.
- (Commonwealth of Australia, 2009, p.5).

THERE ARE ALSO JURISDICTION-SPECIFIC APPROVED LEARNING FRAMEWORKS, WHICH INCLUDE:

- Victoria: Victorian Early Years Learning and Development Framework
<https://www.vcaa.vic.edu.au/curriculum/earlyyears/veyldf/Pages/Index.aspx>
- Western Australia: Pre-primary to Year 10 Western Australian curriculum
<https://k10outline.scsa.wa.edu.au/home/teaching/curriculum-browser>

OUR SERVICE IS COMMITTED TO MY TIME, OUR PLACE: FRAMEWORK FOR SCHOOL AGE CARE IN AUSTRALIA (MTOF)

- Each child's learning will be based on their interests, strengths, and capabilities, and guide educators to ensure a range of experiences across all outcomes are provided.
- Educators will work in collaboration with families to provide relevant learning experiences for each child, based on their interests and family experiences.
- Every child will be equally valued. Their efforts, achievements and learning, and those of others will be celebrated.
- Educators will observe and record children's engagement with learning life skills and engagement with learning.
- Educators will document and evaluate children's wellbeing, development, and learning.
- Educators will work closely with children and families to produce ideas for the curriculum and leisure activities.
- Learning Outcomes will be linked to the curriculum during and after each child's learning has occurred.
- The curriculum will be constructed on the children's interests; educators will build upon and extend on children's interests, spontaneous experiences and family contributions.
- Educators will assess, anticipate, and extend children's ideas.
- Where appropriate, the Service will liaise with external agencies and support persons to best educate and care for children with additional needs.
- Educators will use reflection and documentation to inform and evaluate programs and to support children in achieving learning outcomes.

THE APPROVED PROVIDER WILL ENSURE:

- the education leader selected is supported to lead the development and implementation of the educational program and assessment and planning cycle within the service
- the educational leader has the skills, knowledge and attributes to mentor and support educator's understanding of educational programming and practice
- the staff record includes the name of the person designated as the educational leader

MANAGEMENT / NOMINATED SUPERVISOR / RESPONSIBLE PERSON/ EDUCATIONAL LEADER WILL:

- ensure that a suitable program based on an approved learning framework is delivered to all children
- collaborate with educators and provide curriculum direction and guidance

- ensure all educators work as a team in preparing and/or implementing the curriculum based on the Service's philosophy
- ensure the program is inclusive of all children. Management will make appropriate, professional referrals where necessary with family permission
- develop collaborative relationships with families to achieve quality outcomes for all children building on understandings of diversity, especially Aboriginal and Torres Strait Islander cultures
- communicate with families on a regular basis
- ensure each child is acknowledged for their uniqueness in a positive way
- support children's efforts and ideas, assisting and encouraging as appropriate
- be consistently aware of and responsive to children who may require additional support, assistance or attention, noticing and listening carefully to children's concerns and discussing diverse perspectives on issues of inclusion and exclusion and fair and unfair behaviour
- ensure the educational program is displayed in a place that is accessible to parents and families
- ensure a copy of the program is available at all times

EDUCATORS WILL:

- collaborate with children to influence the program in response to their own strengths, ideas, abilities and interests
- provide play and leisure opportunities that are meaningful to children and support their wellbeing, learning and development
- implement a planning cycle that takes into account the unique nature of school age care
- plan, document and evaluate children's learning which will underpin the educational program
- ensure the educational program is evidence based and built on information including evaluations, observations and parent feedback/suggestions
- document children's wellbeing and learning, utilising contemporary theories and research concerning children's play, leisure, and learning, and make this visible to children, educators and families
- promote shared learning and collaboration
- provide unstructured experiences that take into account that school age children have had a structured and busy day at school
- ensure each child's participation and engagement in the program
- ensure materials and equipment reflect the cultural diversity that exists in our society
- respond to children's ideas and play and use intentional teaching to scaffold and extend each child's learning
- ensure the curriculum reflects diversity and reflects the values and beliefs of children and families

- take responsibility to be culturally competent and display positive attitudes towards cultural differences, respectfully acknowledge multiple cultural ways of knowing, seeing and being
- provide experiences that actively promote and initiate the investigation of ideas, exploration, prediction, and hypothesizing
- gather information from families upon enrolment regarding the child's needs, interest and family backgrounds. This information is treated as confidential and allows educators to provide experiences that interest and extend children's current development and learning. We feel that it is important to develop a partnership between parents and educators to ensure that consistency between home and the Service occurs and that the best possible care is provided.
- make sure information about the child's participation in the program is available for families
- ensure documentation includes evaluations of children's wellbeing, development and learning
- support the development of dispositions such as confidence, curiosity, persistence, imagination, and creativity
- respond to children's displays of learning dispositions by positively commenting on them and providing encouragement and additional ideas
- use the learning outcomes to guide their planning for children's learning
- intentionally scaffold children's understanding and learning
- make use of spontaneous 'teachable moments' to extend children's learning
- further extend critical thinking skills and problem-solving skills through provocations
- plan realistic curriculum goals for children considering the period of time the child is being educated and cared for by the service
- ensure documentation and evaluations are readily understood by parents

The program will provide a variety of developmentally appropriate experiences and materials that are selected to achieve the following goals:

- Foster positive self-concept
- Foster high-level thinking skills
- Develop social skills
- Encourage children to reason, question and experiment
- Support language development
- Enhance physical development and skills
- Foster independence and initiative
- Encourage and demonstrate sound health, safety and nutritional practices
- Encourage creative expression

- Respect cultural diversity of staff and children
- Respect gender diversity

Jurisdiction specifications for each state

Services in South Australia, Tasmania, Victoria and Western Australia are required to document evaluations of children’s wellbeing, development and learning. Documentation collected should be considered based on the time that the child is being educated and cared for by the Service. Quality of documentation and how this is used to enhance children’s learning and development should be considered. Documentation must demonstrate analysis of children’s learning to meet the requirements of the National Regulations.

Examples of documentation used by educators may include:

- Learning stories or narratives
- photographs with captions
- observations or reviews
- journals
- mind maps and surveys

Services in Northern Territory, New South Wales and Queensland are not required to keep documentation of individual evaluations of school aged children.

They must ensure that evidence about the development of the program is documented.

Reflection of the program should include how and why the education program has been developed.

PHYSICAL ACTIVITY

Our OSHC Service aims to promote children’s participation in physical activity by:

- adhering to the Physical Activity and Sedentary Behaviour Guidelines for Children (aged 5-12 years)
- providing planned and spontaneous active play
- fostering children’s Fundamental Movement Skills (FMS) including, running, galloping, hopping, jumping, leaping, side-sliding, skipping, overarm throwing, catching, striking a stationary ball, kicking, underarm throwing and stationary dribbling through role modelling skills
- providing space, time, and resources for children to revisit and practice FMS and engage in active play

- providing opportunities for educators to attend professional development to enhance their skills and knowledge about physical activity that focuses on sport, exercise and active games for children and minimising sedentary behaviour
- providing positive instruction, role modelling, and advice to children as they develop and improve their FMS
- working in collaboration with families and professionals to provide active experiences that are inclusive of all children
- communicate with families about the value of physical activity through newsletters, noticeboards, information sessions and discussion.

The program will provide a variety of developmentally appropriate experiences and materials that are selected to achieve the following goals:

- foster a positive self-concept
- develop and support social skills
- develop and support children’s cognitive skills such as the ability to think, reason, question, and experiment
- enhance physical development and skills
- support sound health, safety, personal hygiene, and nutritional practices
- support creative expression
- support respect for cultural diversity of staff and children
- support respect for gender diversity.

SOURCE

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Guide to the National Quality Framework. (2017). (Amended 2020).

NSW Government. Department of Health. Eat Smart Play Smart. A manual for out of school hours care. (2016)

Victoria State Government Education and Training *Guide to Outside School Hours Care (OSHC) Provision* (2017)

<https://www.education.vic.gov.au/Documents/school/teachers/management/oshcprovisionguide.pdf>

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	JANUARY 2022	NEXT REVIEW DATE	JANUARY 2023
MODIFICATIONS	<ul style="list-style-type: none"> • additional related policies added (edited change of name for some policies) • additional information related to cultural competence • collaboration with families and children added • new section on Physical Activity added 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		NEXT REVIEW DATE
JANUARY 2021	<ul style="list-style-type: none"> • additional information and regulations re: educational leader • minor editing • sources and links checked for currency and edited where required 		JANUARY 2022
JANUARY 2020	<ul style="list-style-type: none"> • edits and modifications to content • links to learning frameworks added • inclusion of specific state and territory jurisdiction regarding evaluation information • sources checked for currency and alphabetised • additional sources 		JANUARY 2021
JANUARY 2018	<ul style="list-style-type: none"> • minor modifications made to Education and Care Services National Regulations section • related policy section added • statements added to support operational delivery 		JANUARY 2019

SUPERVISION POLICY

Supervision is an integral part of the whole care and education experience. *“At its most basic level, supervision helps to protect children from hazards or harm that may arise in their daily experiences in play, interactions with others, and daily routines.”* (Victoria Department of Education and Training, 2010, p.1). Effective supervision allows educators to actively engage in play and leisure opportunities that are meaningful to children and support their wellbeing, development and learning.

NATIONAL QUALITY STANDARDS (NQS)

QUALITY AREA 2: CHILDREN’S HEALTH AND SAFETY		
2.2	Safety	Each Child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
100	Risk assessment must be conducted before an excursion
101	Conduct of risk assessment for excursions
102	Authorisation for excursions
115	Premises designed to facilitate supervision
120	Educators who are under 18 to be supervised
121	Application of Division 3
122	Educators must be working directly with children to be included in ratios
123 (1) (d)	Educator to child ratios-Centre based services
166	Children not to be alone with visitors
168	Education and care service must have policies and procedures
176	Time to notify certain circumstances to Regulatory Authorities
CHILDREN (EDUCATION AND CARE SERVICES) NATIONAL LAW	
165	Offence to inadequately supervise children
S.167	Offence relating to protection of children from harm and hazards

S.174	Offence to fail to notify certain information to Regulatory Authority
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PURPOSE

Out of School Hours Care educators have a duty of care to ensure children are supervised at all times, maintaining a safe and secure environment adhering to Education and Care National Law and National Regulations. Supervision for children in OSHC requires educators to cater for a wide range of ages and abilities and requires flexibility and organisation to ensure thoughtful design and arrangement of children’s environments, assists in the prevention and severity of injury to children. Effective supervision of children provides educators with the opportunity to support and build on younger children’s play experiences whilst supporting older children’s independence.

Educators will actively supervise children, identifying risks and taking all necessary steps to prevent or minimise injury in a range of situations including, transitioning children between school and the OSHC service and whilst transporting children to and from the OSHC Service. Effective supervision of children provides educators with the opportunity to support and build on children’s play experiences.

SCOPE

This policy applies to Management and Educators of the OSHC Service.

IMPLEMENTATION

MANAGEMENT WILL ENSURE:

- that the premises and facilities are designed and maintained to facilitate adequate supervision of children at all times while maintaining the rights and dignity of all children
- regulatory authorities are notified of any serious incident or complaints alleging the safety, health or wellbeing of children has been compromised within 24hours of the incident or the time that the person becomes aware of the incident or complaint. This includes if an ambulance was call in response (not as a precaution) to the incident, situation or event.
- ensure that parents are notified as soon as practicable but within 24 hours if their child is involved in a serious incident/situation at the OSHC Service or whilst under the care of the OSHC Service. Details of the incident/situation are to be recorded on the *Incident, Injury, Trauma and Illness Record*.
- educators under eighteen years of age may work at an OSHC Service only if they are adequately supervised by an educator over the age of 18 at all times and are not left alone with children at any time

- minimum educator qualification requirements are recognised and adhered to according to legislative requirements
- the OSHC Service maintains the required educator-to-child ratio for children over preschool age- 1:15

MANAGEMENT AND/OR THE NOMINATED SUPERVISOR WILL:

- ensure that all educators are aware of where children are at all times and monitor the environment closely
- ensure educators are able to respond to any situation immediately, particularly if a child is distressed or in a hazardous situation
- develop and maintain rosters that ensure continuity of care and adequate supervision at all times when children are in attendance at the OSHC Service including:
 - visiting and returning from children’s toilets
 - transported to and from the OSHC Service premises (see: *Transportation Policy*)
 - transported in a vehicle/bus as part of an excursion
 - transitioned between the OSHC Service and school grounds and
 - during excursions and outings (including Vacation Care)
- ensure flexibility of supervision to provide for educators to supervise individual children or small groups of children
- respect children’s age and developing independence and need for privacy when providing supervision for children in the OSHC setting
- conduct risk assessments and plan ongoing supervision taking into consideration the layout of the premises and grounds, any higher risk activities, the presence of any animals, the location of activities and the location of bathroom facilities. The supervision plan and strategies will be displayed for families in all rooms and in the outdoor area.
- develop, maintain and regularly review a supervision plan and strategies for both the indoor and outdoor areas, which will support educators to position themselves effectively to allow them to observe the maximum area possible
- ensure educators avoid activities or actions that will distract them from supervision, such as speaking to other educators for long periods of time, taking personal phone calls, checking mobile phones or smart watches or administrative tasks
- ensure educators are aware if they need to move away from children, another educator is to replace them
- ensure educators are positioned allowing them to watch the maximum area possible

- ensure educators move around the environment to observe the maximum area and to avoid standing with their back to children or talking with other educators
- adopt accepted best practice, ensuring no staff member is left alone with a child to support child protection protocols
- ensure that a Risk Assessment and a Management Plan is carried out before an authorisation is requested for an excursion. The risk assessment will consider and identify the number of adults required to ensure continuous adequate supervision throughout the excursion.

EDUCATORS WILL:

- have a sound understanding of their duty of care and responsibilities in ensuring children are within a safe environment
- communicate and collaborate with others to ensure the effective supervision of children within the OSHC Service
- adhere to a supervision plan and strategies for both the indoor and outdoor environment, assisting colleagues to position themselves in order to effectively supervise children's play. The supervision plan will include the floor plan of the OSHC Service and include the location of activity areas and the closest bathroom facilities for boys and girls
- respect children's age and need for independence when actively supervising children in the OSHC setting- (younger children will require closer supervision than older children)
- implement vigilant supervision strategies for hygiene requirements including:
 - regular handwashing
 - cough and sneeze routines- using disposable tissues and handwashing
- inform new and relief educators about supervision arrangements, outlining their supervision responsibilities
- regularly evaluate the efficiency of the supervision plan and update as required
- ensure any educators under the age of 18 years old are never left alone with children
- ensure that at least one other educator is within sight when working with children or if it is necessary to assist a child to change their clothes
- arrange the environment to balance supervision of children's needs depending on age, ability and activities
- emphasis for supervision will be on open playgrounds, risky play opportunities and doors during arrival and departure times
- maintain correct ratios adhering to the Education and Care National Regulations throughout the education and care environment

- ensure that all children are in sight or hearing of educators at all times
- ensure that children are supervised by an educator or accompanied by an older child when going to the bathroom at the OSHC Service
- ensure that hazardous equipment and chemicals are inaccessible to children
- scan the environment during interacting with individuals or small groups
- continuously scan and look around the area to observe all the children in the vicinity.
- implement correct supervision strategies and not perform other duties while responsible for the supervision of children
- listen closely to children whilst supervising areas that may not be in a direct line of sight noticing changes in volume or tone of voice
- plan for a mixture of activities to allow for appropriate supervision of groups of children.

Consideration will be given to the design and arrangement of children’s environments to support active supervision by:

- using supervision skills to recognise areas of risk therefore reducing the potential for injury or incident to children and adults
- providing direct, constant and proximal monitoring to children undertaking activities that involve some risk and recognising when the ratio of educators to children needs to be increased- (e.g.: carpentry, water activities, climbing)
- guiding educators to make decisions about when children’s play and games need to be interrupted and redirected
- supporting educators with specific strategies such as positioning, peripheral vision and monitoring children’s arrival and departure from the OSHC Service
- providing consistent supervision strategies when the OSHC Service requires relief educators.

SOURCE

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Revised National Quality Standard. (2018).

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	APRIL 2022	NEXT REVIEW DATE	APRIL 2023
MODIFICATIONS	<ul style="list-style-type: none"> • policy maintenance – no major edits • minor formatting edits within text • hyperlinks checked and repaired as required 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
APRIL 2021	<ul style="list-style-type: none"> • policy review- minor edits • inclusion of respect children’s age difference and need for independence in OSHC settings • sources checked for currency 	APRIL 2022	
APRIL 2020	<ul style="list-style-type: none"> • rearranged some points for better flow • additional information added in some sections related to OSHC • supervision for handwashing added 	APRIL 2021	
APRIL 2019	New policy created for OSHC	APRIL 2020	

SUPERVISION GUIDELINES AND PROCEDURE

Effective supervision is integral to creating environments that are safe and responsive to children’s needs, interests and abilities. Identifying potential risks and hazards allows educators to determine the level of supervision required for different situations and environments, whilst promoting children’s agency, exploration and development.

Supervision for children in OSHC requires educators to cater for a wide range of ages and abilities and requires flexibility and organisation to ensure thoughtful design and arrangement of children’s environments, assists in the prevention and severity of injury to children. Effective supervision of children provides educators with the opportunity to support and build on younger children’s play experiences whilst supporting older children’s independence.

Working in conjunction with the *Supervision Policy*, this procedure provides guidelines for educators to follow to provide effective supervision while supporting children’s wellbeing, development and learning.

SUPERVISION GUIDELINES	
1	<p>Planned positioning Educators position themselves to be able to scan or regularly look around the area to observe children in the environment. Educators ensure close proximity to children who may require additional support.</p>
2	<p>Practicing awareness Requires knowledge of individual children- knowing each child’s range of skills, interests, ability to interact with others, developmental stage and behaviour. Knowledge of children helps educators to monitor, support and enhance skills that promote children’s agency.</p>
3	<p>Being alert to the surrounding environment Involves educators regularly glancing around the outdoor and indoor area and listening carefully to volume and tone of children’s voices. Children who are not in an educator’s direct vision are still able to be supervised and responded to immediately if required.</p>
4	<p>Guided conflict resolution Educators can support children when they are unable to problem solve or resolve conflict on their own. This assists children to build on their social skills, supports their development and helps ensure the safety of all children. For this to be effective, educators need to be knowledgeable of the children in their care and any behaviour plans that are current.</p>
5	<p>Provide close supervision In areas that may pose a potential risk to children’s health and safety. Educators are required to evaluate the situation and determine if intervention is required depending on the age and ability of each child. Sometimes, a child needs reassurance to explore and take appropriate risks with the support of an adult. Educators must be aware of ‘blind spots’ within different environments.</p>
6	<p>Consideration of all children Educators are aware of the different ages, personalities, behaviours and characteristics of the children in their care to ensure that different levels of supervision are relevant and responsive to each child’s developmental needs.</p>
7	<p>Consistent supervision strategies Support a positive, inclusive approach to children’s ability to make responsible and appropriate decisions about their behaviour, interactions with others and their learning.</p>
8	<p>Actively supervising hygiene practices Supervising and modelling appropriate practices such as hand washing, use of hand sanitiser, cough and sneeze etiquette assists in ensuring the health and safety of children and staff.</p>
9	<p>Observation and engagement Being responsive to children’s supervision needs and engaging in opportunities to promote independence and learning.</p>
10	<p>Communication and collaboration Ensuring all staff are aware of the needs of individual children and the supervision they may require in any given situation or environment. Communicating when changes in supervision occur due to a range of variations- collecting resources, visiting the bathroom, attending to an individual child’s needs.</p>
11	<p>Health and Safety Ensuring effective supervision of children due to illness or injury. Children must be closely supervised and kept safe, comfortable until their parents/guardian is able to collect them from the service.</p>

12	Clear supervision plans Ensuring all staff (including relief staff) understand supervision plans and procedures to ensure the safety of all children. Ensure supervision plans are kept up to date.	
13	Self-reflection Consider your own supervision practices (observation skills to anticipate times when children may need closer supervision)	

SUPERVISION PROCEDURE		
1	Educators are to be aware of where all children are at all times and monitor their environment closely	
2	Educators are to be able to respond to any situation immediately, particular when a child is distressed or in a hazardous situation	
3	The Nominated Supervisor/responsible person will develop and maintain rosters that ensure continuity of care and adequate supervision at all times when children are being educated and cared for in the Service and on excursions.	
4	The Nominated Supervisor/responsible person is to adopt accepted best practice; ensuring no staff member is left alone with a child to support child protection protocols.	
5	Educators will have a sound understanding of their duty of care and responsibilities in ensuring children are within a safe environment at all times	
6	Educators will implement vigilant supervision strategies for hygiene requirements including: <ul style="list-style-type: none"> • regular handwashing • toileting • cough and sneeze routines- using disposable tissues and handwashing 	
7	The Nominated Supervisor/responsible person will inform new and relief educators about supervision arrangements, outlining their supervision responsibilities	
8	Educators will ensure that hazardous equipment and chemicals are inaccessible to children	
9	Educators will ensure adequate supervision is provided when children are transported in a vehicle at all times (see <i>Safe Transportation Policy</i> and <i>Road Safety Policy</i>)	

SUPERVISION PLANS AND RISK ASSESSMENTS		
1	The Nominated Supervisor/responsible person and educators will conduct risk assessments and plan ongoing supervision taking into consideration the layout of the premises and grounds, any higher risk activities, the presence of any animals, the location of activities, any obstructions to the line of sight and the location of bathroom facilities	
2	The Nominated Supervisor /responsible person and educators will ensure the supervision plan and strategies will be displayed for families in all rooms and in the outdoor area.	
3	The Nominated Supervisor/responsible person will ensure that a Risk Assessment and Management Plan is carried out before an authorisation is requested for an excursion. The risk assessment will consider and identify the number of adults required to ensure continuous adequate supervision throughout the excursion.	

4	The Nominated Supervisor/ responsible person and educators will regularly evaluate the efficiency of the supervision plan and make changes as required.	
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ACTIVE SUPERVISION STRATEGIES		
1	Educators are to communicate and collaborate with others to ensure the effective supervision of children within the Service.	
2	Educators will avoid activities or actions that will distract them from supervision, such as speaking to other educators for long periods of time, taking personal phone calls, checking mobile phones or administrative tasks.	
3	Educators are to position themselves to allow them to observe the maximum area possible	
4	Educators are to move around the environment to provide maximum vision of the area and avoid standing with their back to children or talking with other educators.	
5	Educators will alert other colleagues if they need to leave an area for a particular reason to ensure continuous supervision of children (e.g.: to obtain resources, visit the bathroom), another educator is to replace them, ensuring ratios are maintained at all times	
6	Educators will actively engage with children to support their learning whilst actively supervising and observing children	
7	Educators will ensure that all children are in sight or hearing of educators at all times	
8	Educators will ensure that no child is left alone while eating or during toileting. Educators are not to enter children's bathrooms but must be able to hear children and supervise them entering/exiting the bathrooms, maintaining children's dignity and right to privacy	
9	Educators are to adequately supervise children during rest time in accordance with the <i>Rest Policy</i> and relevant legislative requirements	
10	Educators will scan the environment during interactions with individuals or small groups	
11	Educators will listen closely to children whilst supervising areas that may not be in a direct line of sight noticing changes in volume or tone of voice	
12	Educators will plan for a mixture of activities to allow for appropriate supervision of groups of children	

INTERACTIONS WITH CHILDREN, FAMILIES & STAFF POLICY

My Time, Our Place (MTO) identifies secure, respectful, and reciprocal relationships with children as one of the principles that underpin practice. Within our Out of School Hours Care community many different relationships are negotiated with and between children, educators, and families. The way in which these relationships are established and maintained, and the way in which they remain visible impacts on how our community functions as a whole. Relationships directly affect how children form their own identity, whether or not they feel safe and supported, and ultimately, their sense of belonging.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN		
5.1	Relationships between educators and children	Respectful and equitable relationships are maintained with each child.
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
5.1.2	Dignity and rights of the child	The dignity and rights of every child are maintained.
5.2	Relationships between children	Each child is supported to build and maintain sensitive and responsive relationships.
5.2.1	Collaborative learning	Children are supported to collaborate, learn from and help each other.

QUALITY AREA 6: COLLABORATIVE PARTNERSHIPS WITH FAMILIES AND COMMUNITIES		
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.1.1	Engagement with the service	Families are supported from enrolment to be involved in the service and contribute to service decisions.
6.1.2	Parents views are respected	The expertise, culture, values and beliefs of families are respected, and families share decision-making about their child's learning and wellbeing.
6.1.3	Families are supported	Current information is available to families about the service and relevant community services and resources to support parenting and family wellbeing.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
73	Educational program

84	Awareness of child protection law
115	Premises designed to facilitate supervision
118	Educational leader
126	Centre-based services- general educator qualifications
145	Staff record
155	Interactions with children
156	Relationships in groups
157	Access for parents
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed

PURPOSE

We aim to build positive relationships with children, families, and educators through collaboration and interactions, which is reflective of our Out of School Hours Care Service philosophy and the *My Time, Our Place Framework*. Educators will encourage positive relationships between children and their peers as well as with educators and families at the Service, ensuring children feel safe and supported.

SCOPE

This policy applies to children, families, staff, management, and visitors of the Service.

IMPLEMENTATION

Under the Education and Care Services National Regulations, the approved provider must ensure that policies and procedures are in place for interactions with children (regulation 168) and take reasonable steps to ensure those policies and procedures are followed.

To build and maintain positive and respectful relationships with children, families, and educators our OSHC Service will adhere to our statement of philosophy and the ACA Code of Ethics. We aim to provide a child safe culture where our values and practices that guide the attitudes and behaviour of all staff are guided by the implementation of the Child Safe Standards and related National Principles for Child Safe Organisations.

INTERACTIONS WITH CHILDREN

Children need positive relationships with educators that are trusting and responsive to their individual needs. Through these experiences and interactions children will develop a positive understanding of themselves and feel a sense of belonging. We promote a respectful, child safe culture where children concerns are always responded to, and children feel empowered to participate in decisions and provide feedback to educators and staff.

Management and educators will:

- create a welcoming and relaxed atmosphere in which children experience equitable, friendly and genuine interactions with all educators
- meet educator to child ratio and qualification requirements
- role-model appropriate language and behaviour
- support children to be aware of their own feelings as well as the feelings of others
- encourage children to treat all other children with respect
- provide children with the opportunity to explore their dispositions for learning by expressing themselves and their opinions
- ensure children are aware of how to raise concerns or provide feedback
- respond or report to children about how their feedback has been acted upon
- assist the children to build resilience and self-assurance through positive interactions
- guide children's behaviour positively
- respect the rights, dignity and agency of children
- support children within the OSHC learning environment
- provide appropriate supervision so children feel safe in their interactions with other children
- speak to children in a positive manner at all times, promoting respect, tolerance and empathy, including the use of non-verbal cues and communication
- engage in meaningful, open interactions that support the acquisition of skills for life and learning of children
- respect each child's uniqueness, be attuned to, and respond sensitively and appropriately to children's efforts to communicate and use the child's own language, communication styles, and culture to enhance interactions
- listen to children and take them seriously; support and encourage children to use appropriate language in their interactions with adults and peers. Educators will extend upon children's interests

and ideas through questions and discussions, supported and made visible in observations, reflections, and programming.

- understand their reporting requirements and respond to any incident, disclosure or suspicion of child abuse or harm
- communicate with children by getting down to their level, using eye contact, and showing respect to the child whilst engaging in and promoting effective communication
- show empathy to children
- ensure that the values, beliefs, and cultural practices of the child and family are considered and respected
- ensure that no child is ever isolated for any reason other than illness, accident or pre-arranged appointment with parental consent. During this time, they will be under adult supervision.
- regularly reflect on their relationships and interactions with children and how these can be improved to benefit each child
- facilitate children's individual development extending upon their strengths, interests and abilities

INTERACTIONS WITH FAMILIES

Effective communication is the key to developing and maintaining positive interactions and relationships with others and helps to build trusting and respectful partnerships with families. Educators use positive and open communication with families and siblings in order to create a responsive and inclusive environment for children, staff and families. Interactions with families help to inform educators' knowledge of each child's distinctive interests, skills cultures and abilities. This helps to build a positive experience and a safe learning environment that encourages children to expand their knowledge and understandings.

Management and educators will ensure:

- all families are treated equitably without bias or judgement, recognising that each family is unique
- families are provided with information and resources in their first language
- families are asked to identify a preferred method of regular communication with the Service (this may include utilising a translator service)
- families and children are greeted upon arrival in a respectful manner
- they learn the names of family members and use these names when they greet them
- two-way communication is established through leading by example and asking questions and a willingness to offer information about ourselves

- common terminology (not jargon) is used when talking to parents regarding their child's development
- privacy and confidentiality are respected at all times
- information about another child or family information is never discussed with a parent or visitor
- they remain sensitive to cultural differences amongst families and encourage families to share cultural aspects with the children and educators at the service
- the advice and opinion from other professional experts is requested, with parental permission, to assist educators develop and implement strategies to support the inclusion of children with additional needs
- they seek additional resources and professional support for families through a range of organisations such as KU Inclusion Support, Area Health and other specific health professional networks
- verbal communication is always open, respectful and honest
- families are provided with up-to-date service information and notices through Daily Reports, newsletters, communal notice boards, emails and sign-in sheets.
- they regularly reflect on parent input into the program and make changes where necessary that will best benefit the service and children
- connections between families is promoted and enhanced through inviting families to participate in routines and events at the OSHC Service
- families are aware of our complaint handling process- (*Dealing with Complaints Policy*)

INTERACTIONS WITH STAFF AND EDUCATORS

The OSHC Service recognises that the way educators interact with each other has an effect on the interactions they have with children and families. Educators working within our OSHC Service are required to demonstrate mutual respect towards each other and value the contributions made by each educator. This enables our OSHC Service to maintain positive relations and model the type of communication they want children to develop.

To maintain professionalism at all times, educators will:

- engage in professional communication in order to create an effective work environment and to build a positive relationship with educators, children and families. Communication amongst colleagues creates a positive atmosphere and a professional image for families. Communication between staff and families ensures that important information is being passed on consistently.
- champion a child safe culture through their attitudes, behaviours and actions

- collaborate together as a team sharing room roles and responsibilities through the use of a roster where necessary
- be respectful when listening to each other's point of view and ideas
- maintain effective communication to ensure that teamwork occurs
- use staff meetings to communicate their professional reflections and ideas for continuous improvement as a team
- attend in-service training to update and refresh and add to individual skills and knowledge
- keep up to date with current legislation to child protection including mandatory reporting requirements – (*Child Protection, Reportable Conduct Scheme*)
- refer to the *Dealing with Complaints Policy (Staff) /Procedure* if they feel a situation with another educator is not being handled with professionalism, respect, and fairness
- recognise each other's strengths and value the contribution each person makes to different work roles
- work collaboratively to reach decisions which will enhance the quality of the education and care offered at the OSHC Service
- welcome diverse views and perspectives
- work together as a team and engage in open and honest communication at all times
- respect each other's positions and opinions
- develop and share networks and links with other agencies
- resolve differences promptly and positively and use the experience to develop more effective methods of working together.

To maintain professionalism at all times, Management will:

- provide new educators with relevant information about the OSHC Service and program through an Staff Handbook, induction, and daily communication
- treat educators with respect
- be sensitive to the feelings and needs of educators
- provide constructive feedback to educators as part of their professional learning plan support
- value the role and contribution of each educator
- demonstrate commitment to ongoing collaboration and engagement to support staff wellness
- provide opportunities for all educators to have input into the program development and evaluation
- appreciate and utilise educator skills and interests
- provide support, assistance and mentoring to educators
- hold regular educator meetings to encourage and support professional growth and reflective practice

- use appropriate conflict resolution techniques to solve problems
- ensure policies and procedures are up to date regarding communication, expected behaviour and grievances
- provide opportunities for professional development.

To enhance communication and teamwork, educators will:

- maintain privacy and confidentiality
- be respectful, caring and inclusive of all colleagues
- be sensitive to the feelings and needs of other team members
- support colleagues during difficult situations
- provide constructive feedback to each other
- trust each other
- value the role and contribution of colleagues
- appreciate and utilise colleague skills, strengths and interests regardless of qualification and experience
- provide support and assistance to each other
- share responsibilities
- have a flexible attitude towards team roles and responsibilities
- greet each other by name
- show genuine interest in the other person by using active and reflective listening
- communicate ideas and opinions clearly and professionally
- use a communication book or daily diary to pass on messages and record relevant information
- use appropriate conflict resolution techniques to solve problems
- engage in opportunities for professional development.

SOURCE

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Early Childhood Australia Code of Ethics. (2016).

Australian Government Department of Education, Skills and Employment. *My Time, Our Place- Framework for School Age Care in Australia*. (2011).

[Education and Care Services National Regulations](#). (2011).

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Guide to the National Quality Framework. (2017). (amended 2020).

NSW Department of Education. (2021). Implementing the Child Safe Standards: A guide for early childhood education and outside school hours care services.

Privacy and Personal Information Protection Act 1998 (Cth).

Revised National Quality Standard. (2018).

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Evidence Paper Practice Principle 5: Respectful relationships and responsive engagement

<https://www.education.vic.gov.au/Documents/childhood/providers/edcare/respectrelns.pdf>

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	MAY 2022	NEXT REVIEW DATE	MAY 2023
MODIFICATIONS	<ul style="list-style-type: none"> policy maintenance – change of name of related policy no major changes to policy minor formatting edits within text hyperlinks checked and repaired as required 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		NEXT REVIEW DATE
AUGUST 2021	<ul style="list-style-type: none"> edits to policy guided by ACECQA <i>Interactions with Children policy guidelines</i> (August 2021) inclusion of additional regulations inclusion of commitment to Child Safe Standards to ensure a child safe culture within the service 		MAY 2022
MAY 2021	No major changes to policy sources checked for currency		MAY 2022
MAY 2020	additional content added to sections as highlighted rewording of some points to ensure clarification some statements moved into interactions with staff and educators minor adjustments to formatting for consistency additional sources utilised within policy as referenced		MAY 2021
MAY 2019	Added section ' <i>To enhance communication and teamwork, Management will:</i> ' taking relevant points from section ' <i>To enhance communication and teamwork, Educators will:</i> '. Sources checked for currency. Sources/references alphabetised		MAY 2020
MAY 2018	New policy created		MAY 2019

PRIVACY AND CONFIDENTIALITY POLICY

Privacy is acknowledged as a fundamental human right. Our OSHC Service has an ethical and legal responsibility to protect the privacy and confidentiality of children, individuals and families as outlined in Early Childhood Code of Ethics, Education and Care Services National Regulations and the Privacy Act 1988 (Cth). The right to privacy of all children, their families, and educators and staff of the Out of School Hours Care Service will be upheld and respected, whilst ensuring that all children have access to high quality early years care and education. All staff members will maintain confidentiality of personal and sensitive information to foster positive trusting relationships with families.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service
7.1.1	Service philosophy and purposes	A statement of philosophy guides all aspects of the service's operations.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision-making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
168	Education and care services must have policies and procedures
181	Confidentiality of records kept by approved provider
181-184	Confidentiality and storage of records

RELATED LEGISLATION

Child Care Subsidy Secretary's Rules 2017	Family Law Act 1975
A New Tax System (Family Assistance) Act 1999	Family Assistance Law – Incorporating all related legislation for Child Care Provider Handbook in Appendix G https://www.dese.gov.au/resources-child-care-providers/resources/child-care-provider-handbook

PURPOSE

To ensure that the confidentiality of information and files relating to the children, families, staff, and visitors using the OSHC Service is upheld at all times. We aim to protect the privacy and confidentiality of all information and records about individual children, families, educators, staff and management by ensuring continuous review and improvement on our current systems, storage, and methods of disposal of records. We will ensure that all records and information are held in a secure place and are only retrieved by or released to people who have a legal right to access this information. Our OSHC Service takes data integrity very seriously, we strive to assure all records and data is protected from unauthorised access and that it is available to authorised persons when needed. This policy provides procedures to ensure data is stored, used and accessed in accordance with relevant policies and procedures, example enrolment policy, CCS Account policy.

SCOPE

This policy applies to children, families, staff, educators, approved provider, nominated supervisor and management of the OSHC Service.

IMPLEMENTATION

Under National Law, Section 263, Early Childhood Services are required to comply with Australian privacy law which includes the *Privacy Act 1988* (the Act) aimed at protecting the privacy of individuals. Schedule 1 of the *Privacy Act* (1988) includes 13 Australian Privacy Principles (APPs) which all services are required to apply. The APPs set out the standards, rights and legal obligations in relation to collecting, handling, holding and accessing personal information.

The Notifiable Data Breaches (NDB) scheme requires Early Childhood Services, Family Day Care Services, and Out of School Hours Care Services to provide notice to the Office of the Australian Information Commissioner (formerly known as the Privacy Commissioner) and affected individuals of any data breaches that are 'likely' to result in 'serious harm'.

Businesses that suspect an eligible data breach may have occurred, must undertake a reasonable and expeditious assessment to determine if the data breach is likely to result in serious harm to any individual affected. A breach of an Australian Privacy Principle is viewed as an '*interference with the privacy of an individual*' and can lead to regulatory action and penalties.

(Source: OAIC Australian Privacy Principles)

Further information about the APPs are included in Appendix 1 of this policy.

THE APPROVED PROVICER/ MANAGEMENT WILL:

ensure the OSHC Service acts in accordance with the requirements of the Australian Privacy Principles and *Privacy Act 1988* by developing, reviewing, and implementing procedures and practices that identify:

the name and contact details of the OSHC Service

what information the Service collects and the source of information

why the information is collected

who will have access to information

collection, storage, use, disclosure, and disposal of personal information collected by the OSHC Service

any law that requires the particular information to be collected

adequate and appropriate storage for personal information collected by the OSHC Service

protection of personal information from unauthorised access.

provide staff and educators with relevant information regarding changes to Australian privacy law and Service policy

ensure all relevant staff understand the requirements under Australia's privacy law and Notifiable Data Breaches (NDB) scheme

maintain currency with the Australian Privacy Principles (this may include delegating a staff member to oversee all privacy-related activities to ensure compliance).

ensure personal information is protected in accordance with our obligations under the *Privacy Act 1988* and *Privacy Amendments (Enhancing Privacy Protection) Act 2012*

ensure all records and documents are maintained and stored in accordance with Education and Care Service National Regulations

regularly back-up personal and sensitive data from computers to protect personal information collected

ensure all computers are password protected and install security software- antivirus protection

ensure families are notified of the time particular records are required to be retained as per Education and Care Services National Regulations [regulation 183 (2)]

ensure the appropriate and permitted use of images of children

ensure all employees, students, volunteers, and families are provided with a copy of this policy

deal with privacy complaints promptly and in a consistent manner, following the OSHC Service's *Dealing with Complaints Policy* and procedures

ensure families only have access to the files and records of their own children

ensure information given to Educators will be treated with respect and in a professional and confidential manner

ensure individual child and staff files are stored in a locked and secure cabinet

ensure information relating to staff employment will remain confidential and available only to the people directly involved with making personnel decisions

ensure that information shared with the Service by the family will be treated as confidential unless told otherwise

complete a *Privacy Audit* every 12 months or following a breach of data to ensure the service meets lawful obligations, identifies areas for improvement and to detect potential areas of breach in privacy law

follow the *Data Breach Response Procedure* and complete a *Data Breach Response Template* following any breaches in data at the service.

THE NOMINATED SUPERVISOR/ RESPONSIBLE PERSON WILL:

- adhere to OSHC Service policies and procedures, supporting management
- ensure educators, staff, volunteers, and families are aware of the privacy and confidentiality policy.
- ensure the OSHC service obtains written consent from parents and/or guardian of children who will be photographed or videoed by the service
- ensure families only have access to the files and records of their own children
- ensure that information given to Educators will be treated with respect and in a confidential and professional manner
- ensure only necessary information regarding the children's day-to-day health and wellbeing is given to non-primary contact educators. For example, food allergy information
- not discuss individual children with people other than the family of that child, except for the purposes of curriculum planning or group management. Communication in other settings must be approved by the family beforehand.
- ensure that information shared with us by the family will be treated as confidential unless told otherwise
- ensure information regarding the health and wellbeing of a child or staff member is not shared with others unless consent has been provided, in writing, or provided the disclosure is required or authorised by law under relevant state/territory legislation (including Child Information Sharing Scheme (CISS) or the Family Violence Information Sharing Scheme (FVISS) in Victoria.) See Child Protection Policy for further information regarding legal obligations to sharing information as per CISS or FVISS Schemes in Victoria.

EDUCATORS WILL:

- read and adhere to the *Privacy and Confidentiality Policy* at all times
- ensure documented information and photographs of children are kept secure but may be accessed at any time by the child's parents or guardian
- ensure families only have access to the files and records of their own children
- treat private and confidential information with respect in a professional manner
- not discuss individual children with people other than the family of that child, except for the purposes of curriculum planning or group management. Communication in other settings must be approved by the family beforehand

- ensure that information shared with the service by the family will be treated as confidential unless told otherwise
- maintain individual and Service information and store documentation according to this policy at all times
- not share information about the individual or service, management information, or other staff as per legislative authority.

Australian Privacy Principles- Personal Information

SchoolsOUT is committed to protecting personal information in accordance with our obligations under the *Privacy Act 1988* and *Privacy Amendments (Enhancing Privacy Protection) Act 2012*.

Personal information includes a broad range of information, or an opinion, that could identify an individual. Sensitive information is personal information that includes information or an opinion about a range of personal information that has a higher level of privacy protection than other personal information.

Source: OAIC-Australian Privacy Laws, Privacy Act 1988

Personal information will be collected and held securely and confidentially about you and your child to assist our OSHC Service provide quality education and care to your child whilst promoting and maintaining a child safe environment for all stakeholders.

Personal information our Service may request regarding enrolled children:

Child's name

Gender

Date of birth

Address

Birth Certificate

Religion

Language spoken at home

Emergency contact details and persons authorised to collect individual children

Primary school attending

Children's health requirements

Immunisation records- (Immunisation History Statement)

Developmental records and summaries

External agency information
Custodial arrangements or parenting orders
Incident reports
Medication reports
Child Care Subsidy information
Medical records
Permission forms – including permission to take and publish photographs, video, work samples
Doctor’s contact information
Centrelink Customer Reference number (CRN)
Dietary requirements

Personal information our Service may request regarding parents and caregivers

Parent/s full name
Address
Phone number (mobile & work)
Email address
Bank account or credit card detail for payments
Centrelink Customer Reference number (CRN)
Custody arrangements or parental agreement

Personal information our Service may request regarding staff and volunteers

Personal details
Tax information
Banking details
Working contract
Emergency contact details
Medical details
Immunisation details
Working With Children Check verification

Educational Qualifications

Medical history

Resume

Superannuation details

Child Protection qualifications

First Aid, Asthma and Anaphylaxis certificates

Professional Development certificates

PRODA related documents such as RA number and background checks

Method of Collection

Information is generally collected using standard forms at the time of enrolment.

Additional information may be provided to the Service through email, surveys, telephone calls or other written communication.

Information may be collected online through the use of software such as CCS software or program software

How we protect your personal information

To protect your personal and sensitive information, we maintain physical, technical and administrative safeguards

All hard copies of information are stored in children's individual files in a locked cupboard

All computers used to store personal information are password protected. Each staff member will be provided with a unique username and password for access to CCS software and program software. Staff will be advised not to share usernames and passwords

Access to personal and sensitive information is restricted to key personal only

Security software is installed on all computers and updated automatically when patches are released

Data is regularly backed up on external drive and/or through a cloud storage solution

Any notifiable breach to data is reported

All staff are aware of the importance of confidentiality and maintaining the privacy and security of your information

Procedures are in place to ensure information is communicated to intended recipients only, example invoices and payment enquiries

Access to personal and sensitive information

Personal and sensitive information about staff, families and children will be stored securely at all times. Families who have access to enrolment or program information online will be provided with a unique username and password. Families will be advised not to share username and passwords.

The Approved Provider will ensure that information kept in a child's record is not divulged or communicated through direct or indirect means to another person other than:

- the extent necessary for the education and care or medical treatment of the child to whom the information relates
- a parent of the child to whom the information relates, except in the case of information kept in a staff record
- the Regulatory Authority or an authorised officer
- as expressly authorised, permitted or required to be given by or under any Act or law [See: Child Information Sharing Scheme (CISS) Family Violence Information Sharing Scheme (FVISS) Victoria]
- with the written consent of the person who provided the information.

Disclosing personal and sensitive information

Our Service will only disclose personal or sensitive information to:

- a third-party provider with parent permission (for example CCS software provider)
- Child Protection Agency- Office of the Children's Guardian and Regulatory Authority as per our *Child Protection and Child Safe Environment Policies*
- as part of the purchase of our business asset with parental permission
- authorised officers (for example public health officer)
- the regulatory authority or an authorised officer
- as expressly authorised, permitted or required to be given by or required to be given by or under any Act or Law [Child Information Sharing Scheme, Family Violence Information Sharing Scheme VIC]
- with the written consent of the person who provided the information.

Complaints and Grievances

If a parent, employee or volunteer has a complaint or concern about our OSHC Service, or they believe there has been a data breach of the Australian Privacy Principles, they are requested to contact the Approved Provider so reasonable steps to investigate the complaint can be made and a response provided. [See: *Dealing with Complaints Policy*]

If there are further concerns about how the matter has been handled, please contact the Office of Australian Information Commissioner on 1300 363 992 or:

https://forms.business.gov.au/smartforms/landing.htm?formCode=APC_PC

For any other general concerns, please contact the Approved Provider directly on:

1300 329 106

APPENDIX

The Australian Privacy Principles (APPs) outline:

- The open and transparent management of personal information, including having a privacy policy
- An individual having the option of transacting anonymously or using a pseudonym where practicable
- The collection of solicited personal information and receipt of unsolicited personal information including giving notice about collection
- How personal information can be used and disclosed (including overseas)
- Maintaining the quality of personal information
- Keeping personal information secure
- Right for individuals to access and correct their personal information

The APPs place more stringent obligations on APP entities when they handle 'sensitive information'. Sensitive information is a type of personal information and includes information about an individual's:

- Health (including predictive genetic information)
- racial or ethnic origin
- political opinions
- membership of a political association, professional or trade association or trade union
- religious beliefs or affiliations
- philosophical beliefs
- sexual orientation or practices
- criminal record
- biometric information that is to be used for certain purposes
- Biometric templates.

Australian Privacy Principles (APPs)

APP 1 – Open and transparent management of personal information

Ensures that **APP** entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date **APP** privacy policy.

APP 2 – Anonymity and Pseudonymity

Requires **APP** entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

APP 3 – Collection of solicited personal information

Outlines when an **APP** entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

APP 4 – Dealing with unsolicited personal information

Outlines how **APP** entities must deal with unsolicited personal information.

APP 5 – Notification of the collection of personal information

Outlines when and in what circumstances an **APP** entity that collects personal information must notify an individual of certain matters.

APP 6 – Use or disclosure of personal information

Outlines the circumstances in which an **APP** entity may use or disclose personal information that it holds.

APP 7 – Direct marketing

An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

APP 8 – Cross-order disclosure of personal information

Outlines the steps an **APP** entity must take to protect personal information before it is disclosed overseas.

APP 9 – Adoption, use or disclosure of government related identifiers

Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier or use or disclose a government related identifier of an individual.

APP 10 – Quality of personal information

An **APP** entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

APP 11 – Security of personal information

An **APP** entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

APP 12 – Access to personal information

Outlines an **APP** entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

APP 13 – Correction of personal information

Outlines an **APP** entity's obligations in relation to correcting the personal information it holds about individuals.

Source

Australian Childcare Alliance. (2019). Changes to Australia's privacy law: What ECEC services need to know:

<https://childcarealliance.org.au/blog/115-changes-to-australia-s-privacy-law-what-ecec-services-need-to-know>

Australian Children's Education & Care Quality Authority. (2014)

Australian Government Department of Education, Skills and Employment. *Child Care Provider Handbook (2018)*

<https://www.dese.gov.au/resources-child-care-providers/resources/child-care-provider-handbook>

Australian Government Office of the Australian Information Commission – Australian Privacy Principles:

<https://www.oaic.gov.au/privacy-law/privacy-act/australian-privacy-principles>

Early Childhood Australia Code of Ethics. (2016).

Education and Care Services National Law Act 2010. (Amended 2018).

[Education and Care Services National Regulations](#). (2011).

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).

Guide to the National Quality Framework. (2017). (Amended 2020).

Privacy Act 1988.

Revised National Quality Standard. (2018).

UN General Assembly (1989) United Nations Convention of the Rights of a child

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	MARCH 2022	NEXT REVIEW DATE	MARCH 2023
MODIFICATIONS	<ul style="list-style-type: none"> Review policy as part of annual cycle no major changes to policy sources checked for currency 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
AUGUST/ OCTOBER 2021	<ul style="list-style-type: none"> Update of Related Legislation Update of Related Policies Update of sources used within policy Additional information relating to Breach of Data Procedure/Template and Privacy Audit Inclusion of COVID-19 vaccination requirements -applicable to some states/territories Inclusion of Information Sharing Schemes for Victorian ECEC Services 	MARCH 2022	
MARCH 2021	<ul style="list-style-type: none"> Policy reviewed to align with 2021 review schedule Privacy and Confidentiality Procedure added to policy sources checked for currency 	MARCH 2022	
OCTOBER 2020	<ul style="list-style-type: none"> Minor additions to include information related to data integrity minor adjustments regarding inclusion of staff information 	MARCH 2021	
MARCH 2020	<ul style="list-style-type: none"> major re-write and update of the policy that includes information from the Office of the Australian Information Commissioner and Australian Privacy Principles Rearranged some content and added Appendix Related policies added 	MARCH 2021	
March 2019	New policy drafted for Out of School Hours Care	March 2020	

PRIVACY AND CONFIDENTIALITY PROCEDURE

Privacy is acknowledged as a fundamental human right. Our OSHC Service has an ethical and legal responsibility to protect the privacy and confidentiality of children, individuals and families as outlined in Early Childhood Code of Ethics, National Education and Care Regulations and the Privacy Act 1988 (Cth). The right to privacy of all children, their families, and educators and staff of the Service will be upheld and respected, whilst ensuring that all children have access to high quality early years care and education. All staff members will maintain confidentiality of personal and sensitive information to foster positive trusting relationships with families.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service
7.1.1	Service philosophy and purposes	A statement of philosophy guides all aspects of the service's operations.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision-making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.

STEP 1 – COLLECTION OF DATA

SchoolsOUT is committed to protecting personal information in accordance with our obligations under the *Privacy Act 1988* and *Privacy Amendments (Enhancing Privacy Protection) Act 2012*.

Personal information includes a broad range of information, or an opinion, that could identify an individual. Sensitive information is personal information that includes information or an opinion about a range of personal information that has a higher level of privacy protection than other personal information.

Source: OAIC-Australian Privacy Laws, Privacy Act 1988

Personal information our Service may request regarding enrolled children:

Child's name
Gender
Date of birth
Birth Certificate
Address
Religion
Language spoken at home
Emergency contact details and persons authorised to collect individual children
Children's health requirements
Immunisation records- (Immunisation History Statement)
Developmental records and summaries
External agency information
Custodial arrangements or parenting orders
Incident reports
Medication reports
Child Care Subsidy information
Medical records
Permission forms – including permission to take and publish photographs, video, work samples
Doctor's contact information
Centrelink Customer Reference number (CRN)
Dietary requirements

Personal information our Service may request regarding parents and caregivers

Parent/s full name
Address
Phone number (mobile & work)
Email address
Bank account or credit card detail for payments
Centrelink Customer Reference number (CRN)
Family court documentation- custody arrangements or parental agreement

Any other information related to Family Assistance Law

Personal information our Service may request regarding staff and volunteers

Personal details

Tax information

Banking details

Working contract

Emergency contact details

Medical details

Immunisation details (including COVID-19 vaccinations, please check your state/territory requirements)

- Working With Children Check verification
- Educational Qualifications
- Medical history
- Resume
- Superannuation details
- Child Protection qualifications
- First Aid, Asthma and Anaphylaxis certificates
- Professional Development certificates
- PRODA related documents such as RA number and background checks

STEP 2 - METHOD OF COLLECTION OF INFORMATION

- 1) Information is generally collected using standard forms at the time of enrolment or employment.
- 2) Additional information may be provided to the Service through email, surveys, telephone calls or other written communication.
- 3) Information may be collected online through the use of software such as CCS software or program software - Kidsoft

STEP 3 - STORAGE OF PERSONAL INFORMATION

To protect personal and sensitive information, our Services maintains physical, technical and administrative safeguards. All personnel records, CCS information, personal records related to children and families and other records related to service's provision of education and care will be stored securely and only accessed by authorised personnel.

- 1) All hard copies of information will be stored in children's individual files or staff individual files in a locked cupboard or filing cabinet

- 2) All computers used to store personal information are password protected. Each staff member will be provided with a unique username and password for access to CCS software and program software. Staff are not permitted to share usernames and passwords
- 3) Access to personal and sensitive information is restricted to key personal only
- 4) Security software is installed on all computers and updated automatically when patches are released
- 5) Data is regularly backed up on external drive and/or through a cloud storage solution
- 6) Any notifiable breach to data is reported
- 7) All staff are bound to respect the privacy rights of children, families, other personnel of the service. All staff must sign a *Confidentiality Agreement* to maintain the privacy and security of information and agree to delete any confidential information from personal devices, surrender documentation, software and any other materials related to the Service upon ceasing employment with the service.
- 8) Procedures are in place to ensure information is communicated to intended recipients only.

STEP 4 - ACCESS TO PERSONAL AND SENSITIVE INFORMATION

Personal and sensitive information about staff, families and children will be stored securely at all times. Families who have access to enrolment or program information online will be provided with a unique username and password. Families will be advised not to share username and passwords.

The Approved Provider will ensure that information kept in a child's record is not divulged or communicated through direct or indirect means to another person other than:

- the extent necessary for the education and care or medical treatment of the child to whom the information relates
- a parent of the child to whom the information relates, except in the case of information kept in a staff record
- the Regulatory Authority or an authorised officer
- as expressly authorised, permitted or required to be given by or under any Act or law
- with the written consent of the person who provided the information.

STEP 5 - DISCLOSING PERSONAL AND SENSITIVE INFORMATION

Our Service will only disclose personal or sensitive information to:

- a third-party provider with parent permission (for example CCS software provider)
- Child Protection Agency- Office of the Children's Guardian and Regulatory Authority as per our *Child Protection and Child Safe Environment Policies*

- as part of the purchase of our business asset with parental permission.

STEP 6 - COMPLAINTS AND GRIEVANCES

- 1) If a parent, employee or volunteer has a complaint or concern about our Service, or they believe there has been a data breach of the Australian Privacy Principles, they are requested to contact the Approved Provider so reasonable steps to investigate the complaint can be made and a response provided.
- 2) If there are further concerns about how the matter has been handled, please contact the Office of Australian Information Commissioner on 1300 363 992 or:
https://forms.business.gov.au/smartforms/landing.htm?formCode=APC_PC
- 3) For any other general concerns, parents and families are requested to contact the Approved Provider directly on **1300 329 106**

Child Protection and Environment Policies and Procedures (VIC)

CHILD SAFE ENVIRONMENT POLICY (VIC)

Our Out of School Hours Care (OSHC) Service is committed to the safety, wellbeing and support of all children and young people. Management, staff and volunteers take every reasonable precaution to protect children in our care and treat all children with the utmost respect and understanding at all times. We are dedicated in promoting cultural safety for Aboriginal children, cultural safety for children from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children with a disability

Our OSHC Service embeds the new Child Safe Standards (VIC) [effective July 2022] and promotes a culture of safety and wellbeing to minimise the risk of child abuse or harm to children whilst promoting children's sense of security and belonging.

We acknowledge that staff within an education and care service are in a unique position to monitor behavioural and emotional changes, physical injuries, and the general wellbeing of a child due to the development of safe environments and trusting relationships with children and families. Our staff are trained to identify signs and behaviours that may indicate child abuse and thoroughly understand their obligations and responsibilities to respond to incidents, disclosures or suspicions of child abuse as mandated reporters.

Our OSHC Service takes a 'zero' tolerance approach to child abuse and are committed to raise awareness about the importance of child safety in our environment and the community.

'Keeping children safe is everyone's responsibility.'

Victoria State Government- Education and Training (2019).

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is protected
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.

2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practised and implemented.
2.2.3	Child protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN

5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
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QUALITY AREA 7: GOVERNANCE AND LEADERSHIP

7.1	Governance	Governance supports the operation of a quality service
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EDUCATION AND CARE SERVICES NATIONAL REGULATIONS and NATIONAL LAW

82	Tobacco, drug and alcohol-free environment
84	Awareness of child protection law
102(A-D)	Transportation of children (risk assessments and authorisations)
103	Premises, furniture and equipment to be safe, clean and in good repair
104	Fencing
105	Furniture, materials and equipment
106	Laundry and hygiene facilities
109	Toilet and hygiene facilities
115	Facilities designed to facilitate supervision
122	Educators must be working directly with children to be included in ratios
123	Educator to child ratios- centre based services
136	First aid qualifications
155	Interactions with children
162	Health information to be kept in enrolment record

165	Record of visitors
166	Children not to be alone with visitors
167	Record of service's compliance
168 (h)	Education and care services must have policies- Providing a child safe environment
170	Policies and procedures to be followed
S162 (A)	Persons in day-to-day charge and nominated supervisors to have child protection training
S165	Offence to inadequately supervise children
S166	Offence to use inappropriate discipline
S167	Offence relating to protection of children from harm and hazards
358	Working with children check to be read

OTHER RELEVANT LAWS

Education and Training Reform Act 2006- Child safe standards- Managing the risk of child abuse in schools. Ministerial Order No. 870
The Commission for Children and Young People Act 2012
Failure to Disclose 2014
Failure to Protect 2015
The Charter of Human Rights and Responsibilities Act 2006 (Vic)
Working with Children Act 2005 (Vic)
Child Wellbeing and Safety Act 2005 (Vic)
Family Law Act 1975
Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015
Children Youth and Families Act 2005 (Vic)

PURPOSE

Our OSHC Service has a legal and ethical responsibility to provide and maintain a child safe organisation where all children are safe, respected, valued and encouraged to reach their full potential. Children's safety and wellbeing is paramount, and we aim to take all practical steps to protect children from harm, ensuring a healthy and child safe environment. Our OSHC Service provides children and staff with an environment free from the use of tobacco, alcohol and illicit drugs.

SCOPE

This policy applies to families, staff, educators, management, the approved provider, nominated supervisor and visitors of the OSHC Service.

IMPLEMENTATION

Under the Education and Care Services National Regulations the approved provider must ensure that policies and procedures are in place for providing a child safe environment and take reasonable steps to ensure those policies and procedures are followed. (Regulation 168, Regulation 170). The National Law requires management to ensure all children being educated and cared for are adequately supervised and every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury.

Our focus is to build a child safe environment which is reflected in our service policies and procedures and understood and practiced by all educators and staff.

CHILD SAFE STANDARDS	
Standard 1	Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
Standard 2	Child safety and wellbeing is embedded in organisational leadership, governance and culture.
Standard 3	Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously.
Standard 4	Families and communities are informed and involved in promoting child safety and wellbeing.
Standard 5	Equity is upheld and diverse needs respected in policy and practice.
Standard 6	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
Standard 7	Processes for complaints and concerns are child-focused.

Standard 8	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.
Standard 9	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.
Standard 10	Implementation of the Child Safe Standards is regularly reviewed and improved.
Standard 11	Policies and procedures document how the organisation is safe for children and young people.

OUR COMMITMENT TO CHILD SAFETY

Our OSHC Service is committed to safety and wellbeing of all children and young people. We understand our responsibilities and statutory duty of care to comply with both the Victorian New Child Safe Standards and the Reportable Conduct Scheme to build our capacity as an organisation to prevent and respond to allegations of child abuse. We have a dedicated *Child Safety and Wellbeing Policy* which explains our service’s approach to meeting the Standards.

Our OSHC Service has a zero tolerance to child abuse, and we are committed to the safety, participation and empowerment of all children. We promote diversity and tolerance and aim to form equitable and positive relationships with children. We ensure children participate in decisions affecting them and listen and respect their suggestions and ideas. We respond to any concerns, disclosures, allegations or suspicions of harm.

Our OSHC Service strongly opposes any type of abuse against a child and endorses high quality practices in relation to protecting children. All staff understand their roles and responsibilities in protecting children from abuse and neglect and maintain up-to-date knowledge of child protection law (Reg 84). Staff will undertake child protection awareness training every 12 months, and whenever significant changes are made to the child protection law or reporting requirements. Staff will comply with our Code of Conduct at all times.

[Primary policy- Child Safety and Wellbeing (VIC)]

RECRUITMENT

Our OSHC Service maintains a rigorous and consistent recruitment, screening and selection process to ensure the best staff possible based on skills, qualifications, experience and suitability for the position available. All staff participate in robust interviews and have reference checks completed to ensure the applicant's suitability to the role, previous experiences and their commitment to child safe values and practices. All staff are provided with a comprehensive induction process which outlines our Code of Conduct, current policies including Child Protection, Child Safety and Wellbeing, Reportable Conduct Scheme, Work Health and Safety Policy and other related policies to ensure a child safe environment.

[Primary policy – Recruitment]

WORKING WITH CHILDREN CHECK

Working in conjunction with the Child Protection Act and National Regulations, the safety, welfare and wellbeing of children is paramount within our Service and community. A Working with Children Check (WWCC) is a requirement for people who work in child-related work. It involves a national criminal history check and a review of findings of workplace misconduct. Cleared applicants are subject to ongoing monitoring and relevant new records may lead to the clearance being revoked.

The Approved Provider or Nominated Supervisor will ensure they have read each person's Working with Children Check before engaging educators, staff or volunteers in the Service. Management is responsible for the periodic review and maintenance of up-to-date records of employees' Working with Children Check, including the Working with Children Check number and the date on which each clearance expires.

[Primary policy – Child Protection, Recruitment, Staffing Arrangements]

CHILD PROTECTION

Children and young people always have a right to be safe and protected. To comply with legislation and ensure a child safe environment, educators are provided with training and ongoing supervision to ensure they understand that *child safety is everyone's responsibility*.

All educators and staff are mandatory reporters and must make reports if they suspect on reasonable grounds, a child is at risk of significant harm. All staff are provided with up-to-date training about child protection law and their obligations under this law and to ensure they are confident in following the reporting guidelines within Victoria and adhere to our *Child Protection Policy*. (Reg 84).

Through continual education and training, educators and staff are equipped with the knowledge, skills and awareness to keep children safe. Training gives educators and staff confidence to identify, respond and report child abuse.

Nominated supervisors and persons in day-to-day charge must complete a course in child protection approved by the Regulatory Authority on an annual basis.

[Primary policies – Child Protection, Child Safety and Wellbeing]

REPORTABLE CONDUCT SCHEME

The Reportable Conduct Scheme seeks to improve organisation’s responses to allegations of child abuse and neglect by their employees and volunteers. The Approved Provider must notify the Commission for Children and Young People (the Commission) about any allegations of misconduct involving a child.

Reportable conduct applies to all employees, volunteers, students (over the age of 18) and contractors at our Service.

Our Service will ensure an appropriate level of confidentiality of information relating to the reportable allegations as per the Children’s Guardian Act 2019. We take our legislative responsibilities as part of the Reportable Conduct Scheme seriously and will respond to any reportable allegation or conviction against employees or volunteers that may arise.

As an Information Sharing Entity our Service is obligated to share confidential or sensitive information about a person with other ISEs to support safety and wellbeing as part of the [Child Information Sharing Scheme](#) and the [Family Violence Information Sharing Scheme](#) and [MARAM reforms](#).

[Primary policy- Reportable Conduct Scheme (VIC)]

PHYSICAL ENVIRONMENT – SUPERVISION AND SAFETY CHECKLISTS

Children’s safety is embedded in our day-to-day practices. We ensure effective and adequate supervision is provided to children at all times. Educators will employ ‘active supervision’ strategies within the service environment and when participating in excursions or transporting children. Consideration will be made for the different ages and abilities of children and the activities that may require different levels of supervision.

Through conducting risk assessments, we assess and manage risks in the physical environment collaborating with children to develop behaviour guidelines for play including adventurous play to ensure

their safety. Educators have a sound understanding of their duty of care and responsibilities in ensuring a child safe environment.

Educators conduct regular safety checks to maintain basic standards of safety within our Service. We believe that child safety is a shared responsibility at all levels within our Service. Children are encouraged to speak up about their safety and the safety of their friends by telling an educator if they feel unsafe in a particular situation or environment.

Educators will complete the following daily checklists to assist and record inspections of the physical environment where foreseeable risks may be evident and cause harm or injury to a child:

- **Daily OSHC Checklist New**

Any findings that require attention will be either dealt with immediately or submitted into the maintenance book depending on priority.

[Primary policies – Code of Conduct; Supervision; Rest; Toileting; Health and Safety, Staffing Arrangement, Supervision]

STORAGE OF HAZARDOUS SUBSTANCES

We reduce the risk of harm to children and educators by using eco-friendly products. Our Service will endeavour to provide a safe environment where necessary chemical and hazardous equipment are safely stored away from children and handled appropriately.

Management and educators will keep a register of hazardous chemicals used at the Service, including relevant Safety Data Sheets (SDS).

To maintain a safe environment for children, the following audits and checklists are conducted:

- **Daily OSHC Checklist New**

[Primary policies – Safe Storage of Hazardous Chemicals, Administration of Medication]

EQUIPMENT, FURNITURE & MAINTENANCE RECORD

There are several factors that can contribute to a hazard, such as a deprived program, insufficient supervision and dilapidated equipment. To ensure a child safe environment free from hazards, we have implemented practices and continue to monitor Service policies and procedures that uphold Australian Safety Standards.

The premises and all equipment and furniture used within the OSHC Service are audited to ensure all aspects are safe, clean and in good repair. We understand that hazards are specific to developmental stages; educators are aware that toys and equipment need to be checked to ensure they are safe and developmentally appropriate for children. Regular checks occur within the Service to ensure that all toys, furniture and equipment are in good condition and working order.

These checks include:

- **Daily OSHC Checklist New**

[Primary policy – Furniture and Equipment Safety]

RISK ASSESSMENT & RISK ASSESSMENT TOOL

It is a legislative requirement that Management and educators implement a risk management system where they identify and manage hazards and risks within the workplace to ensure a child safe environment. The key principles of risk management include:

1. Identifying all hazards or potential hazards in the service/residence/venue
2. Assess the risk of harm or potential harm for each hazard
3. Control or manage the risk – Risk Rating Matrix
4. Monitor and improve safety – Risk Assessment Action Plan
5. Evaluate and Review

It is the responsibility of all staff and educators at the OSHC Service to complete a risk assessment where children's safety may be jeopardised and when organising an excursion/incursion or any transportation of children. Children's safety must be incorporated into everyday practice within the Service. Common hazards within the Service which may require a risk assessment include:

- cross-infection and infectious disease
- administration of medication
- anaphylaxis procedures and management
- building and equipment (including storage)
- inadequate space for conducting activities and experiences
- hazardous chemicals
- electrical appliances
- food preparation and storage
- environmental influences such as shade, noise etc

- sun safety
- children’s behaviours
- water safety
- fire equipment
- pets and/or animals
- inadequate supervision of children
- children’s activities and experiences
- Work Health and Safety such as manual handling (e.g., safe lifting children from cots and highchairs)
- non-compliance risk
- hot drinks
- transportation of children (regular outing and regular transportation)
- excursions

To maintain a child safe environment, we will adhere to service policies and procedures and conduct the following checklist and audits:

- Daily OSHC Checklist New

[Primary policies – Emergency and Evacuation; Incident, Injury, Trauma and Illness; Rest, Safe Transportation of Children; Sun Safety; Administration of First Aid; Medical Conditions]

EMERGENCY AND EVACUATION PROCEDURES

Management will ensure that copies of the emergency and evacuation floor plan is displayed in prominent positions near each exit of the service premises, including indoor and outdoor learning areas.

All staff are familiar with emergency evacuation procedures and regulatory requirements.

Rehearsals for emergency and evacuation procedures, including lock downs, are conducted at least once every 3 months.

[Primary policy- Emergency and Evacuation]

ARRIVAL AND DEPARTURE AUTHORISATION

Our OSHC Service prioritises children’s safety at all times. We will only release children to an authorised person as named on the child’s enrolment form. We request families provide current court orders, and parenting plans to ensure our records are up to date.

National Regulations require our service to keep a record of children and visitor’s arrival and

departures, with the signatures of the person responsible for verifying the accuracy of the record and the identity of the person collecting the child.

Educators will work in collaboration with our *Delivery of Children to and Collection from an Education and Care Service Premises Policy* and *Student and Visitors Policy* to ensure children feel safe and secure.

To ensure children's safety, educators have a clear understanding of their legal obligation to check identification when a person is collecting a child. To maintain compliance, parents and educators will complete an alternate collection form if they authorise a person who is not on their emergency contact form to pick up their child.

[Primary policies - Delivery of Children to and Collection from an Education and Care Service Premises ; Student and Visitors]

CODE OF CONDUCT

Management, educators, staff, volunteers and students will adhere to our OSHC Service's Code of Conduct Policy. We will:

- provide adequate supervision of children at all times
- take reasonable action to protect children and young people for risk of harm
- ensure the service premise is free from the use of tobacco, illicit drugs and alcohol
- adhere to our *Privacy and Confidentiality Policy*
- not discriminate against any child, because of culture, race, ethnicity or disability
- be responsible for their own, and others health and safety
- be a positive role model to children
- respect children's privacy and dignity at all times
- not put children at risk of abuse- refusing food/play, making threats, exposing children to inappropriate language or material (movies, internet, photos)
- report any allegations of child abuse to the Approved Provider as mandatory reporter
- notify the approved provider and/or the regulatory authority within 24 hours of any serious incident or complaint as per the National Regulations

[Primary policies – Code of Conduct; Privacy and Confidentiality]

ONLINE SAFETY

Our OSHC Service is committed to create and maintain a safe online environment with support and collaboration with staff, families and community. Our OSHC Service ensures backups of important and confidential data is made regularly and either stored securely offline, or online. Software and devices are updated regularly to avoid any breach of confidential information.

Written authorisation is requested as part of the enrolment process for children to have their photo taken and published as part of promotional marketing or on the app program used by the service. The identity of a child is not published on any platform.

Personal mobile phones are not used to take photos or video of children at the OSHC Service.

Only educational software programs and apps that have appropriate content and have been examined prior to allowing their use are used in the service. Children are always supervised using any technology.

[Primary policies – Cyber Safety; Technology; Mobile Device Usage; Privacy and Confidentiality, Code of Conduct]

CONTINUOUS REVIEW

To ensure we maintain a culture of continuous improvement, we will ensure our child safe practices are regularly reviewed, evaluated and improved. We aim to ensure all educators, staff and volunteers understand and effectively implement our policies and procedures to provide a child safe environment at our Service.

We will regularly review and monitor the effectiveness of our Child Safe policies and procedures and invite children, staff members, families and communities to contribute to their development.

Any updates or revisions will be communicated to all stakeholders.

FAMILIES

Our OSHC Service ensures families are always welcome and feel comfortable asking questions on how we prioritise child safety. We provide a range of opportunities for consultation and collaboration about decisions about their child's safety whilst at our service including:

- policy and procedure review
- child protection

- Child Safe Standards (VIC)
- allegations/grievance procedures
- sun safety
- written authorisations- parenting orders
- code of conduct
- inclusivity and supporting children with diverse needs.

SOURCE

Australian Children’s Education & Care Quality Authority. (2014).
 ACECQA. (2021). Policy and procedure guidelines. *Providing a Child Safe Environment*.
 Australian Government. Department of Skills, Education and Employment. *Belonging, Being and Becoming: The Early Years Learning Framework for Australia*. (2009).
Child Protection (Working with Children) Act 2012
Child Wellbeing and Safety Act 2005 (Vic)
Children and Young Persons (Care and Protection) Act 1998
Children, Youth and Families Act 2005 (as amended 2014) (Vic)
 Commission for children and young people *A guide for creating a Child Safe Organisation (V.5.0) 2022*.
 Commission for children and young people *Being a child safe organisation* <https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/>
 Community and Disability Services Ministers’ Conference. (2005). Creating safe environments for children: Organisations, employees and volunteers: National framework.
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 Education and Care Services National Regulations. (2011).
 Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).
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 National Comparison of Child Protection Systems: <https://aifs.gov.au/cfca/publications/national-comparison-child-protection-systems>
 Reporting abuse and neglect: <https://aifs.gov.au/cfca/publications/reporting-abuse-and-neglect>
 Revised National Quality Standard. (2018).
 State of Victoria (Department of Education and Training). (2017). Early childhood guidance: Identifying signs of child abuse: www.education.vic.gov.au
The Charter of Human Rights and Responsibilities Act 2006 (Vic)
The Commission for Children and Young People Act 1998
The Commission for Children and Young People Act 2012
 Victoria State Government Health and Human Services. Creating child safe organisations: <https://providers.dhhs.vic.gov.au/creating-child-safe-organisations>
Working with Children Act 2005 (Vic)

REVIEW

POLICY REVIEWED	MAY 2022	NEXT REVIEW DATE	MAY 2023
MODIFICATIONS	<ul style="list-style-type: none"> • Policy rewritten as Child Safe Environment Policy. A new <i>Child Safety and Wellbeing Policy</i> has been drafted to reflect the New Child Safe Standards (effective 1 July 2022) • Additional law/regulations added- ACECQA Guidelines to Policy and Procedure document (June 2021) • Additional laws/regulations added • Additional related policies 		

CHILD PROTECTION POLICY (VIC)

Our Out of School Hours Care (OSHC) Service is committed to providing a child safe environment where children’s safety and wellbeing is supported and children feel respected, valued and encouraged to reach their full potential. Our Service embeds the Victorian Child Safe Standards and promotes a culture of safety and wellbeing to minimise the risk of child abuse or harm to children whilst promoting children’s sense of security and belonging. We will ensure all employees and volunteers understand the meaning, importance and benefits of providing a child safe environment and critically, understand their obligations and requirements as Mandatory Reporters.

At all times, management, staff and volunteers will treat children with the utmost respect and understanding.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN’S HEALTH AND SAFETY		
2.2	Safety	Each child is respected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
84	Awareness of child protection law
155	Interactions with children
175	Prescribed information to be notified to Regulatory Authority
176	Time to notify certain information to Regulatory Authority
S162 (A)	Persons in day-to-day charge and nominated supervisors to have child protection training

RELATED LEGISLATION

<i>Child Wellbeing and Safety Act 2005 (Vic)</i>
<i>Children, Youth and Families Act 2005 (Amended 2014) (Vic)</i>
<i>Commission for Children and Young People Act 2012 (Amended 2014) (Vic)</i>
<i>Failure to Disclose 2014 (Under Section 327 of the Crimes Act 1958 [Vic])</i>

<i>Failure to Protect 2015 (Under Section 327 of the Crimes Act 1958 [Vic])</i>
<i>Family Violence Protection Act 2008 (Vic.)</i>
<i>The Charter of Human Rights and Responsibilities Act 2006 (Vic)</i>
<i>Working with Children Act 2005 (Vic)</i>
<i>Family Law Act 1975 (Cth)</i>
<i>Crimes Act 1958 (Vic)</i>

PURPOSE

All educators, staff and volunteers are committed to identifying possible risk and significant risk of harm to children and young people at the OSHC Service. We comprehend our duty of care responsibilities to protect children from all types of abuse and adhere to our legislative obligations at all times.

We aim to implement effective strategies to assist in ensuring the safety and wellbeing of all children. Our OSHC Service will act in the best interest of each child, assisting them to develop to their full potential in a secure and child safe environment. We understand our statutory duty of care to comply with both the Victorian Child Safe Standards and Reportable Conduct Scheme to build our capacity as an organisation to prevent and respond to allegations of child abuse.

SCOPE

This policy applies to management, staff, families and visitors (including contractors) of the OSHC Service.

WHAT IS CHILD ABUSE?

Child abuse is any action towards a child or young person that harms or puts at risk their physical, psychological, or emotional health or development. Child abuse can be a single incident or can be a number of different incidents that take place over time.

IDENTIFYING SIGNS OF CHILD ABUSE

Staff within early childhood services play a vital role in protecting children from harm by responding to and reporting any incidents, disclosure or suspicions. Educators and staff are best placed to identify signs and behaviours that may indicate that a child has been subject to abuse or identify a community member, staff member, contractor or volunteer may be a perpetrator. Understanding the signs of child abuse is critical in supporting children's safety and wellbeing. [Victoria State Government-Child protection in early childhood PROTECT].

There are different forms of child abuse-

- Physical abuse
- child sexual abuse
- grooming
- emotional child abuse
- neglect

- family violence and
- children exhibiting inappropriate sexual behaviour. Further information about the recognition of signs of child abuse and definitions are include in *Appendix 1* of this policy.

Duty of Care

Duty of care refers to your responsibility to adequately protect children in care from harm. This common law concept applies to all staff members within any Victorian early childhood service and is usually expressed as “*a duty to take reasonable steps to protect children from injury that is reasonably foreseeable.*” Victoria State Government (2021).

Duty of care means:

- acting on concerns quickly and in the child’s best interests
- protecting the safety, health and wellbeing of children in their care
- seeking appropriate advice or consulting when unsure
- reporting concerns to the relevant authorities
- providing ongoing support to a child and their family
- sharing information, upon request, to assist DHHS Child Protection or Police to protect and/or promote the wellbeing and development of a child
- attending DHHS Child Protection Case Planning meetings.
- Staff may breach their duty of care towards a child if they fail to act in the way a reasonable/diligent person would in the same situation.

Mandatory reporting is the legislative requirement for selected classes of people to make a report to Child Protection and/or Victoria Police where they form a reasonable belief, that a child has been or is at risk of significant harm, as a result of physical or sexual abuse, and the child’s parents have not protected or are unlikely to protect the child from that abuse. It is a criminal offence to fail to report in these circumstances. In Victoria (VIC) mandatory reporting is regulated by the *Children Youth and Families Act 2005*.

Mandatory reporters

Mandatory reporters in Victoria, are people who deliver the following services, wholly or partly, to children as part of their paid or professional work:

- registered medical practitioners
- nurses, including midwives
- Victorian police officers
- registered teachers and school principals
- out of home care workers (excluding voluntary foster and kinship carers)
- early childhood workers
- youth justice workers
- registered psychologists
- school counsellors

- people in religious ministry.

<https://providers.dffh.vic.gov.au/child-protection>

Working With Children Check

A Working With Children Check is mandatory for all employees working or volunteering with children within Education and Care Services. Education and Care Services and organisations are required to check the status of an employee's Working With Children Check BEFORE an employee begins working with children. Working with Children Check Victoria will notify organisations in writing if an employee's Working With Children Check has been suspended or revoked.

Child Safe Standards

Our OSHC Service is committed to keeping children and young people safe and are compliant with the current seven Victorian Child Safe Standards. We will continue to implement strategies to embed an organisational structure of child safety as we further develop our current practices and organisational culture to meet the new Child Safe Standards that will be effective from 1 July 2022. [see: *Child Safe Environment Policy*].

Our OSHC Service has policies and practices in place that include robust screening of all educators and staff members prior to employment, supervision, training and other human resources practices to reduce the risk of child abuse for new and existing staff members, processes for responding to and reporting suspected child abuse, strategies to identify and reduce or remove risks of child abuse and strategies to promote the participation and empowerment of children.

Failure to disclose and failure to protect

Failure to disclose or take action in relation to suspected child sexual abuse can constitute a criminal offence. The law requires **any adult** who holds a reasonable belief that a sexual offence has been committed in Victoria, by an adult against a child (aged under 16) disclosed this information to police.

Forming a reasonable belief/ reasonable grounds

A person forms a reasonable belief that a child is in need of protection, or their safety or wellbeing is at risk when they are more likely to accept rather than reject their suspicion and the belief is formed through disclosures, observations or other information. Proof is not required to support your claim.

Reasonable grounds for forming a belief may include where:

- a child states they have been abused
- a child states they know someone who has been, or is being, abused
- someone who knows the child states that the child has been abused, is being abused, or is at risk of abuse
- you observe a child's behaviour, actions or injuries that may place them at risk of harm or abuse
- you are aware of persistence violence, parental substance misuse, disability that is impacting on the child's safety, stability or development
- you observe signs or indicators of abuse.

Staff should make sufficient enquiries to form a belief, however it is not the role of staff to conduct an investigation into child protection concerns or criminal offences. DHHS Child Protection or Victoria Police will determine what is to be investigated.

IMPLEMENTATION

Our OSHC Service strongly opposes any type of abuse against a child and endorses high quality practices in relation to protecting children. Educators have an important role to support children and young people and to identify concerns that may jeopardise their safety, welfare, or wellbeing. To ensure best practice, all educators will attend approved Child Protection training certified by a registered training organisation. Educators will continue to maintain current knowledge of child protection and Mandatory Reporter requirements by completing Child Protection Awareness Training **annually**.

MANAGEMENT/NOMINATED SUPERVISOR WILL ENSURE:

- any responsible person in day-to-day charge of the Service has successfully completed a course in child protection approved by the Regulatory Authority
- [the recruitment process for all educators and staff is robust and includes pre-employment screening, reference checks](#)
- all educators', staff, and volunteers' Working with Children Checks are checked prior to engagement of work and recorded on staff records
- all employees and volunteers are:
 - provided with a copy of the current *Child Protection, Child Safe Environment and Reportable Conduct Scheme Policies* as part of the induction process at the Service
- aware of child protection legislation including:
 - their mandatory reporting obligations and responsibilities if they have formed a reasonable belief that a child has suffered or is likely to suffer significant harm
 - their duty of care obligations for all children who are involved in or affected by the suspected child abuse
 - their mandatory reporting obligations and responsibilities if they have formed a reasonable belief that a child has suffered or is likely to suffer significant harm
- aware of indicators showing a child may be at risk of harm or significant risk of harm
- aware of the [Four Critical Actions](#) to follow when responding to incidents, disclosures and suspicions of child abuse
- training and development are provided for all educators, staff, and volunteers in child protection on an annual basis
- training and information is provided to all FDC educators about the Child Information Sharing, Family Violence Reforms and Family Violence Multi-Agency Risk Assessment Management Framework (MARAM)
- educators are supported and empowered to make a report to DHHS Child Protection, Victoria Police or seek a referral to Child FIRST by having clear procedures in place

- access is provided to all staff regarding relevant legislations, regulations, standards and other resources to help educators, staff, and volunteers meet their obligations
- to adhere to the Reportable Conduct Scheme and report any allegations of ‘reportable conduct’
- to notify the Commission within three (3) business days of becoming aware of a reportable allegation made against an employee or volunteer using online forms found at <https://ccyp.vic.gov.au/reportable-conduct-scheme/about-reporting-allegations/>
- records of abuse or suspected abuse are kept in line with our *Privacy and Confidentiality Policy*
- to notify the regulatory authority through the NQA-ITS (within 7 days) of any incident where it is reasonably believed that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
- to notify the regulatory authority through the NQA-ITS (within 7 days) of any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service.

EDUCATORS WILL:

- contact the police on 000 if there is an immediate danger to a child and intervene if it is safe to do so
- promote the welfare, safety, and wellbeing of children at the Service at all times
- ensure children feel safe and supported at the early childhood service and their individual needs are met
- comprehend their obligations as mandatory reporters and their duty of care requirements if they have formed a reasonable belief that a child has suffered or is likely to suffer significant harm
- participate in annual child protection training and other relevant professional training
- participate in training about the Child Information Sharing, Family Violence Reforms and Family Violence Multi-Agency Risk Assessment Management Framework (MARAM)
- be able to identify signs of child abuse (see Appendix 1)
- follow the [Four Critical Actions for Early Childhood Services: Responding to incidents, disclosures and suspicions of Child Abuse](#)
 - Responding to an emergency
 - Reporting to authorities
 - Contacting parents or carers
 - Providing ongoing support
- respect what a child discloses, taking it seriously and follow up on their concerns through the appropriate channels

- refer families to appropriate agencies where concerns of harm do not meet the threshold of significant harm. These services may be located through Child FIRST or The Orange Door- <https://services.dffh.vic.gov.au/referral-and-support-teams> Family consent will be sought before making referrals
- allow children to be part of decision-making processes where appropriate
- prepare accurate records recording exactly what happened, conversations that took place and what was observed to pass on to the relevant authorities to assist with any investigation
- understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people
- NOT investigate suspicion of abuse or neglect but collect only enough information to substantiate concerns and pass on to the Child Protection Helpline or appropriate authority
- understand their legal obligations to report or take action in relation to suspected child abuse under the Reportable Conduct Scheme
- share information with other professionals working with children as part of the information sharing and family violence reform schemes
- provide ongoing monitoring and follow-up for children's health and wellbeing.

MAKING A REPORT

Early childhood services must take immediate action relating to concerns about potential child abuse. In the case of an emergency, staff should contact Emergency Services on 000.

Under the **Failure to Disclose** offence, *any adult* must report to Victoria Police if they reasonably believe that a sexual offence has been committed by an adult against a child under the age of 16.

A report must be made to DHHS Child Protection if the mandatory reporter forms a belief on reasonable grounds the child is:

- in need of protection due to child abuse
- at risk of being, harmed (or has been harmed) and the harm has, or is likely to have an impact on the child's safety, stability or development.

If an educator has a concern and they are unsure if a report should be made to DHHS Child Protection or Victoria Police, or a referral to ChildFIRST they should discuss this with the approved provider, director or responsible person.

Services will contact their local DHHS Child Protection intake provider to report concerns.

Northern Division intake: **1300 664 977**

South Division Intake: **1300 655 795**

East Division intake: **1300 360 391**

West Division intake- metropolitan: **1300 664 977**

West Division intake- rural and regional: **1800 075 599**

If you are not sure which number to call, check Department of Health and Human Services - [Child protection](#) contacts for details on the LGAs covered by each intake service.

REPORTING CONCERNS ABOUT THE WELLBEING OF A CHILD

Educators and staff who have significant concerns for the wellbeing of a child (or unborn child) may report these concerns to DHHS Child Protection or refer the matter to ChildFIRST.

DOCUMENTING A SUSPICION OF HARM

If educators have concerns about the safety of a child, they will:

- record their concerns in a non-judgmental and accurate manner as soon as possible
- record their own observations as well as precise details of any discussion with a parent (who may for example explain a noticeable mark on a child).
 - not endeavour to conduct their own investigation
- Child Protection will require accurate information including:
 - child's personal details (name, gender, address, DOB, details of siblings)
 - indicators of harm- the reason for believing that the injury or behaviour is the result of abuse or neglect
 - description- full details of the alleged abuse (times and dates)
 - safety assessment- assessment of any immediate danger to the child or children
 - other services- agency involved (previous)
 - family information- language spoken, history of violence
 - cultural characteristics- any specific cultural details that will assist to care for the child
 - notifier information- name, date, position, relationship to child
 - date of report and signature

[see: Child Protection Notification- Observation Record]

DOCUMENTING A DISCLOSURE

A disclosure of harm emerges when someone, including a child, tells you about harm that has happened or is likely to happen. When a child discloses that he or she has been abused, it is an opportunity for an adult to provide immediate support and comfort and to assist in protecting the child from the abuse. It is also a chance to help the child connect to professional services that can keep them safe, provide support and facilitate their recovery from trauma. Disclosure is about seeking support and your response can have a great impact on the child or young person's ability to seek further help and recover from the trauma.

When receiving a disclosure of harm, the Service will:

- remain calm and find a private place to talk
- not promise to keep a secret

- tell the child/person they have done the right thing in revealing the information but that they'll need to tell someone who can help keep the child safe
- only ask enough questions to confirm the need to report the matter because probing questions could cause distress, confusion and interfere with any later enquiries
- not attempt to conduct their own investigation or mediate an outcome between the parties involved.
- document as soon as possible so the details are accurately captured including:
 - time, date and place of the disclosure
 - 'word for word' what happened and what was said, including anything they said and any actions that have been taken
 - date of report and signature.

In addition, an educator receiving a disclosure from a child will:

- give the child or young person their full attention
- maintain a calm appearance
- reassure the child or young person it is right to tell
- accept the child or young person will disclose only what is comfortable and recognise the bravery/strength of the child for talking about something that is difficult
- let the child or young person take his or her time
- let the child or young person use his or her own words
- don't make promises that can't be kept. For example, never promise that you will not tell anyone else
- honestly tell the child or young person what you plan to do next
- do not confront the perpetrator.

Confidentiality

It is important that any notification remains confidential, as it is vitally important to remember that no confirmation of any allegation can be made until the matter is investigated. The individual who makes the notification should not inform the suspected perpetrator (if known). This ensures the matter can be investigated without contamination of evidence or pre-rehearsed statements. It also minimises the risk of retaliation on the child for disclosing.

Protection for Reporters

All reporters are protected against retribution for making or proposing to make a report under amendments to the *Children Youth and Families Act 2005 and Crimes Act 1958* effective April 2021. The identity of the reporter is protected by law from being disclosed, except in certain exceptional circumstances. Provided the report is made in good faith:

- does not breach standards of professional conduct or ethics

- cannot lead to defamation and civil and criminal liability

A report is also an exempt document under the *Freedom of Information Act 1989*.

Child Information Sharing Scheme (CISS) and Family Violence Information Sharing Scheme (FVISS) and the Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM).

Our OSHC Service will align with the MARAM Framework to assist in identifying, assessing and responding to family violence risk. This includes ensuring our educators and staff:

- have a shared understanding of and consistent response to family violence
- work collaboratively to provide coordinated and effective risk assessment and management responses to identify family violence
- share information relevant to family violence risk with other services
- promote continuous improvement in risk assessment and management practice, information sharing and enhanced collaboration with other services.

The [Child Information Sharing Scheme](#) (CISS) allows professionals working with children (from birth to 18 years of age) to gain a complete view of the children they work with, making it easier to identify wellbeing or safety needs earlier, and to act on them sooner. Victorian education and care services can share, request and use information about child wellbeing or safety through the scheme with other professionals provided certain requirements for sharing are met.

Educators within the OSHC Service need to have sufficient information in order to be able to support a child who has been impacted (or is suspected to have been impacted) by child abuse. Therefore, it is legally allowable for educators to share certain information about a child with other staff members of the Service without the consent of a parent/carer and without breaching privacy laws. Data security requirements that apply to the Service must be followed when sharing any information.

Under CISS, information sharing entities (ISEs) can share confidential information with other ISEs for the purpose of promoting the wellbeing or safety of a child or group of children or sharing information to inform action.

Sharing of information may assist the ISE to

- access and engage with supportive services
- access resources for learning and development
- make a decision, assessment or plan
- start or conduct an investigation
- provide a service relating to a child/children
- manage any risk to a child/children.

Under the Family Violence Information Sharing Scheme (FVISS) relevant information can be shared for 2 purposes:

- Family violence assessment purpose-to establish or assess the risk of a person committing family violence or being the subject of family violence
- Family violence protection purpose- manage the risk to the victim survivor. This includes information sharing to support ongoing risk assessment.

Risk Assessment Entities (RAEs) can request and receive information for a family violence assessment. RAEs include DHHS Child Protection, Victoria Police, family violence services and some Orange Door services. Our Service will respond to all requests for information in a timely manner. The approved provider or licensee should maintain contact with Victoria Police and DHHS Child Protection as necessary to protect the safety and wellbeing of the children involved. Disclosure of information to an RAE does not constitute unprofessional conduct or a breach of professional ethics.

BREACH OF CHILD PROTECTION POLICY

All educators and staff working with children have a duty of care to support and protect children. A duty of care is breached if a person:

- does something that a reasonable person in that person’s position would not do in a particular situation
- fails to do something that a reasonable person in that person’s position would do in the circumstances or
- acts or fails to act in a way that causes harm to someone the person owes a duty of care.

MANAGING A BREACH IN CHILD PROTECTION POLICY

Management will investigate the breaches in a fair, unbiased and supportive manner by:

- discussing the breach with all people concerned and advising all parties of the process
- giving the educator/staff member the opportunity to provide their version of events
- documenting the details of the breach, including the versions of all parties
- recording the outcome clearly and without bias
- ensuring the matters in relation to the breach are kept confidential
- reach a decision based on discussion and consideration of all evidence.

OUTCOME OF A BREACH IN CHILD PROTECTION POLICY

Depending on the nature of the breach outcomes may include:

- emphasising the relevant element of the child protection policy and procedure
- providing closer supervision
- further education and training
- providing mediation between those involved in the incident (where appropriate)
- disciplinary procedures if required
- reviewing current policies and procedures and developing new policies and procedures if necessary.

REPORTABLE CONDUCT SCHEME-ALLEGATIONS AGAINST EMPLOYEES, VOLUNTEERS or STUDENTS (or contractors)

The reportable Conduct Scheme has been designed to ensure that the Commission for Children and Young People (CCYP) will be aware of every allegation of certain types of employee misconduct involving children in relevant organisations, including approved education and care services (kindergartens, after school hours care services) and Children’s services (occasional care providers). [see: Reportable Conduct Scheme Policy (Victoria only)]

EDUCATING CHILDREN ABOUT PROTECTIVE BEHAVIOUR

Our program will educate children

- about acceptable and unacceptable behaviour, and what is appropriate and inappropriate contact at an age-appropriate level and understanding
- about their right to feel safe at all times
- to say ‘no’ to anything that makes them feel unsafe or uncomfortable
- about how to use their own knowledge and understanding to feel safe
- to identify feelings that they do not feel safe
- the difference between ‘good’ and ‘bad’ secrets
- that there is no secret or story that cannot be shared with someone they trust
- that educators are available for them if they have any concerns
- to tell educators of any suspicious activities or people
- to recognise and express their feelings verbally and non-verbally
- that they can choose to change the way they are feeling.

RESOURCES FOR INDICATORS OF ABUSE AND NEGLECT

NAPCAN- <https://www.napcan.org.au/napcan-brochures/>

Child Safe Organisations- <https://childsafe.humanrights.gov.au>

Victoria State Government Education and Training. Child protection in early childhood (PROTECT)

<https://www.education.vic.gov.au/childhood/professionals/health/childprotection/Pages/ecidentifying.aspx>

Victoria State Government. (2021). Family Violence Information Sharing and Child Information Sharing Reforms <https://www.justice.vic.gov.au/information-sharing>

[Victorian Government.](#) Multi-Agency Risk Assessment and Management Framework (MARAM) practice guides and resources. <https://www.vic.gov.au/maram-practice-guides-and-resources>

Australian Government Department of Education, Skills and Employment. (2011). *My Time, Our Place: Framework for School Age Care in Australia.*

SOURCE

Australian Children’s Education & Care Quality Authority. (2014).

Australian Government Australian Institute of Family Studies. (2005). National comparison of child protection systems: <https://aifs.gov.au/cfca/publications/national-comparison-child-protection-systems>

Australian Government Australian Institute of Family Studies. (2018). Australian child protection legislation: <https://aifs.gov.au/cfca/publications/australian-child-protection-legislation>

Australian Government Department of Education, Skills and Employment. (2011). *My Time, Our Place: Framework for School Age Care in Australia*.

Australian Government: Australian Institute of Family Studies. (2017). Mandatory reporting of child abuse and neglect: <https://aifs.gov.au/cfca/publications/mandatory-reporting-child-abuse-and-neglect>

Children Youth and Families Act 2005

Crimes Act 1958 (Vic)

Early Childhood Australia Code of Ethics. (2016).

Education and Care Services National Law Act 2010. (Amended 2018).

[Education and Care Services National Regulations](#). (2011).

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).

Guide to the National Quality Standard. (2020).

Revised National Quality Standard. (2018).

The Commission for Children and Young People Act 1998

Victoria State Government Education and Training. *Child Protection in Early Childhood (PROTECT)*

<https://www.education.vic.gov.au/childhood/professionals/health/childprotection/Pages/ecidentifying.aspx>

Victoria State Government Education and Training: (2018). *Obligations to protect children in early childhood services*: <https://www.education.vic.gov.au/childhood/providers/regulation/Pages/protectionprotocol.aspx>

Victoria State Government Health and Human Services. Child safe standards:

<https://providers.dhhs.vic.gov.au/child-safe-standards>

Victoria State Government Health and Human Services. Creating child safe organisations:

<https://providers.dhhs.vic.gov.au/creating-child-safe-organisations>

Victoria State Government Health and Human Services. *Children, youth & families. Child Protection*

<https://providers.dffh.vic.gov.au/child-protection>

Victoria State Government. [Child Information Sharing Scheme](#)

Victoria State Government. Working with Children Check. What organisations need to know.

<https://www.workingwithchildren.vic.gov.au/organisations/what-organisations-need-to-know>

Victoria State Government. Commission for Children and Young People. Reportable Conduct Scheme.

<https://ccyp.vic.gov.au/reportable-conduct-scheme/>

Working with Children Act 2005 (Vic)

REVIEW

POLICY REVIEWED BY:	Rachel Camillo	Area Manager	6 th August 2022
POLICY REVIEWED	AUGUST 2022	NEXT REVIEW DATE	AUGUST 2023
MODIFICATIONS	New policy drafted for VIC OSHC Services		

Appendix 1: Identify signs of child abuse

The State Government of Victoria identifies the following signs of child abuse and includes definitions and physical and behaviour indicators. The following information has been sources from the Victoria State Government- Child Protection in Early Childhood (PROTECT).

<https://www.education.vic.gov.au/childhood/professionals/health/childprotection/Pages/ecidentifying.aspx>

INDICATORS OF ABUSE

There are common physical and behavioural signs that may indicate abuse or neglect. The presence of one of these signs does not necessarily mean abuse or neglect. Behavioural or physical signs which assist in recognising harm to children are known as indicators. The following is a guide only. One indicator on its own may not imply abuse or neglect. However, a single indicator can be as important as the presence of several indicators. Each indicator needs to be deliberated in the perspective of other indicators and the child's circumstances. A child's behaviour is likely to be affected if he/she is under stress. There can be many causes of stress and it is important to find out specifically what is causing the stress. Abuse and neglect can be single incidents or ongoing and may be intentional or unintentional.

General indicators of abuse and neglect may include:

- Marked delay between injury and seeking medical assistance
- History of injury
- The child gives some indication that the injury did not occur as stated
- The child tells you someone has hurt him/her
- The child tells you about someone he/she knows who has been hurt
- Someone (relative, friend, acquaintance, and sibling) tells you that the child may have been abused.

PHYSICAL ABUSE

Physical child abuse is the non-accidental infliction of physical injury or harm of a child.

Examples of physical abuse may include beating, shaking or burning, assault with implementation of female genital mutilation.

What are the physical indicators of physical child abuse?

Physical indicators of physical child abuse include (but are not limited to):

- evidence of physical injury that would not likely be the result of an accident
- bruises or welts on facial areas and other areas of the body (back, bottom, legs, arms and inner thighs)
- burns from boiling water, oil or flames or burns that show the shape of the object used to make them (iron, grill, cigarette)
- fractures of the skull, jaw, nose and limbs, especially those not consistent with the explanation offered, or the type of injury possible at the child's age of development
- cuts and grazes to the mouth, lips, gums, eye area, ears and external genitalia
- bald patches where hair has been pulled out
- multiple injuries, old and new
- effects of poisoning
- internal injuries

What are the physical indicators of physical child abuse?

In an infant or toddler:

- self-stimulatory behaviours, for example, rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emaciated and pale
- exhibits significant delays in gross motor development and coordination
- their parent/carer is unresponsive or impatient to child's cues and unreceptive to support.

In all children, infants and toddlers:

- disclosure of physical abuse (by child, friend, family member)
- inconsistent or unlikely explanation for cause of injury
- wearing clothes unsuitable for weather conditions to hide injuries
- wariness or fear of a parent, carer or guardian and reluctant to go home
- unusual fear of physical contact with adults
- fear of home, specific places or particular adults
- unusually nervous, hyperactive, aggressive, disruptive and destructive to self-and/or others
- overly compliant, shy, withdrawn, passive and uncommunicative
- change in sleeping patterns, fear of the dark or nightmares and regressive behaviour (bed-wetting)
- no reaction or little emotion displayed when being hurt or threatened
- habitual absences from the service without reasonable explanation, where regular attendance is expected
- complaining of headaches, stomach pains or nausea without physiological basis, poor self-care or personal hygiene.

CHILD SEXUAL ABUSE

Child sexual abuse is when a person uses power or authority over a child to involve them in sexual activity. This can include a wide range of physical and non-contact sexual activity.

Physical sexual contact:

- kissing or fondling a child in a sexual way
- masturbation
- fondling the child's genitals
- oral sex
- vaginal or anal penetration by a penis, finger or other object
- exposure of the child to pornography

Non-contact offences

- talking to a child in a sexually explicit way
- sending sexual messages or emails to a child
- exposing a sexual body part to a child

- forcing a child to watch a sexual act including showing pornography to a child
- having a child pose or perform in a sexual manner (including child sexual exploitation)
- grooming or manipulation

Child sexual abuse does not always involve force. In some circumstances a child may be manipulated into believing that they have brought the abuse on themselves, or that the abuse is an expression of love through a process of grooming.

What is child sexual exploitation?

Child sexual exploitation is also a form of sexual abuse where offenders use their power (physical, financial or emotional) over a child to sexually or emotionally abuse them. It often involves situations and relationships where young people receive something (food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) in return for participating in sexual activities.

Child sexual exploitation can occur in person or online, and sometimes the child may not even realise they are a victim.

Who is most at risk of child sexual abuse?

Any child can be victim of sexual abuse, however children who are vulnerable, isolated and/or have a disability are disproportionately abused and are much more likely to become a victim.

What are the physical indicators of child sexual abuse?

Physical indicators of sexual abuse may include (but are not limited to):

- injury to the genital or rectal area (bruising, bleeding, discharge, inflammation or infection)
- injury to areas of the body such as breasts, buttocks or upper thighs
- discomfort in urinating or defecating
- presence of foreign bodies in the vagina and /or rectum
- sexually transmitted infections
- frequent urinary tract infections.

What are the behavioural indicators of child sexual abuse?

The behavioural indicators of sexual abuse may be, but are not limited to in an infant or toddler

- self-stimulator behaviours, for example rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emaciated and pale
- exhibits significant delays in gross motor development and coordination

In all children, infants and toddlers:

- disclosure of sexual abuse (by child, friend, family member)
- drawings or descriptions of stories that are sexually explicit and not age appropriate
- persistent and age-inappropriate sexual activity (excessive masturbation or rubbing genitals against adults)

- wariness or fear of a parent, carer or guardian and reluctance to go home
- unusual fear of physical conduct with adults
- change in sleeping patterns, fear of the dark or nightmares and regressive behaviour such as bed-wetting
- wearing clothes unsuitable for weather conditions to hide injuries
- unusually nervous, hyperactive, aggressive, disruptive and destructive to self- and/or others
- exhibits significant delays in gross and fine motor development and coordination
- overly compliant, shy, withdrawn, passive and uncommunicative
- fear of home, specific places or particular adults
- poor self-care or personal hygiene
- complaining of headaches, stomach pains or nausea without physiological basis.

GROOMING

Grooming is when a person engages in predatory conduct to prepare a child for sexual activity at a later time. Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer. Sometimes it is hard to see when someone is being groomed until after they have been sexually abused, because some grooming can look like 'normal' caring behaviour.

Examples of grooming behaviours may include:

- giving gifts or special attention to a child or their parent or carer
- controlling a child through threats, force or use of authority (this can make a child or their parent fearful to report unwanted behaviour)
- making close physical contact or sexual contact, such as inappropriate tickling and wrestling
- openly or pretending to accidentally expose the victim to nudity, sexual material and sexual acts.

What are the behavioural indicators of child grooming?

Behavioural indicators that a child may be subject to grooming include (but are not limited to):

- developing an unusually close connection with an older person
- displaying mood changes (hyperactive, secretive, hostile, aggressive, impatient, resentful, anxious, withdrawn, depressed)
- using street/different language, copying the way the new friend may speak, talking about the new friend who does not belong to his/her normal social circle
- possessing gifts, money and expensive items given by the friend

EMOTIONAL ABUSE

Emotional child abuse occurs when a child is repeatedly rejected, isolated or frightened by threats or by witnessing family violence. It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person, to the extent that the child suffers or is likely to suffer, emotionally or

psychological harm to their physical or developmental health. Emotional abuse may occur with or without other forms of abuse.

What are the physical indicators of emotional child abuse?

Physical indicators of emotional abuse include (but are not limited to)

- language delay, stuttering or selectively being mute
- delays in emotional, mental or physical development

What are the behavioural indicators of emotional child abuse?

In an infant or toddler

- self-stimulatory behaviours, for example, rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emancipated and pale
- exhibits significant delays in gross motor development and coordination
- their parent/carer is unresponsive or impatient to child's cues and unreceptive to support

In all children, infants and toddlers

- overly compliant, passive and undemanding behaviour
- extremely demanding, aggressive and attention-seeking behaviour or anti-social and destructive behaviour
- low tolerance or frustration
- poor self-image and low self-esteem
- unexplained mood swings, depression, self-harm
- behaviours that are not age-appropriate
- exhibits significant delays in gross and fine motor development and coordination
- poor social and interpersonal skills
- violent drawings or writing
- lack of positive social contact with other children.

NEGLECT

Neglect includes a failure to provide the child with

- an adequate standard of nutrition
- medical care
- clothing
- shelter
- supervision

to the extent that the health or physical development of the child is significantly impaired or placed at serious risk.

In some circumstances the neglect of a child:

- can place the child's immediate safety and development at serious risk
- may not immediately compromise the safety of the child but is likely to result in longer term cumulative harm.

This includes low-to-moderate concerns for the wellbeing of a child, such as:

- concerns due to conflict within a family
- parenting difficulties
- isolation of a family or a lack of apparent support

Both forms of neglect must be responded to via the Four Critical Actions for Early Childhood Services.

What are the physical indicators of neglect?

Physical indicators of neglect include (but are not limited to):

- appearing consistently dirty and unwashed
- being consistently inappropriately dressed for weather conditions
- being at risk of injury or harm due to consistent lack of adequate supervision from parents
- being consistently hungry, tired and listless
- having unattended health problems and lack of routine medical care
- having inadequate shelter and unsafe or unsanitary conditions.

What are the behavioural indicators of neglect?

Behaviour indicators of neglect include (but are not limited to):

In an infant or toddler:

- self-stimulatory behaviours, for example, rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emacipated and pale
- exhibits significant delays in gross motor development and coordination
- inadequate attention to the safety of the home (e.g. dangerous medicines left where children may have access to them)
- being left unsupervised, either at home, on the street or in a car
- their parent/carer is unresponsive or impatient to child's cues and unreceptive to support
- developmental delay due to lack of stimulation.

In all children, infants and toddlers:

- being left with older children or persons who could not reasonably be expected to provide adequate care and protection
- gorging when food is available or inability to eat when extremely hungry

- begging for, or stealing food
- appearing withdrawn, listless, pale and weak
- aggressive behaviour, irritability
- little positive interaction with parent, carer or guardian
- indiscriminate acts of affection and excessive friendliness towards strangers
- exhibits significant delays in gross and fine motor development and coordination
- poor, irregular or non-attendance at the service (where regular attendance is expected)
- refusal or reluctance to go home
- self-destructive behaviour
- taking on an adult role of caring for parent.

FAMILY VIOLENCE

Family violence is behaviour towards a family member that may include:

- physical violence or threats of violence
- verbal abuse, including threats
- emotional or psychological abuse
- sexual abuse
- financial and social abuse.

A child's exposure to family violence constitutes child abuse. This exposure can be very harmful and may result in physical harm and long-term physical, psychological and emotional trauma. Action must be taken to protect the child, and to mitigate or limit their trauma.

Research shows that during pregnancy and when families have very young babies:

- there is an increased risk of family violence
- pre-existing family violence may increase in severity
- there is an opportunity for intervention as families are more likely to have contact with services.

The longer that a child experiences or is exposed to family violence, the more harmful it is. This is why if you suspect that a child is exposed to, or at risk of being exposed to family violence, you must follow the [four critical actions](#).

Family Violence in Aboriginal and Torres Strait Islander Communities

In identifying family violence in Aboriginal and Torres Strait Islander communities it is important to recognise that:

- Aboriginal and Torres Strait Islander family violence may relate to relationships that aren't captured by the Western nuclear family model (grandparents, uncles and aunts, cousins and other community and culturally defined relationships)
- Aboriginal and Torres Strait Islander family violence can also include cultural and spiritual abuse
- perpetrators of Aboriginal and Torres Strait Islander family violence may not be Aboriginal and Torres Strait Islander people

Aboriginal and Torres Strait Islander family violence occurs in a historical context of colonisation, dispossession, and the loss of culture. This has resulted in the breakdown of kinship systems and of traditional law, racism, and previous government policies of forced removal of children from families. However, this should never detract from the legitimacy of the survivor's experience of violence, or your obligation to report and respond to any suspected family violence.

What are the physical indicators of family violence?

Physical indicators of family violence may include (but are not limited to):

- speech disorders
- delays in physical development
- failure to thrive (without an organic cause)
- bruises, cuts or welts on facial areas, and other parts of the body including back, bottom, legs, arms and inner thighs
- any bruises or welts (old or new) in unusual configurations, or those that look like the object used to make the injury (such as fingerprints, handprints, buckles, iron or teeth)
- internal injuries.

What are the behavioural indicators of family violence?

Behavioural indicators of family violence may include (but are not limited to):

In an infant or toddler:

- self-stimulatory behaviours, for example, rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emancipated and pale
- exhibits significant delays in gross motor development and coordination.

In all children, infants and toddlers:

- violent/aggressive behaviour and language
- depression and anxiety
- appearing nervous and withdrawn, including wariness of adults
- difficulty adjusting to change
- developmentally inappropriate bedwetting and sleeping disorders
- extremely demanding, attention-seeking behaviour
- participating in dangerous risk-taking behaviours to impress peers.
- overly compliant, shy, withdrawn, passive and uncommunicative behaviour
- 'acting out', such as cruelty to animals.
- demonstrated fear of parents, carers or guardians, and of going home
- complaining of headaches, stomach pains or nausea without physiological basis.

CHILDREN EXHIBITING INAPPROPRIATE SEXUAL BEHAVIOUR

Inappropriate sexual behaviour includes:

Problem sexual behaviour

Problem sexual behaviour is the term used by the Victorian government and funded service providers to describe concerning sexual behaviour exhibited by children under the age of 10 years. Children under 10 years are deemed unable to consent to any form of sexual activity and cannot be held criminally responsible for their behaviour.

Sexually abusive behaviour

Sexually abusive behaviour is the term used by the Victorian Government and funded service providers to describe concerning sexual behaviour by children aged 10 years or older and under 15 years of age.

A child is considered to exhibit sexually abusive behaviour when they have used power, authority, or status to engage another party in sexual activity that is unwanted, or the other party is unable to give consent. A child who engages in sexually abusive behaviour may be in need of therapeutic treatment. It may also be an indicator that the child has been or is being sexually abused by others. Sexually abusive behaviour may amount to a sexual offence. A sexual offence includes rape, sexual assault, indecent acts and other unwanted sexualised touching, all of which are offences under the Crimes Act 1958.

It may be difficult to determine the nature of children's sexual behaviour, including whether the behaviour:

- constitutes a sexual offence
- is indicative of any underlying abuse.

Under Victorian Law:

- children aged between 12-15 can only consent to sexual activity with a peer no more than two years their senior (therefore sexual contact led by a child with another child outside of these age parameters may amount to a sexual offence)
- in order for a person to consent to sexual activity they have to have the capacity to understand the context and possible consequences of the act (therefore sexual contact led by a child involving a person with a cognitive impairment or affected by alcohol and other drugs may also amount to a sexual offence).

Most critically you must follow the four critical actions if:

- you witness an incident, receive a disclosure or form a reasonable suspicion that a child has engaged in inappropriate sexual behaviour, even if you're not sure (these actions will support you to report to Victoria Police)
- a child's inappropriate sexual behaviour leads you to form a reasonable belief that the child may be subject to abuse.

REPORTABLE CONDUCT SCHEME POLICY (VIC)

Our Out of School Hours Care is committed to the safety, wellbeing, and support of all children in our care. From January 1st, 2019, the Reportable Conduct Scheme has been implemented in Victoria. This aims to complement the Child Safe Standards and other existing child safety measures and ensure that timely reports are made and investigated should there be allegations against employees, volunteers, or visitors of the Service (State of Victoria [Commission for Children and Young People], 2018). Our Service promotes the wellbeing and safety of children and as an authorised Information Sharing Entity (ISE) will share information and respond to requests for information from other ISEs when relevant requirements for sharing are met under the Information Sharing Schemes (the Schemes) and MARAM.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is respected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
84	Awareness of child protection law
155	Interactions with children
S162 (A)	Persons in day to day charge and nominated supervisors to have child protection training

OTHER RELEVANT LAWS

Child Wellbeing and Safety Act 2005 (Vic)
Children, Youth and Families Act 2005 (as amended 2014) (Vic)
The Commission for Children and Young People Act 2012
Failure to Disclose 2014 (Under Section 327 of the <i>Crimes Act</i> 1958 [Vic])

Failure to Protect 2015 (Under Section 327 of the <i>Crimes Act</i> 1958 [Vic])
The Charter of Human Rights and Responsibilities Act 2006 (Vic)
Working with Children Act 2005 (Vic)
Child Wellbeing and Safety Act 2005 (Vic)
Family Law Act 1975

PURPOSE

The Approved Provider, Nominated Supervisor and educators are committed to identifying possible risk and significant risk of harm to children and young people at the Out of School Hours Care Service. We understand our duty of care to protect children from all types of abuse, including protecting them from potential abuse that could occur within the service by employees, visitors, students or contractors. It is therefore imperative that all staff have a thorough knowledge and understanding of the requirements of the Reportable Conduct Scheme, which seeks to improve the responses of organisations to allegations of child abuse and neglect by their employees or volunteers.

To promote and support the wellbeing and/or safety of a child or group of children, all staff and management are aware of the Child Information Sharing Scheme, Family Information Sharing Scheme and MARAM which enable ISEs to request and share confidential information with other ISEs when certain requirements for sharing are met.

SCOPE

This policy applies to children, families, staff, management and visitors of the Out of School Hours Service.

DEFINITIONS

Reportable Conduct

There are five types of 'reportable conduct':

- Sexual offences committed against, with or in the presence of a child.
- Sexual misconduct committed against, with or in the presence of a child.
- Physical violence against, with or in the presence of a child.
- Any behaviour that causes significant emotional or psychological harm to a child.
- Significant neglect of a child.

Head of the organisation

The structure of the organisation will determine the 'head'. In Early Childhood Services this will likely be the Approved Provider, or Chief Executive Officer (CEO) of larger organisations.

Failure to disclose

Under the *Crimes Act 1958* (Vic) all adults must make a report to the Victoria Police if they hold a reasonable belief that a sexual offence has been committed by an adult against a child under the age of 16 years.

Failure to protect

Under the *Crimes Act 1958* (Vic) a person in a position of authority in an organisation must act to reduce or remove a substantial risk to a child under 16 years of age who is under their care or supervision who may become the victim of sexual abuse committed by an adult associated with their organisation.

Mandatory reporters

Professional groups, including early childhood teachers and workers, who are mandated under the *Children, Youth and Families Act 2005* (CYFA) (s. 182) are mandated to report their concerns for a child to child protection if they form a belief on reasonable grounds that a child is in need of protection (Source: Victorian Government: Child Protection Manual).

Reasonable grounds

A belief on reasonable grounds is formed if a reasonable person in the same position would have formed the belief on the same grounds. For example,

- a child states they have been physically or sexually abused
- a child states they know someone who has been physical or sexually abused (sometimes the child may be talking about themselves)
- someone who knows the child states the child has been physically or sexually abused
- professional observations of the child's behaviour or development leads the mandated professional to form a belief the child has been abused or is likely to be abused
- signs of physical or sexual abuse leads to a belief the child has been abused.

(Source: Victorian Government, CCYP)

IMPLEMENTATION

The Head of the organisation must:

- be fully aware of, and knowledgeable about the responsibilities of the head of an organisation, which include all points below

- be aware of legislation relating to sharing of information regarding child health and wellbeing under the Child Information Sharing Scheme (CISS) or the Family Violence Information Sharing Scheme (FVISS) and MARAM
- ensure information regarding the health and wellbeing of a child is not shared with others unless consent has been provided, in writing, or provided the disclosure is required or authorised by law under relevant state/territory legislation (including Child Information Sharing Scheme (CISS) or the Family Violence Information Sharing Scheme (FVISS)). See *Child Protection Policy* for further information regarding legal obligations to sharing of information as per CISS or FVISS Schemes.
- sign up and maintain a subscription for Commission updates in order to maintain current knowledge on Child Protection issues in Victoria (See Resources).
- ensure there are systems in place to prevent child abuse
- ensure allegations are brought to the attention of appropriate persons for investigation and response
- ensure that all allegations based on reasonable grounds are reported, including allegations made against employees who do not have direct contact with children, and conduct that allegedly occurred outside of their work
- contact 000 if they have immediate safety concerns about a child or young person
- Contact the Commission if unclear on whether or not a reportable allegation should be made about a person: Phone 1300 78 29 78
- Email: childsafestandards@ccyp.vic.gov.au
- gather the information required to complete the report. *Note: The types of information required can be found in Appendix A.*
- notify the Commission within three business days of becoming aware of a reportable allegation, using the online forms found at <https://ccyp.vic.gov.au/report-an-allegation/notify-about-a-reportable-allegation/>
Note: You are not able to save the form once commenced: It must be completed in one session.
- make a report to Victoria Police as soon as you aware that a reportable allegation may involve criminal conduct (if any reportable allegation involves suspected criminal behaviour, notify both the Victoria police and the Commission)
- understand that police investigations take priority over reportable allegation notifications and as such the organisation's investigation may need to be deferred until the police investigation has been completed
- provide the Commission with details of who is conducting the investigation
- begin an investigation using the CCYP Investigation Guide (see Resources)

- manage risks to children whilst undertaking the investigation
- maintain detailed and objective notes on all aspects of the investigation
- provide the Commission with updates on the organisation’s response to the allegation via the online forms
- assess the evidence and make a decision based on the strength of the evidence as to whether or not the Reportable Conduct occurred
- provide the Commission with detailed information on the reportable allegation and any action taken within thirty calendar days of the initial notification via the online forms. This should include (Source: CCYP Information sheet 8: Investigation findings.):
 - The findings:
 - **Substantiated** - This finding should be used when a decision maker has decided that the reportable conduct has been proven to have happened on the balance of probabilities. The evidence suggests it is more likely than not that the reportable conduct happened because there is enough reliable, convincing, evidence of weight.
 - *Unsubstantiated - insufficient evidence* - This finding should be used when there was some evidence of weight to support the allegation, but not enough for the decision maker to make a substantiated finding. The evidence does not suggest that it is more likely than not that the reportable conduct happened.
 - *Unsubstantiated - lack of evidence of weight* - This finding should be used when there is not enough evidence to properly investigate the allegation, or the small amount of evidence available is contradictory or confusing. There is not enough evidence to establish whether the reportable conduct did or did not happen.
 - *Unfounded* - This finding should be used when there is strong evidence that the reportable conduct did not happen. The evidence suggests that it is more likely than not that the reportable conduct did not happen.
 - *Conduct outside scheme* - This finding should be used when the decision maker has investigated the conduct and, although the conduct occurred, it does not fit any of the types of reportable conduct listed in the Act. An example of this might be slapping a child’s hand away from a hot stove.
 - The reasons for the finding, which should explain:
 - How the investigation was done.
 - The evidence that was collected and how it was assessed.
 - Whether the evidence was relevant and reliable.
 - How the evidence supported or contradicted the allegation of Reportable Conduct.

- How convincing the evidence was in all of the circumstances
- Seek help from the Commission if there are any concerns or guidance is required: Phone 1300 78 29 78
- Understand that the Reportable Conduct Scheme does not replace the legal requirement to report allegations to the Victoria Police.

THE APPROVED PROVIDER AND NOMINATED SUPERVISORS WILL ENSURE:

- a robust recruitment process is implemented with effective pre-employment screening including at least 2 reference checks, WWCC and where applicable National Police criminal history checks
- induction includes relevant information on child safe practices adhering to the new Child Safe Standards, Code of Conduct, strategies that identify, assess and minimise risks to children and mandatory reporting procedures
- that they, and all employees have an in-depth understanding of the Reportable Conduct Scheme and how to notify reportable conduct
- all employees are aware of who holds the position of ‘head of organisation’
- there are systems in place to prevent child abuse
- that they, and all educators maintain a current Working with Children Check
- that they, and all educators follow policies and procedures concerning Child Protection, Child Safe Environments including the new Child Safe Standards, and Reportable Conduct
- allegations are immediately brought to the attention of the Head of the organisation
- that they will notify the Commission of any alleged Reportable Conduct if the Head of the organisation fails to do so for any reason
- educators employ ‘*active supervision*’ strategies at all times
- visitors, students are never left with children unsupervised.

EDUCATORS WILL ENSURE:

- that they have a thorough understanding of their duty of care in relation to Child Protection
- that they maintain a current Working with Children Check
- that they have an in-depth understanding of the Reportable Conduct Scheme and how to notify Reportable Conduct
- they have a thorough understanding, and follow all policies and procedures concerning Child Protection and the new Child Safe Standards (effective July 2022)
- information regarding the health and wellbeing of a child is not shared with others unless consent has been provided, in writing, or provided the disclosure is required or authorised by law under relevant state/territory legislation (including Child Information Sharing Scheme (CISS) or the Family

Violence Information Sharing Scheme (FVISS)). See *Child Protection Policy* for further information regarding legal obligations to sharing of information as per CISS or FVISS Schemes.

- all allegations are immediately brought to the attention of the Head of the organisation and/or the Nominated Supervisor and/or Responsible Person
- they contact 000 if they have any immediate safety concerns about a child or young person
- that they will notify the Commission of any alleged Reportable Conduct if the Head of the organisation and/or the Nominated Supervisor and/or Responsible Person fails to do so for any reason
- that they understand that failure to comply with the Reportable Conduct Scheme requirements may lead to their Working with Children Check being revoked
- they are always engaged in active supervision of children.

Source

Australian Government: Australian Institute of Family Studies. (2018). *Australian child protection legislation* [CFCA resource sheet]. Retrieved from <https://aifs.gov.au/cfca/publications/australian-child-protection-legislation>

State of Victoria (Commission for Children and Young People). (2018). *Investigation findings* [Information sheet 8]. Retrieved from <https://ccyp.vic.gov.au/child-safety/resources/reportable-conduct-scheme-information-sheets/#TOC-8>

State of Victoria (Commission for Children and Young People). (2018). *Reportable conducts scheme*. Retrieved from <https://ccyp.vic.gov.au/reportable-conduct-scheme/>

State of Victoria (Commission for Children and Young People). (2018). *Reporting to the Commission* [Information sheet 7]. Retrieved from <https://ccyp.vic.gov.au/child-safety/resources/reportable-conduct-scheme-information-sheets/#TOC-8>

Victoria State Government. (2018). *Child protection manual*. Retrieved from www.cpmanual.vic.gov.au

Victoria State Government: [Health and Human Services. \(2018\). *Changes to child protection law*. Retrieved from http://providers.dhhs.vic.gov.au/changes-child-protection-law](http://providers.dhhs.vic.gov.au/changes-child-protection-law)

Victoria State Government (Department of Education). (2021). *Information Sharing and Family Violence Reforms Content Guidance*

Victoria State Government (Department of Education). (2021). *The Information Sharing and Family Violence Reforms Toolkit*

RESOURCES

Subscription to Commission updates:

<https://ccyp.vic.gov.au/contact-us/sign-up-for-commission-updates/>

Information sheets

Available from <https://ccyp.vic.gov.au/child-safety/resources/reportable-conduct-scheme-information-sheets/>

[Information sheet 1: About the Reportable Conduct Scheme](#)

[Information sheet 2: What is reportable conduct?](#)

[Information sheet 3: Responsibilities of the head of an organisation](#)

[Information sheet 4: Investigation overview](#)

[Information sheet 5: Other reporting obligations](#)

[Information sheet 6: Child Safe Standards and Reportable Conduct Scheme](#)

[Information sheet 7: Reporting to the Commission](#)

[Information sheet 8: Investigation findings](#)

[Information sheet 9: Sexual misconduct](#)

[Information sheet 10: Physical violence](#)

[Information sheet 11: Significant neglect](#)

[Information sheet 12: Historical allegations](#)

[Information sheet 13: Workers and volunteers](#)

[Information sheet 14: Commission own motion investigations](#)

[Frequently asked questions](#)

NOTIFICATION FORMS

Available from <https://ccyp.vic.gov.au/report-an-allegation/>

- Three-day notification – head of organisation
- 30-day update
- Investigation outcome update
- Investigator update
- Other information update

Appendix A: Information the Commission will require for a Reportable Conduct Notification

Three business day notification	30 calendar day update	Advice on investigation	Outcomes of investigation	Additional documents
<ul style="list-style-type: none">• Name of the worker or volunteer• Date of birth• Police report• Organisation contact details	<ul style="list-style-type: none">• Details of the allegation• Details of your response to the allegation• Details about any disciplinary	<ul style="list-style-type: none">• Name of investigator• Contact details <p>As soon as practicable</p>	<ul style="list-style-type: none">• Copy of findings and reasons for the findings• Details about any disciplinary or other	<ul style="list-style-type: none">• The Commission may request further documents from the head of the organisation

<ul style="list-style-type: none"> • Head of organisation's name • Initial advice on the nature of the allegation 	<ul style="list-style-type: none"> • Any written response from the worker or volunteer about the allegation and the proposed disciplinary or other action 		<ul style="list-style-type: none"> • action proposed • Reasons for taking or not taking action <p>As soon as practicable</p>	
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Source: State of Victoria (Commission for Children and Young People). (2018). *Reporting to the Commission* [Information sheet 7].

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	6 th August 2022
POLICY REVIEWED	NOVEMBER 2021	NEXT REVIEW DATE	NOVEMBER 2022
MODIFICATIONS	<ul style="list-style-type: none"> • additional related policies • addition of new Child Safe Standards Victoria (effective from July 2022) • inclusion of responsibilities under Child Information Sharing Scheme and Family Violence Information Sharing Scheme for Head of the Organisation and Educators • information related to recruitment and induction added • sources checked for currency- updated links to CCYP new website 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		NEXT REVIEW DATE
NOVEMBER 2020	<ul style="list-style-type: none"> • Policy reviewed • minor editing • sources checked for currency 		NOVEMBER 2021
NOVEMBER 2019	New policy created for Out of School Hours Care Services		NOVEMBER 2020

Child Protection and Environment Policies and Procedures (NSW)

CHILD SAFE ENVIRONMENT POLICY (NSW)

The United Nations Convention on the Rights of the Child (UNCRC) outline that children and young people have a right to be safe and cared for, no matter where they are or who they are with. Children have the right to be protected from violence, abuse or neglect. When working with children and young people, it is important to understand children's rights and needs.

We are advocates for children and have a strong commitment to child safety and establishing and maintaining a child safe environment. Our Out of School Hours Care Service embeds the National Principles for Child Safe Organisations and promotes a culture of safety and wellbeing to minimise the risk of child abuse or harm to children whilst promoting children's sense of security and belonging.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is respected
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN		
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS and NATIONAL LAW

82	Tobacco, drug and alcohol-free environment
84	Awareness of child protection law
102(A-D)	Transportation of children (risk assessments and authorisations)
103	Premises, furniture and equipment to be safe, clean and in good repair

104	Fencing
105	Furniture, materials and equipment
106	Laundry and hygiene facilities
109	Toilet and hygiene facilities
115	Facilities designed to facilitate supervision
122	Educators must be working directly with children to be included in ratios
123	Educator to child ratios- centre based services
136	First aid qualifications
155	Interactions with children
162	Health information to be kept in enrolment record
165	Record of visitors
166	Children not to be alone with visitors
167	Record of service's compliance
168 (h)	Education and care services must have policies- Providing a child safe environment
170	Policies and procedures to be followed
S162 (A)	Persons in day to day charge and nominated supervisors to have child protection training
S165	Offence to inadequately supervise children
S166	Offence to use inappropriate discipline
S167	Offence relating to protection of children from harm and hazards

PURPOSE

Our Out of School Hours Care Service (OSHC) has a legal and ethical responsibility to provide a safe and friendly environment where all children are respected, valued and encouraged to reach their full potential. Children's safety and wellbeing is paramount, and we aim to take all practical steps to protect children from harm, ensuring a healthy and safe environment. Our OSHC Service provides children and staff with an environment free from the use of tobacco, alcohol and illicit drugs.

SCOPE

This policy applies to children, families, staff, management and visitors of the OSHC Service.

IMPLEMENTATION

Under the Education and Care Services National Regulations the approved provider must ensure that policies and procedures are in place for providing a child safe environment and take reasonable steps to ensure those policies and procedures are followed. (Regulation 168, Regulation 170). The National Law requires management to ensure all children being educated and cared for are adequately supervised and every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury. Our focus is to build a child safe environment which is reflected in our Service policies and procedures and understood and practiced by all educators and staff.

'Child safety is everyone's responsibility.' (A guide to the Child Safe Standards. p.26. 2020)

CHILD SAFE STANDARDS	
Standard 1	Child safety is embedded in organisational leadership, governance and culture
Standard 2	Children participate in decisions affecting them and are taken seriously
Standard 3	Families and communities are informed and involved
Standard 4	Equity is upheld and diverse needs are taken into account
Standard 5	People working with children are suitable and supported
Standard 6	Processes to respond to complaints of child abuse are child-focused
Standard 7	Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training
Standard 8	Physical and online environments minimise the opportunity for abuse to occur
Standard 9	Implementation of the Child Safe Standards is continuously reviewed and improved
Standard 10	Policies and procedures document how the organisation is child safe.

NATIONAL PRINCIPLES FOR CHILD SAFE ORGANISATIONS

Our OSHC Service is committed to being a child safe organisation and endorses the National Principles for Child Safe Organisations, placing the protection of children as a priority of our responsibilities and obligations. The Child Safe Standards recommended by the Royal Commission provide guidance for our

Service to ensure our policies and procedures, strategies and attitudes, ensure children's safety is paramount.

Our OSHC Service has a zero tolerance to child abuse, and we are committed to the safety, participation and empowerment of all children. We promote diversity and tolerance and aim to form equitable and positive relationships with children. We ensure children participate in decisions affecting them and listen and respect their suggestions and ideas. We respond to any concerns, disclosures, allegations or suspicions of harm.

We are dedicated in promoting cultural safety for Aboriginal children, cultural safety for children from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children with a disability.

RECRUITMENT

Our OSHC Service maintains a rigorous and consistent recruitment, screening and selection process to ensure the best staff possible based on skills, qualifications, experience and suitability for the position available. All staff participate in robust interviews and have reference checks completed to ensure the applicant's suitability to the role, previous experiences and their commitment to child safe values and practices. All staff are provided with a comprehensive induction process which outlines our Code of Conduct, identifying and responding to child abuse, grievance processes, and work health and safety.

[Primary policy - Recruitment]

WORKING WITH CHILDREN CHECK- POLICE CHECKS

Working in conjunction with the Child Protection Act and National Regulations, the safety, welfare and wellbeing of children is paramount within our Out of School Hours Service and community. A Working with Children Check (WWCC) is a requirement for people who work in child-related work. It involves a national criminal history check and a review of findings of workplace misconduct.

Management is responsible for the periodic review and maintenance of up to date records of employees' Working with Children Check, including the Working with Children Check number and the date on which each clearance expires. Once an employee provides their WWCC clearance, management will verify the clearance to ensure that it is valid and current. The WWCC will be placed in the individual's file and continue to be updated as required.

[Primary policy - Child Protection, Recruitment, Staffing Arrangements]

CHILD PROTECTION- REPORTABLE CONDUCT SCHEME

Children and young people always have a right to be safe and protected. To comply with legislation and ensure a child safe environment, educators are provided with training and ongoing supervision to ensure they understand that *child safety is everyone's responsibility*.

Nominated Supervisors, Responsible persons, Coordinators, educators and other staff are mandatory reporters and must make reports if they suspect on reasonable grounds, a child is at risk of significant harm. All staff are provided with up-to-date training about child protection law and their obligations under this law and to ensure they are confident in following the reporting guidelines within NSW and adhere to our *Child Protection Policy*.

Through continual education and training, educators and staff are equipped with the knowledge, skills and awareness to keep children safe. Training gives educators and staff confidence to identify, respond and report child abuse.

Coordinators or responsible persons in day-to-day charge must complete a course in child protection approved by the Regulatory Authority on an annual basis. All staff must refresh their knowledge about mandatory reporting each year.

[Primary policy – Child Protection]

Child protection- Allegations Against Employees

To protect children and ensure their safety, welfare and wellbeing, management is responsive to report allegations or convictions of child abuse and child related misconduct by any staff member or volunteer or contractor to the Office of the Children's Guardian (OCG) as part of the *Reportable Conduct Scheme*.

Our OSHC Service will ensure an appropriate level of confidentiality of information relating to the reportable allegations as per the Children's Guardian Act 2019. We take our legislative responsibilities as part of the Reportable Conduct Scheme seriously and will respond to any reportable allegation or conviction against employees or volunteers that may arise.

PHYSICAL ENVIRONMENT- SUPERVISION AND SAFETY CHECKLISTS

Children's safety is embedded in our day-to-day practices. We ensure effective and adequate supervision is provided to children at all times. Educators will employ 'active supervision' strategies within the service environment and when participating in excursions or transporting children. Consideration will be made

for the different ages and abilities of children and the activities that may require different levels of supervision.

To ensure compliance with regulations, we will only include educators in the educator to child ratio who are working directly with the children and ensure a current roster and a sign on/sign off record are available to verify this. Staff rosters and routines ensure adequate supervision of children is always provided.

Through conducting risk assessments, we assess and manage risks in the physical environment collaborating with children to develop behaviour guidelines for play including adventurous play to ensure their safety. Educators have a sound understanding of their duty of care and responsibilities in ensuring a child safe environment.

Regular safety checks maintain basic standards of safety within our OSHC Service venues. We believe that child safety is a shared responsibility at all levels within our OSHC Service. Children are encouraged to speak up about their safety and the safety of their friends by telling an educator if they feel unsafe in a particular situation or environment.

Educators will complete the following daily checklists to assist and record inspections of the physical environment where foreseeable risks may be evident and cause harm or injury to a child:

- **Daily OSHC Checklist NEW**

Any findings that require attention will be either dealt with immediately or submitted into the maintenance book depending on priority. The Approved Provider/ Nominated Supervisors and Principals of primary schools must be notified of any areas that need immediate attention within the Service venue. [Primary policies – Code of Conduct, Supervision, Health and Safety, Staffing Arrangement, Supervision]

STORAGE OF HAZARDOUS SUBSTANCES

We reduce the risk of harm to children and educators by using eco-friendly products. Our OSHC Service will endeavour to provide a safe environment where necessary chemical and hazardous equipment are safely stored away from children and handled appropriately.

Out of School Hours Care educators will keep a register of hazardous chemicals used within the service, including Safety Data Sheets (SDS).

To maintain a safe environment for children, the following audits and checklists are conducted:

- Daily OSHC Checklist NEW

[Primary policies – Safe Storage of Hazardous Chemicals, Administration of Medication]

EQUIPMENT, FURNITURE & MAINTENANCE RECORD

There are several factors that can contribute to a hazard, such as a deprived program, insufficient supervision and dilapidated equipment. To ensure a child safe environment free from hazards, we have implemented practices and continue to monitor Service policies and procedures that uphold Australian Safety Standards.

The venue of our OSHC Service, and all equipment and furniture used within the service are audited to ensure all aspects are safe, clean and in good repair. We understand that hazards are specific to developmental stages of children. Educators are aware that toys and equipment need to be checked to ensure they are safe and developmentally appropriate for school aged children from Kindergarten to Year 6. Regular checks occur within the OSHC Service to ensure that all toys, furniture and equipment are in good condition and working order. These checks include:

- Daily OSHC Checklist NEW

[Primary policy – Furniture and Equipment Safety Policy]

RISK ASSESSMENT & RISK ASSESSMENT TOOL

It is a legislative requirement that all services implement a risk management system where they identify and manage hazards and risks within the workplace to ensure a child safe environment. The key principles of risk management include:

6. Identifying all hazards or potential hazards in the service/residence/venue
7. Assess the risk of harm or potential harm for each hazard
8. Control or manage the risk – Risk Rating Matrix
9. Monitor and improve safety – Risk Assessment Action Plan
10. Evaluate and Review

It is the responsibility of Coordinators or Responsible persons in day-to-day charge to complete a risk assessment where children's safety may be jeopardised and when organising an excursion/incursion.

Children's safety must be incorporated into everyday practice within the OSHC Service.

Common hazards which may require a risk assessment include:

- cross-infection and infectious disease
- administration of medication
- anaphylaxis procedures and management
- building and equipment (including storage)
- inadequate space for conducting activities and experiences
- hazardous chemicals
- electrical appliances
- food preparation and storage
- environmental influences such as shade, noise etc
- sun safety
- children's behaviours
- water safety
- fire equipment
- pets and/or animals
- inadequate supervision of children
- children's activities and experiences
- Work Health and Safety such as manual handling
- non-compliance risk
- hot drinks
- transportation of children (regular outing and regular transportation)
- excursions

To maintain a child safe environment, we will adhere to our OSHC Service policies and procedures and conduct the following checklist and audits:

- Daily OSHC Checklist NEW

[Primary policies – Emergency and Evacuation; Incident, Injury, Trauma and Illness; Safe Transportation of Children; Sun Safety; Administration of First Aid; Medical Conditions]

EMERGENCY AND EVACUATION PROCEDURES

Management will ensure that copies of the emergency and evacuation floor plan is displayed in prominent positions near each exit of the service premises, including indoor and outdoor learning areas. All staff are familiar with emergency evacuation procedures and regulatory requirements.

Rehearsals for emergency and evacuation procedures, including lock downs, are conducted at least once every 3 months.

[Primary policy- Emergency Evacuation Policy]

ARRIVAL AND DEPARTURE AUTHORISATION

Our OSHC Service prioritises children’s safety at all times. We will only release children to an authorised person as named on the child’s enrolment form. We request families provide current court orders, and parenting plans to ensure our records are up to date.

National Regulations require our OSHC Service to keep a record of children and visitor’s arrival and departures, with the signatures of the person responsible for verifying the accuracy of the record and the identity of the person collecting the child.

Educators will work in collaboration with our *Arrival and Departure Policy* and *Student and Visitors Policy* to ensure children feel safe and secure at all times.

To ensure children’s safety, educators have a clear understanding of their legal obligation to check identification when a person is collecting a child from their residence or venue. To maintain compliance, parents and educators will complete an alternate collection form if they authorise a person who is not on their emergency contact form to pick up their child.

[Primary policies - Arrival and Departure; Student and Visitors]

CODE OF CONDUCT

Management, coordinators, educators, staff, volunteers and students will adhere to our Service’s Code of Conduct Policy. We will:

- provide adequate supervision of children at all times
- take reasonable action to protect children and young people for risk of harm
- ensure the service premise is free from the use of tobacco, illicit drugs and alcohol
- adhere to our *Privacy and Confidentiality Policy*
- not discriminate against any child, because of culture, race, ethnicity or disability
- be responsible for their own, and others health and safety
- be a positive role model to children
- respect children’s privacy and dignity at all times
- not put children at risk of abuse- refusing food/play, making threats, exposing children to inappropriate language or material (movies, internet, photos)
- report any allegations of child abuse to the Approved Provider as mandatory reporter

- notify the approved provider and/or the regulatory authority within 24 hours of any serious incident or complaint as per the National Regulations

[Primary policies – Code of Conduct; Privacy and Confidentiality]

ONLINE SAFETY

Our OSHC Service is committed to create and maintain a safe online environment with support and collaboration with staff, families and community.

Our OSHC Service ensures backups of important and confidential data is made regularly and either stored securely offline, or online. Software and devices are updated regularly to avoid any breach of confidential information.

Written authorisation is requested as part of the enrolment process for children to use; have their photo taken and published as part of promotional marketing or on the app program used by the service. The identity of a child is not published on any platform.

Personal mobile phones are not used to take photos or video of children at the Service.

Only educational software programs and apps that have appropriate content and have been examined prior to allowing their use are used in the Service. Children are always supervised using any technology.

[Primary policies – Cyber Safety; Technology; Privacy and Confidentiality, Code of Conduct]

CONTINUOUS REVIEW

To ensure we maintain a culture of continuous improvement, we will ensure our child safe practices are regularly reviewed, evaluated and improved. We aim to ensure all educators, staff and volunteers understand and effectively implement our policies and procedures to provide a child safe environment at our OSHC Service.

We will regularly review and monitor the effectiveness of our Child Safe policies and procedures and invite children, staff members, families and communities to contribute to their development.

Any updates or revisions will be communicated to all stakeholders.

FAMILIES

Our OSHC Service ensures families are always welcome and feel comfortable asking questions on how we prioritise child safety. We provide a range of opportunities for consultation and collaboration about decisions about their child's safety whilst at our Service including:

- policy and procedure review
- child protection
- allegations/grievance procedures
- sun safety
- written authorisations- parenting orders
- code of conduct
- inclusivity and supporting children with diverse needs.

SOURCE

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 Department of Education NSW Providing a child safe environment
 Education and Care Services National Regulations. (2011).
 Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).
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 NSW Department of Education (2021). [Guide to the Child Safe Standards for early childhood education and care and outside schools hours care services](#)
 NSW Government Office of the Children’s Guardian *A guide to the Child Safe Standards*. (2020).
 Revised National Quality Standard. (2018).
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<https://providers.dhhs.vic.gov.au/creating-child-safe-organisations>
 Work Health and Safety Act, (2011).

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	8 th August 2022
POLICY REVIEWED	NOVEMBER 2021	NEXT REVIEW DATE	NOVEMBER 2022
MODIFICATIONS	<ul style="list-style-type: none"> • Additional law/regulations added- ACECQA Guidelines to Policy and Procedure document (June 2021) • additional information re: supervision and rosters • sources checked for currency 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		NEXT REVIEW DATE

NOVEMBER 2020	<ul style="list-style-type: none"> • Rewrite of policy to include National Principles for Child Safe Organisations • Relevant sections added to reflect Child Safe Standards and refer to guiding policies • additional sources added 	NOVEMBER 2021
NOVEMBER 2019	New policy created for Out of School Hours Care Services	NOVEMBER 2020

CHILD PROTECTION POLICY (NSW)

Our Out of School Hours Care (OSHC) Service is committed to providing a child safe environment where children’s safety and wellbeing is supported and children feel respected, valued and encouraged to reach their full potential. Our Service embeds the National Principles for Child Safe Organisations and promotes a culture of safety and wellbeing to minimise the risk of child abuse or harm to children whilst promoting children’s sense of security and belonging. We will ensure all employees and volunteers understand the meaning, importance and benefits of providing a child safe environment and critically, understand their obligations and requirements as Mandatory Reporters.

At all times, management, staff and volunteers will treat children with the utmost respect and understanding. Our Service believes that:

- Children are capable of the same range of emotions as adults.
- Children’s emotions are real and need to be accepted by adults.
- A reaction given to a child from an adult in a child’s early stages of emotional development can be positive or detrimental depending on the adult’s behaviour.
- Children who enhance their understanding of their body’s response to a situation are more able to predict the outcome and ask for help or evade a negative situation.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN’S HEALTH AND SAFETY		
2.2	Safety	Each child is respected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS

84	Awareness of child protection law
155	Interactions with children
175	Prescribed information to be notified to Regulatory Authority
176	Time to notify certain information to Regulatory Authority
S162 (A)	Persons in day-to-day charge and nominated supervisors to have child protection training

PURPOSE

All educators, staff and volunteers are committed to identifying possible risk and significant risk of harm to children and young people at the Service. We comprehend our duty of care responsibilities to protect children from all types of abuse and adhere to our legislative obligations at all times.

We aim to implement effective strategies to assist in ensuring the safety and wellbeing of all children. Our Service will act in the best interest of each child, assisting them to develop to their full potential in a secure and child safe environment.

SCOPE

This policy applies to management, staff, families and visitors (including contractors) of the OSHC Service.

WHAT IS CHILD ABUSE?

Child abuse is any action towards a child or young person that harms or puts at risk their physical, psychological, or emotional health or development. Child abuse can be a single incident or can be a number of different incidents that take place over time.

NSW Communities and Justice identify different forms of child abuse which include- neglect, sexual, physical and emotional abuse or psychological harm. https://www.facs.nsw.gov.au/families/Protecting-kids/reporting-child-at-risk/harm-and-neglect?merge_chapters=true

INDICATORS OF ABUSE

There are common physical and behavioural signs that may indicate abuse or neglect. The presence of one of these signs does not necessarily mean abuse or neglect. Behavioural or physical signs, which assist in recognising harm to children, are known as indicators. The following is a guide only. One indicator on its own may not imply abuse or neglect. However, a single indicator can be as important as the presence of several indicators. Each indicator needs to be deliberated in the perspective of other indicators and the child's circumstances. A child's behaviour is likely to be affected if he/she is under stress. There can be many causes of stress and it is important to find out specifically what is causing the stress. Abuse and neglect can be single incidents or ongoing and may be intentional or unintentional.

General indicators of abuse and neglect may include:

- marked delay between injury and seeking medical assistance
- history of injury
- the child gives some indication that the injury did not occur as stated
- the child tells you someone has hurt him/her
- the child tells you about someone he/she knows who has been hurt
- someone (relative, friend, acquaintance, and sibling) tells you that the child may have been abused.

NEGLECT

Child neglect is the continuous failure by a parent or caregiver to provide a child with the basic requirements needed for their growth and development, such as food, clothing, shelter, medical and dental care, and adequate supervision. Some examples are:

- inability to respond emotionally to the child
- child abandonment
- unable or unwilling to provide adequate food, shelter, clothing, medical attention safe home conditions
- depriving or withholding physical contact
- failure to provide psychological nurturing
- treating one child differently to the others

Indicators of Neglect in children:

- low weight for age and failure to thrive or develop
- child not adequately supervised for their age
- poor standard of hygiene leading to social isolation
- scavenging or stealing food
- extreme longing for adult affection
- lacking a sense of genuine interaction with others
- acute separation anxiety
- self-comforting behaviours, e.g., rocking, sucking
- delay in development milestones
- untreated physical problems, such as sores, serious nappy rash and urine scalds, dental decay

PHYSICAL ABUSE

Physical abuse is when a child has suffered, or is at risk of suffering, non-accidental trauma or injury, caused by a parent, caregiver or other person. Educators will be particularly aware of looking for possible physical abuse if parents or caregivers:

- make direct admissions about fear of hurting their children
- have a family history of violence
- have a history of their own maltreatment as a child

- make repeated visits for medical assistance
- use excessive discipline

Indicators of Physical Abuse

- facial, head and neck bruising
- lacerations and welts
- drowsiness, vomiting, fits or pooling of blood in the eyes that may suggest head injury
- explanations are not consistent with injury
- bruising or marks that may show the shape of an object
- adult bite marks or scratches
- multiple injuries or bruises
- ingestion of poisonous substances, alcohol or drugs
- sprains, twists, dislocations
- bone fractures
- burns and scalds
- general indicators of female genital mutilation, such as having a 'special operation'.

EMOTIONAL or PSYCHOLOGICAL ABUSE

Psychological harm occurs where the behaviour of the parent or caregiver damages the confidence and self-esteem of the child, resulting in serious emotional deficiency or trauma. In general, it is the frequency and duration of this behaviour that causes harm. Some examples are:

- constant or excessive criticism, condescending, teasing of a child or ignoring or withholding admiration and affection
- excessive or unreasonable demands
- persistent hostility, severe verbal abuse, and rejection
- belief that a specific child is bad or 'evil'
- using inappropriate physical or social isolation as punishment
- exposure to domestic violence
- intimidating or threatening behaviour.

Indicators of emotional or psychological abuse

- feeling of worthlessness about themselves and life
- inability to value others
- lack of trust in people and expectations
- lack of 'people skills' necessary for daily functioning
- extreme attention seeking behaviours
- extremely eager to please or obey adults

- may take extreme risks, is markedly disruptive, bullying, or aggressive
- other behavioural disorders (disruptiveness, aggressiveness, bullying)
- suicide threats (in young people)
- running away from home.

SEXUAL ABUSE

Sexual abuse is when someone involves a child in a sexual activity by using their authority over them or takes advantage of their trust. Children are often bribed or threatened physically and psychologically to make them participate in the activity. Sexual abuse includes:

- exposing the child to the sexual behaviours of others
- coercing the child to engage in sexual behaviour with other children or adults
- verbal threats of sexual abuse
- exposing the child to pornography or prostitution or using a child for pornographic purposes
- previous conviction or suspicion of child sexual abuse

Indicators of Sexual Abuse

- bruising or bleeding in the genital area
- bruising to buttocks, lower abdomen or thighs
- injuries such as tears to the genitalia
- the child describes sexual acts
- direct or indirect disclosures
- age-inappropriate behaviour and/or persistent sexual behaviour
- self-destructive behaviour- self-mutilation
- regression in developmental achievements
- child being in contact with a suspected or known perpetrator of sexual assault

DOMESTIC VIOLENCE

Domestic violence, or intimate partner violence, is a violation of human rights. It involves violent, abusive or intimidating behaviour carried out by an adult against a partner or former partner to control and dominate that person.

Domestic violence causes fear, physical, and/or psychological harm. It is most often violent, abusive, or intimidating behaviour by a man against a woman, but can also be these behaviours by a woman against a man. Living with domestic violence has a profound effect upon children and young people and therefore constitutes a form of child abuse. (*The NSW Domestic and Family Violence Action Plan, June 2010*).

Indicators of domestic violence

The child may display:

- demonstrate aggressive behaviour
- develop phobias & insomnia

- experience anxiety
- show signs of depression
- have diminished self esteem
- demonstrate poor academic performance and problem-solving skills
- have reduced social skills including low levels of empathy
- show emotional distress
- have physical complaints

WORKING WITH CHILDREN CHECK

People working or volunteering with children in New South Wales must, by law, have a Working with Children Check (WWCC). The Office of the Children’s Guardian provides checks of workers and volunteers to organisations, contributing to creating safe environments for children and other vulnerable people.

A Working with Children Check is an assessment of whether a person poses an unacceptable risk to children. As part of the process, the Office of the Children’s Guardian will look at criminal history, child protection information and other information.

Working with Children Checks are valid for five years. Cleared applicants are subject to ongoing monitoring and relevant new records may lead to the clearance being revoked. If new information about a person means they pose a risk to children's safety, that person’s check will be re-assessed and, if necessary, they will be prohibited from working with children. The Office of the Children’s Guardian will inform both the person affected and any organisations they're linked to about the change in status.

Organisations need to be registered with the Office of the Children’s Guardian to verify employees Working with Children Checks. Working with Children Checks must be verified BEFORE the employee begins working with children.

DEFINITIONS

Mandatory reporting is the legislative requirement for selected classes of people to report suspected child abuse and neglect to government authorities. In NSW, mandatory reporting is regulated by the Children and Young Persons (Care and Protection) Act 1998 (The Care Act).

Mandatory reporters are people who deliver the following services, wholly or partly, to children as part of their paid or professional work:

- Health care (e.g., registered medical practitioners, specialists, general practice nurses, midwives, occupational therapists, speech therapists, psychologists, dentists and other allied health professionals working in sole practice or in public or private health practices)
- Welfare (e.g., psychologists, social workers, caseworkers and youth workers)
- Education (e.g., teachers, counsellors, principals)
- Children’s services (e.g., childcare workers, family day carers and home-based carers)
- Residential services (e.g., refuge workers)
- Law enforcement (e.g., police)
- Registered psychologists providing a professional service as a psychologist
- A person in religious ministry or a person providing religious-based activities to children

All staff have a responsibility to recognise and respond to concerns for safety, welfare and the wellbeing of children and young people, and to report these concerns to management. According to the *Children and Young Persons (Care and Protection) Act 1998* mandated reporters (including people employed in children’s services and unpaid managers of these services) must make reports if they suspect on reasonable grounds a child is at risk of significant harm because:

- the child’s basic physical or psychological needs are not being met or are at risk of not being met
- the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child to receive necessary medical care
- the parents or other caregivers have not arranged and are unable or unwilling to arrange for a school age child to receive an education
- the child has been, or is at risk of being physically or sexually abused or ill-treated
- the child is living in a household where there have been incidents of domestic violence and they are at risk of serious physical or psychological harm
- the parent’s or other caregiver’s behaviour means the child has suffered or is at risk of suffering serious psychological harm.

Source: Children and Young Persons (Care and Protection Act) NO 157 Chapter 3 > Part 2 > Section 23

Maltreatment refers to non-accidental behaviour towards another person, which is outside the norms of conduct and entails a substantial risk of causing physical or emotional harm. Behaviours may be intentional or **unintentional** and include acts of omission and commission. Specifically abuse refers to acts of commission and neglects acts of omission. Note that in practice, the terms child abuse and child neglect are used more frequently than the term child maltreatment.

Risk of Significant Harm (ROSH) refers to circumstances causing concern for the safety, welfare and wellbeing a child or young person present to a significant extent. This means it is sufficiently serious to warrant a response by a statutory authority irrespective of the family’s consent.

What is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child’s or young person’s safety, welfare, or wellbeing. In the case of an unborn child, what is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrably adverse impact on the child.

Reasonable Grounds refer to the need to have an objective basis for suspecting that a child may be at risk of abuse and neglect based on:

- Firsthand observation of the child or family
- What the child, parent or other person has disclosed
- What can reasonably be indirect based on observation, professional training and/ or experience

CHILDSTORY REPORTER COMMUNITY

If a child is at immediate risk and police or medical assistance is required, educators/staff must contact emergency services immediately on 000.

Mandatory reporters in NSW should use the Mandatory Reporter Guide (MRG) if they have concerns that a child or young person is at risk of being neglected or physically, sexually or emotionally abused. The MRG assists in providing mandatory reporters with the most appropriate reporting decision. It is not designed to determine whether the matter constitutes risk of significant harm (ROSH). This is done at the Child Protection Helpline through the Screening and Response Priority (SCRPT) tool.

The MRG supports mandatory reporters to:

- determine whether a report to the Child Protection Helpline is needed for concerns about possible abuse or neglect of a child (including unborn) or young person
- identify alternative ways to support vulnerable children, young people and their families where a mandatory reporter's response is better served outside the statutory child protection system

It is recommended that mandatory reporters complete the MRG on each occasion they have risk concerns, regardless of their level of experience or expertise. Each circumstance is different, and every child and young person is unique.

The MRG provides eight different decision trees to assist reporters to match the concerns identified.

The decision trees include:

1. Physical abuse
2. Neglect, incorporates
 - a. Supervision
 - b. Shelter/environment
 - c. Food
 - d. Hygiene/clothing
 - e. Medical care
 - f. Mental health care
 - g. Education – not enrolled / habitual absence
3. Sexual abuse, incorporates
 - a. Abuse of a child
 - b. Abuse of a young person

- c. Problematic sexual behaviour toward others
- 4. Psychological harm
- 5. Danger to self or others
- 6. Relinquishing care
- 7. Carer concern, incorporates
 - a. Substance abuse
 - b. Mental health
 - c. Domestic violence
- 8. Unborn child

<https://reporter.childstory.nsw.gov.au/s/mrg>

Mandatory reporters will be provided with an outcome that advises on the best course of action. A *Decision Report* can be generated and kept on record at the service. Depending upon the outcome, reporters can submit a child protection report (eReport) directly through the *ChildStory Reporter Community* website or contact the Child Protection Helpline immediately on 132 111.

[see: *NSW Child Protection MRG Support Guide- Child Care Centre Desktop*]

IMPLEMENTATION

Our OSHC Service strongly opposes any type of abuse against a child and endorses high quality practices in relation to protecting children. Educators have an important role to support children and young people and to identify concerns that may jeopardise their safety, welfare, or wellbeing. To ensure best practice, all educators will attend approved Child Protection training certified by a registered training organisation. Educators will continue to maintain current knowledge of child protection and Mandatory Reporter requirements by completing Child Protection Awareness Training annually.

MANAGEMENT/NOMINATED SUPERVISOR WILL ENSURE:

- the Out of School Hours Service and any responsible person in day-to-day charge of the Service has successfully completed a course in child protection approved by the Regulatory Authority
- all OSCH educators', nominated supervisors and volunteers' Working with Children Checks (WWCC) are validated unless the person meets the criteria for exemption from a WWCC. See exemption factsheet from: <http://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check/apply>
- all employees and volunteers are:
 - provided with a copy of the current *Child Protection and Child Safe Environment Policies* as part of the induction process at the Service
 - aware of their mandatory reporting obligations and responsibilities to report suspected risk or significant risk of harm to the NSW Child Protection Helpline on 132 111
 - clear about their roles and responsibilities regarding child protection
 - aware of indicators showing a child may be at risk of harm or significant risk of harm.

- training and development are provided for all educators, staff, and volunteers in child protection on an annual basis
- educators are provided with a reporting procedure and professional standards to safeguard children and protect the integrity of educators, staff and volunteers
- [educators are provided with training and ongoing supervision to ensure they understand that child safety is everyone’s responsibility, and they adhere to the Child Safe Standards](#)
- access is provided to all staff regarding relevant legislations, regulations, professional standards to safeguard children and protect the integrity of educators, staff and volunteers
- records of abuse or suspected abuse are kept in line with our *Privacy and Confidentiality Policy*
- to notify the regulatory authority through the NQA-ITS (within 7 days) of any incident where it is reasonably believed that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
- to notify the regulatory authority through the NQA-ITS (within 7 days) of any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the Service
- to comply with legislation for Reportable Conduct Scheme and ensure the Office of the Children’s Guardian is notified within 7 business days of becoming aware of any allegations and/or convictions of abuse or neglect of a child made against an employee or volunteer and ensure they are investigated, and appropriate action taken. [7-day notification form](#)

EDUCATORS WILL:

- contact the police on 000 if there is an immediate danger to a child and intervene if it is safe to do so.
- be able to recognise indicators of abuse
- respect what a child discloses, taking it seriously and following up on their concerns through the appropriate channels
- comprehend they are mandatory reporters under the legislation and their requirement to report any situation where they believe on reasonable grounds that a child is at risk of significant harm to the Child Protection Helpline on 132 111 (available 24 hours/7 days a week)
- have completed online training to understand the child protection reporting process and use of the Mandatory Reporter Guide (MRG) <https://reporter.childstory.nsw.gov.au/s/mrg>
- complete the MRG on each occasion they have concerns about a child’s safety or wellbeing
- refer families to appropriate agencies where concerns of harm do not meet the threshold of significant harm. These services may be located through CWU (Child Wellbeing Units) or/and FRS

(Family Referral Services) at <https://www.familyconnectsupport.dcj.nsw.gov.au/> Family consent will be sought before making referrals.

- promote the welfare, safety, and wellbeing of children at the Service
- provide a child safe environment for all children
- prepare accurate records recording exactly what happened, conversations that took place and what was observed to pass on to the relevant authorities to assist with any investigation
- understand that allegations of abuse or suspected abuse against them are treated in the same way as allegations of abuse against other people
- NOT investigate suspicion of abuse or neglect but collect only enough information to substantiate concerns and pass on to the Child Protection Helpline or appropriate authority.

DOCUMENTING A SUSPICION OF HARM

If educators have concerns about the safety of a child, they will:

- seek guidance from the Nominated Supervisor/Director
- record their concerns in a non-judgmental and accurate manner as soon as possible
- record their own observations as well as precise details of any discussion with a parent (who may for example explain a noticeable mark on a child)
- not endeavour to conduct their own investigation
- document as soon as possible so the details are accurate including:
 - child's personal details (name, address, DOB, details of siblings)
 - time, date and place of the suspicion
 - full details of the suspected abuse
 - date of report and signature

[see: Child Protection Notification- Observation Record]

DOCUMENTING A DISCLOSURE

A disclosure of harm emerges when someone, including a child, tells you about harm that has happened or is likely to happen. When a child discloses that he or she has been abused, it is an opportunity for an adult to provide immediate support and comfort and to assist in protecting the child from the abuse. It is also a chance to help the child connect to professional services that can keep them safe, provide support and facilitate their recovery from trauma. Disclosure is about seeking support and your response can have a great impact on the child or young person's ability to seek further help and recover from the trauma.

When receiving a disclosure of harm, the OSHC Service will:

- remain calm and find a private place to talk
- not promise to keep a secret

- tell the child/person they have done the right thing in revealing the information but that they'll need to tell someone who can help keep the child safe
- only ask enough questions to confirm the need to report the matter because probing questions could cause distress, confusion and interfere with any later enquiries
- not attempt to conduct their own investigation or mediate an outcome between the parties involved.
- document as soon as possible so the details are accurately captured including:
 - time, date and place of the disclosure
 - 'word for word' what happened and what was said, including anything they said and any actions that have been taken
 - date of report and signature.

In addition, an educator receiving a disclosure from a child will:

- give the child or young person their full attention
- maintain a calm appearance
- reassure the child or young person it is right to tell
- accept the child or young person will disclose only what is comfortable and recognise the bravery/strength of the child for talking about something that is difficult
- let the child or young person take his or her time
- let the child or young person use his or her own words
- don't make promises that can't be kept. For example, never promise that you will not tell anyone else
- honestly tell the child or young person what you plan to do next
- do not confront the perpetrator.

CONFIDENTIALITY

It is important that any notification remains confidential, as it is vitally important to remember that no confirmation of any allegation can be made until the matter is investigated. The individual who makes the notification should not inform the suspected perpetrator (if known). This ensures the matter can be investigated without contamination of evidence or pre-rehearsed statements. It also minimises the risk of retaliation on the child for disclosing.

PROTECTION FOR REPORTERS

All reporters are protected against retribution for making or proposing to make a report under amendments to the Children and Young Persons (Care and Protection) Act 1998 effective 1 March 2020. The identity of the reporter is protected by law from being disclosed, except in certain exceptional circumstances. Provided the report is made in good faith:

- the report will not breach standards of professional conduct
- the report cannot lead to defamation and civil and criminal liability

- the report is not admissible in any proceedings as evidence against the person who made the report
- a person cannot be compelled by a court to provide the report or disclose its contents
- the identity of the person making the report is protected.

A report is also an exempt document under the Freedom of Information Act 1989.

SHARING OF INFORMATION

Chapter 16A of the [NSW Children and Young Person \(Care and Protection\) Act 1998](#) provides for the exchange of information and cooperation between prescribed bodies, if the information relates to the safety, welfare or wellbeing of a child or young person.

Sharing personal information about children and their families must be lawful, which means either gaining consent, or working within relevant legislation. Information sharing by consent, where possible, is important to meaningful work with families to facilitate change. Consent may be obtained verbally or in writing; however, you should not seek consent if doing so might compromise the safety of a child or any other person.

Information can only be shared between prescribed bodies. Prescribed bodies or organisations include:

- **NSW Police**
- public service agencies or public authorities
- private and public schools, and TAFE establishments
- health care providers
- OOHC providers
- organisations that have direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children’s services, residential services or law enforcement, wholly or partly to children or their parent/s.

To provide or request information it must relate to the safety, welfare or wellbeing of a particular child or class of children. The information must be for the purposes of assisting a prescribed body to:

- make any decision, assessment or plan or to initiate or conduct any investigation, or to provide any service, relating to the safety and welfare of the child or class of children, or
- manage any risk to the child or class of children that might arise in the prescribed body’s capacity as an employer or designated agency.

NSW Health has developed templates and resources [Fact Sheets](#) regarding sharing of information relating to Child Protection with other professionals.

BREACH OF CHILD PROTECTION POLICY

All educators and staff working with children have a duty of care to support and protect children. A duty of care is breached if a person:

- does something that a reasonable person in that person’s position would not do in a particular situation
- fails to do something that a reasonable person in that person’s position would do in the circumstances

- acts or fails to act in a way that causes harm to someone the person owes a duty of care.

MANAGING A BREACH IN CHILD PROTECTION POLICY

Management will investigate the breaches in a fair, unbiased and supportive manner by:

- discussing the breach with all people concerned and advising all parties of the process
- giving the educator/staff member the opportunity to provide their version of events
- documenting the details of the breach, including the versions of all parties
- recording the outcome clearly and without bias
- ensuring the matters in relation to the breach are kept confidential
- reach a decision based on discussion and consideration of all evidence.

OUTCOME OF A BREACH IN CHILD PROTECTION POLICY

Depending on the nature of the breach outcomes may include:

- emphasising the relevant element of the child protection policy and procedure
- providing closer supervision
- further education and training
- providing mediation between those involved in the incident (where appropriate)
- disciplinary procedures if required
- reviewing current policies and procedures and developing new policies and procedures if necessary.

REPORTABLE CONDUCT SCHEME- ALLEGATIONS AGAINST EDUCATORS AND OTHER EMPLOYEES, VOLUNTEERS or STUDENTS (or contractors)

The Approved Provider has the legislative obligation under the *Reportable Conduct Scheme* to notify the Office of the Children’s Guardian of reportable allegations and convictions against their employees (including volunteers and contractors), investigate the allegation and advise the Office of the outcome. In addition, the Approved Provider must take appropriate action to prevent reportable conduct by employees.

All educators and staff members of our FDC Service have an obligation to report relevant allegations of a child protection nature as part of the Reportable Conduct Scheme to the Approved Provider or OCG. This reportable conduct may have occurred either within work hours or outside work hours. A child is anyone under the age of 18 at the time of the alleged conduct occurred.

In addition, the Approved Provider must take appropriate action to prevent reportable conduct by employees. The *Children’s Guardian Act 2019*, effective 1 March 2020, defines the head of an organisation as a ‘relevant entity’. An approved education and care service is listed at Schedule 1 of the Act as an ‘entity’.

The Approved Provider must notify the Children’s Guardian within seven (7) business days and conduct an investigation into the allegations. [7-day notification form Reportable Conduct Directorate: \(02\) 8219 3800. \(Monday – Friday\)](#). A final report of the investigation must be ready to submit within 30 calendar days or provide information about the progress of the investigation to the Children’s Guardian. [30 Day interim report form](#)

The Approved Provider must send a report to the *Office of the Children's Guardian* that enables the Office of the Children's Guardian to determine whether the investigation was completed satisfactorily and whether appropriate action was or can be taken. The Approved Provider must ensure an appropriate level of confidentiality of information relating to the reportable allegations as per the Act or other legislation. The heads of relevant entities have obligations under section 57 of the Act to disclose 'relevant information' to the following persons unless they are satisfied that the disclosure is not in the public interest:

- a child to whom the information relates
- a parent of the child
- if the child is in out-of-home care- an authorised carer that provides out-of-home care to the child.

[See: <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/reportable-conduct-scheme/fact-sheets> for further information.]

The Children's Guardian will monitor the entity's response and may conduct their own investigation. The Children's Guardian Act 2019 defines reportable conduct as:

- a sexual offence has been committed against, with or in the presence of a child
- sexual misconduct with, towards or in the presence of a child
- ill-treatment of a child
- neglect of a child
- an assault against a child
- behaviour that cause significant emotional or psychological harm to the child

see: <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/training-and-resources/webinars-and-face-to-face-training> for further information and training

EDUCATING CHILDREN ABOUT PROTECTIVE BEHAVIOUR

Our program will educate children

- about acceptable and unacceptable behaviour, and what is appropriate and inappropriate contact at an age-appropriate level and understanding
- about their right to feel safe at all times
- to say 'no' to anything that makes them feel unsafe or uncomfortable
- about how to use their own knowledge and understanding to feel safe
- to identify feelings that they do not feel safe
- the difference between 'good' and 'bad' secrets
- that there is no secret or story that cannot be shared with someone they trust
- that educators are available for them if they have any concerns
- to tell educators of any suspicious activities or people
- to recognise and express their feelings verbally and non-verbally
- that they can choose to change the way they are feeling.

RESOURCES FOR INDICATORS OF ABUSE AND NEGLECT

Childcare Centre Desktop- *NSW Child Protection MRG Support Guide*

Child Safe Organisations <https://childsafeforhumanrights.gov.au>

NAPCAN- Prevent Child Abuse & Neglect <https://www.napcan.org.au/napcan-brochures/>

NSW Department of Education Child Protection- Responding to harm

<https://education.nsw.gov.au/student-wellbeing/child-protection/child-protection-policy-guidelines/resources>

NSW Government Communities & Justice [ChildStory](#)

[ChildStory Reporter Community](#)

[Office of the Children’s Guardian](#)

Office of the Children’s Guardian [Child Safe Standards training and resources](#)

[Child Protection Reporting: Overview of legislative amendments \(NSW\) 2020](#)

SOURCE

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Child Protection (Working with Children) Act 2012

Children and Young Persons (Care and Protection) Act 1998

ChildStory Reporter: <https://reporter.childstory.nsw.gov.au/s/>

Early Childhood Australia Code of Ethics. (2016).

Education and Care Services National Law Act 2010. (Amended 2018).

[Education and Care Services National Regulations](#). (2011).

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).

Guide to the National Quality Framework. (2017). (amended 2020).

NSW Government Communities & Justice. (2019). [Mandatory reporters: What to report and when](#)

NSW Government Communities & Justice. Child Protection Reporting: [Overview of legislative amendments](#)

NSW Government Communities & Justice. [Information sharing for service coordination](#)

NSW Government. Department of Health. Child Protection and Wellbeing. [Information exchange for safety, welfare and wellbeing of children and young people](#)

NSW Government Legislation [Children’s Guardian Act 2019](#)

NSW Government Legislation [The Commission for Children and Young People Act 1998](#)

NSW [Office of the Children’s Guardian](#)

Ombudsman Act 2001.

Revised National Quality Standard. (2018).

REVIEW

POLICY REVIEWED BY:	Rachel Camillo	Area Manager	8 th August 2022
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POLICY REVIEWED	August 2022	NEXT REVIEW DATE	AUGUST 2023
MODIFICATIONS	<ul style="list-style-type: none"> • Policy rewritten specifically for NSW OSHC Services • additional information re: sharing of information included • content rearranged to ensure consistency and understanding • updated possible signs of abuse or neglect from Department of Communities & Justice <p>links and resources updated</p>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
AUGUST 2020	<ul style="list-style-type: none"> • Minor edits • Additional regulations included <p>Links checked and edits highlighted</p>	AUGUST 2021	
MARCH 2020	<p>Modifications to comply with NSW Reportable Conduct Scheme and changes to legislation- <i>Children's Guardian Act 2019</i></p> <p>Additional information added (highlighted)</p> <ul style="list-style-type: none"> ○ re-write of some content for ease of flow and relevance 	AUGUST 2020	

Sign in/out Policies & Procedures

DELIVERY OF CHILDREN TO, AND COLLECTION FROM EDUCATION AND CARE

SERVICE PREMISES

Under the *Education and Care Services National Regulations* the approved provider must ensure that policies and procedures are in place for the delivery of children to, and collection from, service premises and take reasonable steps to ensure those policies are followed. (ACECQA 2021).

Arrival and departure times are planned to promote a smooth transition between home and our Service for before and after school care, and vacation care. The opportunity to build secure, respectful and reciprocal relationships between children and families is promoted during arrival and departure times where educators have the opportunity to engage in conversations with families and support each child's well-being.

To ensure the health and safety of children at our Service, our *Arrival and Departure Policy* is strictly adhered to, allowing only nominated authorised persons to collect children at any time throughout the day. The daily sign in and out register is not only a legally required document to record children's attendance as per National Law and Regulations but is also used as a record of the children on the premises should an emergency evacuation be required to be implemented.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.1.1	Wellbeing and comfort	Each child's wellbeing and comfort is provided for, including appropriate opportunities to meet each child's needs for sleep, rest and relaxation.
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
84	Awareness of child protection law
86	Notification to parents of incidents, injury, trauma and illness
87	Incident, injury, trauma and illness record
99	Children leaving the education and care service premises
100	Risk assessment must be conducted before excursion
102	Authorisations for excursions
102C	Conduct of risk assessment for transporting children by education and care service
102D	Authorisation for service to transport children
122	Educators must be working directly with children to be included in ratios
157	Access for parents
158	Children's attendance record to be kept by approved provider
160	Child enrolment records to be kept by approved provider and family day care educator
161	Authorisations to be kept in enrolment record
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
173	Prescribed information to be displayed
176	Time to notify certain information to Regulatory Authority
177	Prescribed enrolment and other documents to be kept by approved provider
S162 (A)	Persons in day-to-day charge and nominated supervisors to have child protection training
S165	Offence to inadequately supervise children
S167	Offence relating to protection of children from harm or hazard
S170	Offence relating to unauthorised persons on education and care service premises

PURPOSE

We aim to ensure the protection and safety of all children, staff members, and families accessing the Service. Educators and Staff will only release children to an authorised person as named by the parent/guardian on the individual child's enrolment form.

SCOPE

This policy applies to children, families, staff, management, and visitors of the OSHC Service.

IMPLEMENTATION

Guidelines for delivery and collection of children are put in place to ensure the health, safety and wellbeing of each individual child.

As part of our Risk Management process, our Service *may* introduce explicit control measures to minimise the risk of spreading infectious diseases/viruses such as coronavirus (COVID-19). Our risk assessment may result in changes to our *Arrival and Departure Policy* and are based on mitigating risks following the recommendations made by the Australian Health Protection Principal Committee (AHPPC), Safe Work Australia and the Department of Health. Control measures and changes to policies are reviewed in consultation with staff members and communicated clearly to parents, families and visitors.

THE APPROVED PROVIDER/NOMINATED SUPERVISOR/RESPONSIBLE PERSON WILL ENSURE:

- adequate supervision is provided when children arrive and depart the service premises
- relevant educator to child ratios are adhered to at all times
- accurate attendance records are kept
- children only leave the education and care premises in the care of a parent or authorised person or in accordance with written authorisation as per Regulation 99
- enrolment records are kept for each child enrolled in the Service including the name, address and contact details of
 - any emergency contacts
 - any authorised nominee
 - any person authorised to consent to medical treatment or administration of medication
 - any person authorised to give permission to the educator to take the child off the premises
 - any person who is authorised to authorize the education and care service to transport the child or arrange transportation

- details of any court order, parenting orders or parenting plan
- authorisations for the service to take the child on regular outings
- authorisations for the service to take the child on regular transportation
- any medical management plan, anaphylaxis medical management plan or risk minimisation plan
- [should any serious incident occur, an Incident, injury, trauma or illness record must be completed \(see Incident, Injury, Trauma and Illness Policy and Procedure\)](#)
- in the case of a serious incident occurring, the regulatory authority must be notified within 24 hours through the [NQA IT System](#)
- all new educators and staff are provided with an induction to the Service including an understanding of this policy
- all educators and staff are provided with procedures and training on how they will verify the identity of an authorised nominee, or a person authorised by the parent or authorised nominee to collect the child (including procedures of what to do when an unauthorised person attempts to collect a child)

ARRIVAL AT SERVICE

Our OSHC Service has an obligation to ensure the health and safety of employees, children and visitors in our workplace, so far as reasonably practicable. Our OSHC Service has implemented the following measures:

- any person who is displaying symptoms such as: fever, coughing, sore throat, fatigue and shortness of breath should not attend our Service under any circumstance.
- a designated area for drop off/ pick up will be clearly indicated
- signage clearly indicates the requirement of all adults to adhere to physical distancing requirements (1.5 metres)
- children will be welcomed outside our OSHC Service by an educator and a non-contact device used to sign their child into the Service or parents are asked to bring their own pen to sign their child into the service
- the device will be disinfected between use
- all children need to be signed in by an authorised person. Note: the signing in of a child is verification of the accuracy of the attendance record. Information required on the register includes the child's name, the date and time and the signature of the person dropping off the child
- the parent/authorised nominee must also advise staff who will be collecting the child/children
- families will be reminded to sign their child/children into the OSHC Service and will be encouraged to do so immediately upon arrival to avoid forgetting

- should families forget to sign their child/children in, National Regulations require the Nominated Supervisor or an educator to sign the child in
- sign in sheets/attendance records are to be used as a record in the case of an emergency to account for all children
- children are to be sighted by an educator before the parent or person responsible for the child leaves. This ensures that the educator is aware that the child has arrived and is in the building.
- a child's medication needs, or any other important or relevant information should be passed on to one of the child's educators by the person delivering the child
- the educator will check that the family has completed an *Administration of Medication Record* and store the medication appropriately, away from children's reach
- in order for children to feel secure and safe, it is important that children and families are greeted upon arrival by a member of staff and have the chance to say goodbye to the person dropping them off
- in the case of a separated family, either biological parent is able to add a contact in writing unless a court order is provided to the Nominated Supervisor stating that one parent has sole custody and responsibility.

DELIVERY TO SCHOOL

Educators and staff will ensure:

- all children and adults wash their hands as per our *Handwashing Policy* prior to leaving the OSHC Service
- children will be signed out of the OSHC Service and escorted to the designated before-school play area where the teacher on playground duty will be advised of their arrival
- social distancing requirements between adults will be adhered to
- all children with additional needs (as required) will then be escorted to their classroom and supported as required to put their bag away
- children will not be escorted to school until a teacher is on playground duty.

COLLECTION FROM SCHOOL

- an educator will collect all children with additional needs (as required) from their classroom and advise the classroom teacher/s that they have been collected, before escorting them to the OSHC Service and signing them in
- children in first to sixth grade will make their way to the designated collection point and be signed in by educators

- the educator/s collecting children from school classrooms will carry a mobile phone and a copy of the children's emergency contact details
- all children will be required to wash their hands upon arrival into the Service
- in the case of an emergency, where the parent or a previously authorised contact is unable to collect the child, the parent or person responsible for the child (as listed on enrolment form as having a parenting role) may telephone the service and arrange an alternative person to pick up the child. This contact must then be confirmed in writing to the Service.

ABSENT OR MISSING CHILDREN

- parents must advise the OSHC Service staff as early as possible of their child/children's absence from school
- if a child has not arrived at the OSHC Service and the parent has not contacted the service to advise of the child/children's absence 15 minutes prior to children being escorted to school, an educator will contact the parent to clarify and confirm the situation
- if a child is collected from the school early due to illness or other reasons the parent must notify the OSHC Service, using the service's telephone message bank if the service is unattended
- if a child does not arrive at the OSHC Service at the expected time an educator will:
 - ask children in the school playground if they have seen the child or know where he/she is (phone parents to confirm if children say the child left school early)
 - ask the child's teacher and/or office staff if they know of the child's whereabouts
 - ring the child's parent/s to enquire if they know of their child's whereabouts
 - if parents believe the child should be at school, educators will search the school classrooms and premises with the assistance and permission of classroom teachers and any available authorised persons
 - the educator will immediately contact the school principal or delegate
 - if the child cannot be found during this search, the child must be considered missing.
 - *if the parents have been contacted and the child is subsequently found, the educator must immediately contact the parents to let them know.*

MISSING CHILDREN

If a child is considered missing, an educator or staff member will:

- Contact the police by dialling **000**
- Contact the child's parents
- Contact the school to inform them of the missing child
- Ensure that other children waiting to be transported to the Service remain appropriately supervised

- Notify the regulatory authority within 24 hours of becoming aware of a serious incident

DEPARTURE FROM OSHC SERVICE

- consideration should be given for outdoor programs each afternoon to allow families to pick up children outside due to COVID-19 physical distancing requirements and hygiene procedures
- Children may only leave the OSHC Service premises if the child leaves:
 - in accordance with the written authorisation of the child’s parent or authorised nominee named in the enrolment record; or
 - taken on an excursion or on transportation provided or arranged by the OSHC Service with the written authorisation of the child’s parent or authorised nominee; or
 - given into the care of a person or taken outside the premises; or
 - because the child requires medical, hospital or ambulance care or treatment; or
 - because of another emergency (evacuation due to bush fire, flood)
- in the case of an emergency, where the parent/guardian or a previously authorised nominee is unable to collect the child, the parent or person responsible for the child (as listed on enrolment form as having a parenting role) may telephone the service and arrange an alternative person to pick up the child. This contact must then be confirmed in writing to the Service (email, text, or letter).
- parents/guardians are to advise their child’s educator if someone different is picking up their child, both verbally and on the sign in/out sheet. This person is to be named on the enrolment form or added in writing to Management as an authorised nominee for the child.
- photo identification must be sighted by a Primary Contact Educator before the child is released. If educators cannot verify the person’s identity, they may be unable to release the child into that person’s care, even if the person is named on the enrolment form.
- all children must be signed out by their parent (or a person authorised by the parent-authorized nominee) when the child is collected from our Service including each child’s name, date and time they depart. If the parent or other person forgets to sign the child out, they will be signed out by the Nominated Supervisor or educator.
- children must be signed out on the same sheet that they were signed in on
- educators must use hand sanitiser between child collections
- no child will be withheld from an authorised contact or biological parent named on the enrolment form unless a current court order is on file at the OSHC Service
- in the case of a particular person (including a biological parent) being denied access to a child, the service requires a written notice (court order) from a court of law.

- educators will attempt to prevent that person from entering the service and taking the child; however, the safety of other children and educators must be considered
- educators will not be expected to physically prevent any person from leaving the service
- in such cases, the parent with custody will be contacted along with the local police and appropriate authorities
- where possible the educator will provide police with the make, colour, and registration number of the vehicle being driven by the unauthorised person, and the direction of travel when they left the Service
- a court order overrules any requests made by parents to adapt or make changes
- in the case of a serious incident occurring, as described above, the regulatory authority must be notified within 24 hours through the [NQA IT System](#)
- nominated supervisors will ensure that the authorised nominee pick-up list for each child is kept up to date. It is our policy that we do not allow anyone under the age of 18 to collect children.
- if the person collecting the child appears to be intoxicated or under the influence of drugs, and educators feel that the person is unfit to take responsibility for the child, educators will:
 - discuss their concerns with the person, without the child being present if possible, and
 - suggest they contact another parent or authorised nominee to collect the child
 - follow procedures to protect the safety of children and staff of the education and care service as per Child Protection Law and Child Protection Policy
 - contact the Police and other regulatory authorities (Child Protection Hotline 132 111)
 - if an authorisation to collect a child is refused by the Service, it is best practice to document the actions for evidence to authorities (refer to *Refusal of Authorisation Record*).
- at the end of each day educators will check indoor and outdoor premises including all rooms and storage rooms, beds and cots, and storage sheds to ensure that no child remains on the premises after the service closes
- children may leave the premises in the event of an emergency, including medical emergencies as outlined in our *Emergency Evacuation Policy*
- details of absences during the day will be recorded.

DELIVERY AND COLLECTION OF CHILDREN DURING VACATION CARE

During periods of Vacation Care, policies and procedures will be followed as per *Arrival at Service*, and *Departure from Service*.

VISITORS

- to ensure we can meet Work Health and Safety requirements and ensure a child safe environment, individuals visiting our Service must sign in when they arrive at the service and sign out when they leave. It is also a requirement of the National Regulations that Visitors are not left alone with children at any time.
- to minimise the risk of exposure to COVID-19, our service may restrict the number of visitors to our service including students on work placements, volunteers, additional family members, delivery of goods or contractors
- signage will clearly indicate who is permitted to enter the OSHC Service
- signage will alert all adults to adhere to physical distancing requirements
- all visitors must adhere to our *Handwashing Policy* and wash their hands upon arrival and departure of the OSHC Service

LATE COLLECTION OF CHILDREN

- instruction to parents; *“Please remember that our Educators have families to go home to and their own children to collect by a designated time. If you are late to collect your child an educator have to stay behind and therefore both have to be paid overtime. To cover this, a late fee may be applied”.*
- if parents/guardians know that they are going to be late, they must notify the Service. If possible, they should make arrangements for someone else to collect their child
- if they have not arrived by closing time, the Service will attempt to contact them via phone. If parents/authorised persons are unable to be contacted the Nominated Supervisor will call alternative contacts as listed on the enrolment form to organise collection of the child
- due to licensing and insurance purposes, if by closing time neither the parent or any of the authorised contacts are available or contactable, the Service may need to contact the police and other relevant authorities.
- if the child is taken to an alternative safe location for example: Police Station, a sign will be displayed at the Service notifying parents/guardian of the child’s whereabouts. If this occurs, the Service will be obligated to contact relevant Child Protection Agencies and notify the Regulatory Authority.
- where families are continually late to collect children, a *Late Collection of Children letter* will be presented to parents/guardians
- should this non-compliance continue, the service reserves the right to terminate a child’s enrolment.

SOURCE

Australian Children’s Education & Care Quality Authority. (2014).
 Australian Children’s Education & Care Quality Authority (ACECQA). 20201. Policy and Procedure Guidelines. *Delivery to, and Collection from Education and Care Services*.
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 Guide to the National Quality Standard. (2020).
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 Revised National Quality Standard. (2018).
 Safe Work Australia (2020)

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	OCTOBER 2021/JAN 2022	NEXT REVIEW DATE	JANUARY 2023
MODIFICATIONS	<ul style="list-style-type: none"> • Policy reviewed to align with Policy Guidelines from ACECQA August 2021 • Additional section added for Approved Provider/Nominated Supervisor/Responsible Person roles • minor edits to reflect changes to ECEC services re: COVID-19- statements in red must be contextualised to each OSHC service. • Policy reviewed Jan 2022 as part of annual review. 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
JANUARY 2021	<ul style="list-style-type: none"> • review of policy regarding COVID-19 restrictions/guidelines for ECEC services- statements in red may be adjusted to suit individual services in each state/territory • sources checked for currency • minor editing 	JANUARY 2022	
JUNE 2020	<ul style="list-style-type: none"> • addition to introduction of policy • updated to include risk mitigation measures for arrival and departure due to COVID-19 • additional hygiene procedures added- re handwashing • additional related policies 	JANUARY 2021	
JANUARY 2020	<ul style="list-style-type: none"> • Additional relevant regulations added • Related policies updated • Late Collection information added and reworded 	JANUARY 2021	

	<ul style="list-style-type: none"> Sources checked for currency 	
JANUARY 2019	<ul style="list-style-type: none"> Introductory statement added Additional information added to points. Duplicated information deleted. Rearranged the order of points for better flow Points added (Highlighted). Sources/references alphabetised. 	JANUARY 2020
JANUARY 2018	<ul style="list-style-type: none"> Minor changes made to support compliance Related policy section added 	JANUARY 2019

CHILDREN'S ARRIVAL PROCEDURE

To ensure the health and safety of children at our Out of School Hours Care (OSHC) Service, our *Arrival and Departure Policy* is strictly adhered to allowing a child to be collected by a parent or person authorised by a parent or authorised nominee named on the child's enrolment form. (Regulation 99). The daily sign in and out register is not only a legally required document to record children's attendance as per National Law and Regulations, but also used as a record of the children on the premises should an emergency evacuation be required to be implemented.

Working in conjunction with the *Arrival and Departure Policy*, this procedure provides steps for educators to ensure children are released only to an authorised person as named by the parent/guardian on the individual child's enrolment form.

Education and Care Services National Law or Regulations (R. 84, 99, 157, 158, 160, 173, 176, 177 and S162(a)) NQS QA 2: Element 2.1.1, 2.2.1, 2.2.2 and 2.1.3 Health practices and procedures
Related Policy: Arrival and Departure Policy

STEP 1: HEALTH AND SAFETY CONSIDERATIONS		
1	Any person or child who is displaying symptoms such as: fever, coughing, sore throat, fatigue and shortness of breath should not attend our Service under any circumstance	
2	Parents and visitors are currently NOT permitted to enter our OSHC Service unless this is prearranged with the Approved Provider/Nominated Supervisor (collection of a sick child, interview for enrolment)	

3	A designated area for drop off/ pick up will be clearly indicated and communicated to families	
4	Signage clearly indicates the requirement of all adults to adhere to physical distancing requirements (1.5 metres)	
5	Children will be welcomed outside our OSHC Service by an educator and a non-contact device used to sign their child into the service or parents are asked to bring their own pen to sign their child into the Service	
6	Children are required to wash their hands upon arrival or use the hand sanitiser provided	
7	Due to enhanced safety and hygiene measures to mitigate the risk of COVID-19, interactions with any educators or service staff will be limited and physical distancing will be adhered to at all times between adults <ul style="list-style-type: none"> • should families require longer conversations regarding their child's care, these should be conducted via phone or email where possible 	

STEP 2: RECORD OF ATTENDANCE

1	Attendance records will include: <ul style="list-style-type: none"> • the child's full name • actual attendance times including arrival and departure • date • name and signature of the person delivering and collecting the child 	
2	Families will be reminded to sign their child/children into the OSHC Service either electronically or by written authorisation and will be encouraged to do so immediately upon arrival to avoid forgetting	
3	Should families forget to sign their child/children in, National Regulations require an educator or the Nominated Supervisor to sign the child in	
4	The attendance record, electronic or hard copy, are to be used as a record in the case of an emergency evacuation or lockdown to account for all children present at the service	
5	Attendance records will be reviewed at various points throughout the day/session to check all children are accounted for	
6	Any child who is absent on a particular day/session will be marked absent by the Nominated Supervisor/responsible person/educator [manually or electronically]	

STEP 3: DELIVERY OF CHILDREN AT THE SERVICE BY PARENT/AUTHORISED NOMINEE: BEFORE SCHOOL CARE AND VACATION CARE

1	Children are to be sighted by an educator before the parent or person responsible for the child leaves. This ensures that the educator is aware that the child has arrived and is in the premises	
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2	A child's medication needs, or other important or relevant information should be passed on to one of the child's educators by the person delivering the child The educator will check that the family has completed an <i>Administration of Medication Record</i> and store the medication in a secure and locked location	
3	A member of staff will greet each child and families in order for children to feel secure and safe	
4	Children will be provided with the opportunity to say goodbye to the person dropping them off	
5	Child will be provided with a space to store their bag/belongings.	

ARRIVAL OF CHILDREN: AFTER SCHOOL CARE

1	An educator/s will collect all children with additional needs (as required) from their classroom and advise the classroom teacher/s that they have been collected, before escorting them to the Service and signing them in	
2	Children in first to sixth grade will make their way to the Service and be signed in by educators	
3	The educator/s collecting children from school classrooms will carry a mobile phone or two-way radio and a copy of the children's emergency contact details	
4	All children will be required to wash their hands upon arrival to the Service	
5	Upon completion of signing in all the children the educator will review the attendance roll and follow-up on the whereabouts of any children not signed in by following the steps below: <ul style="list-style-type: none"> ○ ask children from the child's class if they have seen the child or know of their whereabouts (phone parents of child to confirm) ○ ask the child's teacher and/or office staff if they know of the child's whereabouts ○ phone the child's parent/s to confirm that their child should be attending the OSHC service ○ if parents believe the child should be at school/OSHC, educators will search the school classrooms and premises with the assistance and permission of classroom teachers and any available authorised persons ○ the educator will immediately notify the school principal ○ if the child cannot be found during this search, the child must be considered missing. 	

	<ul style="list-style-type: none"> ○ if the child is located (during this search) the educator/responsible person must immediately contact the parents to inform them that their child has been located. 	
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MISSING CHILDREN: If a child is considered missing the responsible person will:		
1	Contact the police by dialling 000	
2	Contact the child's parents informing them of what procedures have been applied. Reassure the parent and support them to remain calm	
3	Contact the school to inform them of the missing child and that the police have been notified	
4	Ensure that other children waiting to be transported to the Service remain appropriately supervised	
5	Notify the regulatory authority of the incident (within 24 hours)	

CHILDREN'S DEPARTURE PROCEDURE

To ensure the health and safety of children at our Out of School Hours Care (OSHC) Service, our *Arrival and Departure Policy* is strictly adhered to allowing a child to be collected by a parent or person authorised by a parent or authorised nominee named on the child's enrolment form. (Regulation 99). The daily sign in and out register is not only a legally required document to record children's attendance as per National Law and Regulations, but also used as a record of the children on the premises should an emergency evacuation be required to be implemented.

Working in conjunction with the *Arrival and Departure Policy*, this procedure provides steps for educators to ensure children are released only to an authorised person as named by the parent/guardian on the individual child's enrolment form.

Education and Care Services National Law or Regulations (R. 84, 99, 102, 102D, 157, 158, 160, 173, 176, 177 and S162(a)) NQS QA 2: Element 2.1.1, 2.2.1, 2.2.2 and 2.1.3 Health practices and procedures
Related Policy: Arrival and Departure Policy

STEP 1: AUTHORISATION OF COLLECTION OF CHILDREN

1	Parents/authorised nominee must advise staff who will be collecting the child/children in writing as per the <i>Acceptance and Refusal Policy</i>	
2	Parents are to advise their child's educator if someone different is picking up their child, both verbally and in writing, either via email or letter. This person is to be named on the enrolment form or added in writing to the Responsible Person as an authorised nominee or authorised person for the child	
3	In the case of a separated family, either biological parent is able to add a contact in writing unless a court order is provided to the Director/Nominated Supervisor stating that one parent has sole custody and responsibility	
4	No child will be withheld from an authorised contact or biological parent named on the enrolment form unless a current court order is on file at the Service	
5	In the case of a particular person (including a biological parent) being denied access to a child, the Service requires a written notice (court order) from a court of law <ul style="list-style-type: none"> • educators will attempt to prevent that person from entering the Service and taking the child however, the safety of other children and educators must be considered • educators will not be expected to physically prevent any person from leaving the Service • in such cases, the parent with custody will be contacted along with the local police and appropriate authorities • where possible the educator will provide police with the make, colour, and registration number of the vehicle being driven by the unauthorised person, and the direction of travel when they left the Service • educators will provide a description of the person to the police- including their clothing, gender, height and a description of the child's clothing • a court order overrules any requests made by parents to adapt or make changes. For the protection of the children and educators, parents are asked not to give our front door code to anyone other than those absolutely necessary 	
6	In the case of a serious incident occurring, as described above, the regulatory authority must be notified within 24 hours through the <u>NQA IT System</u>	
7	The Nominated Supervisor/responsible person will ensure that the authorised nominee pick-up list for each child is kept up to date. It is our policy that we do not allow anyone under the age of 18 to collect children from the Service	
8	Children may only leave the Service premises if the child: <ul style="list-style-type: none"> • is given into the care of a parent of the child, or • into the care of an authorised nominee named in the child's enrolment record, or • given into the care of a person authorised by a parent or authorised nominee named in the child's enrolment record, or • is taken on an excursion with written authorisation, or • given into the care of a person or taken outside the premises because the child requires medical, hospital or ambulance care or treatment; or because of another emergency (evacuation due to bush fire, flood) 	

STEP 2: RELEASING CHILDREN TO AUTHORISED NOMINEE

1	Photo identification must be sighted by a Primary Contact educator before the child is released. If educators cannot verify the person's identity, they may be unable to release the child into that person's care, even if the person is named on the enrolment form	
2	All children must be signed out by their parent (or a person authorised by the parent) when the child is collected from our Service. If the parent or other person forgets to sign the child out, they will be signed out by an educator/ Nominated Supervisor	
3	Electronic devices used to sign children out of the Service will be disinfected between use/ pens must be wiped with a disinfectant wipe between uses or parents are requested to use their own pen	
4	Two (2) educators will complete a security check at the end of the day including physically checking the Service for any children and ensuring all children have been signed out on the attendance record	

STEP 3: HEALTH AND SAFETY CONSIDERATIONS

1	<p>If the person collecting the child appears to be intoxicated or under the influence of drugs, and educators feel that the person is unfit to take responsibility for the child, educators will:</p> <ul style="list-style-type: none"> • discuss their concerns with the person, without the child being present if possible, and • suggest they contact another parent or authorised nominee to collect the child • follow procedures to protect the safety of children and staff of the education and care service as per Child Protection Law and Child Protection Policy • contact the Police and other regulatory authorities <ul style="list-style-type: none"> ○ Child Protection Hotline NSW 132 111 ○ Child Protection Vic (after hours) 1312 78 ○ Child Safety QLD 1300 682 254 ○ Territory Families NT 1800 700 250 ○ Government Community Services 1300 556 728 ○ Child Protection SA 131 478 ○ Child Safety TAS 1800 000 123 ○ Department of Communities 1800 273 889 ○ Communities and Justice- <u>Child Protection Reporting</u> • If an authorisation to collect a child is refused by the Service, it is best practice to document the actions for evidence to authorities (refer to <i>Refusal of Authorisation Record</i>) 	
2	<p>At the end of each day two (2) educators will check indoor and outdoor premises including all rooms and storage rooms, bathrooms, beds, and storage sheds to ensure that no child remains on the premises after the Service closes</p>	
3	<p>A designated area for pick up will be clearly indicated</p>	
4	<p>Signage clearly indicates the requirement of all adults to adhere to physical distancing requirements (1.5 metres)</p>	

STEP 4: LATE COLLECTION OF CHILDREN

1	<p>Parents/authorised persons are requested to arrive to collect their child/children by service closing time as per service approval.</p>	
2	<p>Parents are provided with late collection fee structure upon enrolment</p>	
3	<p>If parents/guardians know that they are going to be late, they must notify the Service. If possible, they should make arrangements for someone else to collect their child.</p>	
4	<p>If they have not arrived by closing time the Service will attempt to contact them via phone. If parents/authorised persons are unable to be contacted the Nominated Supervisor/Responsible Person will call alternative contacts as listed on the enrolment form to organise collection of the child.</p>	

6	Due to licensing and insurance purposes, if by 6pm neither the parent or any of the authorised nominee are available or contactable, the Service may need to contact the police and other relevant authorities (see: Communities and Justice) to assist in contacting parents/guardian.	
7	If the child is taken to an alternative safe location for example: Police Station, a sign will be displayed at the Service notifying parents/guardian of the child's whereabouts. If this occurs, the Service will be obligated to contact Communities and Justice and notify the Regulatory Authority	
8	Where families are continually late to collect children, a Late Collection of Children letter will be presented to parents/guardians	
9	Should this non-compliance continue, the Service reserves the right to terminate a child's enrolment.	

STEP 5: IN AN EMERGENCY SITUATION

1	In the case of an emergency, (because the child requires medical, hospital or ambulance care or treatment), where the parent or a previously authorised nominee (as indicated in the child's enrolment form) is unable to collect the child, the parent or person responsible for the child (as listed on enrolment form as having a parenting role) may telephone the Service and arrange an alternative person to pick up the child. This contact must then be confirmed in writing to the Service (email, text or letter) by the parent/guardian.	
2	Children may leave the premises in the event of an emergency, including medical emergencies as outlined in our Emergency Evacuation Policy	
3	Sign in sheets or attendance reports are to be used as a record in the case of an emergency to account for all children present at the Service	

Transporting Children Policies and Procedures

EXCURSION/INCURSION POLICY

Under the Education and Care Services National Regulations the approved provider must ensure policies and procedures are in place for managing excursions (Reg. 168) and take reasonable steps to ensure policies and procedures are followed.

Excursions/incursions enhance children’s learning by providing them the opportunity to participate in curriculum planned activities and experiences to extend on their skills and knowledge in the current interest topic. Our OSHC Service recognises that excursions provide opportunities for children to explore the wider community as a group and extend on the educational program provided.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
2.2	Safety	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.1	Supervision	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
2.2.2	Incident and emergency management	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS	
4 (1)	Definition regular outing
89	First Aid Kits
90	Medical conditions policy
97	Emergency and evacuation procedures
98	Telephone or other communication equipment
99	Children leaving the education and care service premises
100	Risk assessment must be conducted before excursion
101	Conduct of risk assessment for excursion
102	Authorisation for excursion
122	Educators must be working directly with children to be included in ratios
123	Educator to child ratios-centre-based services

136	First Aid qualifications
161	Authorisations to be kept in enrolment record
168	Policies and Procedures are required
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
Sec. 165	Offence to inadequately supervise children

PURPOSE

To ensure that all excursions and incursions undertaken by the Outside School Hours Care Service are planned and conducted in a safe manner, maintaining children’s health, safety and wellbeing at all times in accordance with Education and Care National Regulations. We believe excursions/incursions provide the children with the opportunity to expand and enhance their skills and knowledge gaining insight into their local and the wider community.

SCOPE

This policy applies to children, families, educators, staff, management, and visitors of the OSHC Service.

IMPLEMENTATION

Excursions and incursions will be conducted with the children’s safety and wellbeing in mind at all times. We will regularly schedule incursions and visitors to our OSHC Service however, if we feel an excursion will benefit the children and offer a valuable experience, we will adhere to the National Regulations and Service policies and procedures to plan and manage an experience that is enjoyable for children. This policy relates to excursions that may be a ‘regular outing’ or a one-off excursion for a particular purpose and incursions, where visiting performers, groups or community services may visit our OSHC Service.

DEFINITIONS (Effective 1 October 2020)

Excursion: means an outing organised by an education and care service or family day care educator but does not include an outing organised by an education and care service provided on a school site if-

- (a) a child or children leave the education and care service premises in the company of an educator and
- (b) the child or children do not leave the school site

Regular outing: in relation to an education and care service, means a walk, drive or trip to and from a destination

- (a) that the service visits regularly as part of its educational program; and
- (b) where the circumstances relevant to the risk assessment are *substantially* the same on each

Incursion: means an activity organised by our Service, whereby an outside body is employed or engaged to visit the service to run an educational program and to promote culture and diversity. This could include a visit from the Rural Fire Service, an Aboriginal Cultural awareness group, science or reptile show or a musical or drama performance. Some incursions may be offered free of charge whilst others may incur a small participation cost.

CONSIDERATIONS FOR EXCURSIONS AND INCURSIONS

The purpose of the excursion should be clearly identified by staff providing information on how the excursion or incursion supports the educational program and contributes to the outcomes for children.

Excursions/incursions should be planned in advance and consideration given to the:

- time away from the OSHC service
- availability of toilet and washing facilities
- access to safe drinking water
- adequate health and hygiene practices
- possible risk to children (identified in risk assessment)
- accessibility for all children
- transportation
- cost
- weather- wet weather arrangements
- teaching children safety procedures and responsibilities whilst on an excursion
- communication with parents and families
- Risk Assessment documentation provided by the excursion venue
- safety and wellbeing of children whilst at the OSHC service whilst participating in an incursion (identified in risk assessment)

EXCURSION/INCURSION RISK ASSESSMENT

The Approved Provider or Nominated Supervisor must conduct a risk assessment which reflects regulation 101 before an authorisation is scheduled under regulation 102 to determine the safety and appropriateness of the excursion/incursion. If the excursion involves transporting children, the risk assessment must adhere to **all** components of regulations 101 and 102 (effective 1 October 2020).

The OSHC Service/Nominated Supervisor will ensure:

- an *Excursion/Incursion Risk Assessment* is developed prior to any excursion or incursion [see: Excursion Risk Management Plan, Regular Outing Risk Management Plan, Incursion Risk Management Plan]
- a responsible person (or coordinator) is appointed to oversee the organisation of the excursion/incursion
- families are notified about the excursion using an *Excursion Permission* letter and written authorisation must be provided by a parent or other person named in the child's enrolment record
- families are notified about any incursion and if permission is required for participation, an *Incursion Permission* letter provided for parent or carer consent for their child to participate
- families have a right to view the risk assessment prior to the excursion/incursion upon request in which the Service must comply with ensuring all information is available
- the risk assessment must
 - identify and assess possible risks that the excursion/incursion may pose to the health, safety and wellbeing of any child being taken on the excursion or participating in the incursion
 - specify how the identified risks will be managed and minimised
 - ensure Working with Children Checks are conducted for all adults visiting the service on incursions
 - ensure the visiting group/performance is covered by insurance
 - consider the proposed route and destination for the excursion and
 - identify any water hazards
 - reflect on any risks associated with water-based activities
 - consider the transport to and from the proposed destination for the excursion
 - consider the duration of the transportation
 - consider any requirements for seatbelts or safety restraints under a law for our state jurisdiction
 - the process for entering and exiting the education and care service premises and the pick-up location or destination (as required)
 - procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking
 - consider the ratio of adults to children involved in the excursion
 - consider the risks posed by the excursion/incursion, the number of educators or other responsible adults required to provide supervision, and whether any adults with specialised skills are required to ensure children's safety (e.g.: lifesaving skills)
 - consider the planned activities
 - determine the duration of the excursion

- consider items that should be taken on the excursion (mobile phone, emergency contacts, first aid kit, medical plans, etc.).
- consider strategies to ensure supervision is consistent at all times during the excursion-transitions, toileting, departure from the service and conclusion of the excursion

If the excursion is a *regular excursion* or '*regular outing*' a risk assessment authorisation is only required to be carried out once in a 12-month period however must be regularly reviewed. If circumstances around the excursion change, a new risk assessment is required.

PARENT/FAMILIES AUTHORISATION

The Nominated Supervisor must ensure:

- that a child is not taken outside the OSHC Service premises on an excursion unless written authorisation has been provided
- the authorisation must be given by a parent or other authorised person named in the child's enrolment record as having authority to authorise transportation of a child
- the authorisation form must state:
 - the child's name
 - the reason the child is to be taken outside the premises/transported
 - the reason the child is to be transported (if transportation is included in the excursion)
 - if the authorisation is for a regular outing, a description of when the child is to be taken on the regular outing
 - the date the child is to be taken on the excursion and transported (unless the authorisation is for a regular outing)
 - a description of the proposed pick-up location destination for the excursion
 - the method of transport to be used for the excursion
 - the proposed activities to be undertaken by the child during the excursion
 - the period the child will be away from the premises
 - the period of time during which the child is to be transported
 - the anticipated number of children likely to be attending the excursion
 - the anticipated educator to child ratio attending the excursion to the anticipated number of children attending the excursion
 - the anticipated number of staff members and any other adults who will accompany and supervise the children on the excursion
 - any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported

- that a risk assessment has been prepared and is available at the Service
 - that written policies and procedures for transporting children are available at the Service
- if the excursion is a regular outing, the authorisation is only required to be obtained once in a 12-month period
- parental authorisation may be required for incursions if identified in the risk assessment or if a cost is required
- authorisations must be kept securely in the child's enrolment records.

STAFFING ARRANGEMENTS

The Nominated Supervisor will ensure that:

- adequate supervision is provided for children and are never less than the prescribed ratios as per National Regulations
- Excursion ratios will remain at 1 educator per 8 children.
- consider:
 - the number, age and ability of children
 - the number and physical positioning of educators
 - each child's current activity
 - risks related to the mode of transport (for example: walking)
 - visibility and accessibility
 - the experience and skill of each educator
- additional educators/staff are engaged to provide care and support to children with additional needs
- educators are aware of their responsibility to provide supervision to other responsible adults or volunteers assisting on the excursion
- educators are aware the procedures to follow in the event of an emergency
- at least one educator or the nominated supervisor must hold current First Aid qualification, approved emergency Asthma management and approved anaphylaxis management training

ITEMS TO BE TAKEN ON AN EXCURSION

The Nominated Supervisor must ensure that the following items are taken on all excursions, as per the risk assessment:

- appropriate number of suitably equipped first aid kits
- fully charged and operating mobile phone
- emergency contact information details for all children participating on the excursion
- medication for children requiring medical and relevant medical management plans

- items required for excursion circumstances- such as sunscreen, hats, other equipment
- child attendance record

TRANSPORTATION FOR EXCURSION

It is a requirement of the National Regulation that the means of transport is stated on the risk assessment record and parent authorisation record. Information must be included in the risk assessment about the process for embarking and disembarking the means of transport, including how each child is to be accounted for.

The *means of transport* may mean:

○ Walking

Educators must ensure children and adults use the safest footpaths and safe crossings where possible, such as pedestrian crossings and traffic lights

Educators will ensure all children and adults obey road rules

Educators will ensure children follow the 'stop, look, listen and think' process when walking near roads

Educators will remain vigilant that no child runs ahead or lags behind the group

○ Bus

the Nominated Supervisor must ensure that the seating capacity as displayed on the compliance registration is not exceeded. All children must sit on seats, preferably with, or close to an adult. Any requirements for seat belts or safety restraints under law must be followed depending on the vehicle used. If the bus has seat belts, they must be worn at all times.

○ Train

the Nominated Supervisor will be required to contact the local station prior to the excursion to inform them of the time you will be travelling, the destination, and the number of children and adults who will be travelling.

Provisions should be made to ensure children have ample time to board the train safely and in an unhurried way. This will allow the station to inform the train guard so that they can hold the train for the period of time for safe boarding and disembarkment. All children should be seated at all times, with an adult close by. All children should be seated in the one carriage if possible- and not in a Quiet Carriage.

○ Car

Any motor vehicle that is used to transport children on an excursion (other than a motor vehicle seating more than nine persons) must be fitted with child restraints and/or seatbelts that are

appropriate for the age and weight of each child, that conform to the Australian Standards, and are professionally installed or checked by an authorised restraint fitter.

The vehicle must be registered and free of any defects that could put any passenger at harm.

All children must be fastened in the vehicle according to National Child Restraint Laws for Vehicles (below). The process for entering and exiting the Service premises safely must be considered at all times.

NATIONAL CHILD RESTRAINT LAWS FOR VEHICLES

- children aged from four years old but under seven years old cannot travel in the front seat of a vehicle with two or more rows, unless all other back seats are occupied by children younger than seven years in an approved child restraint or booster seat
- children aged from seven years old but under 16 years old who are too small to be restrained by a seatbelt properly adjusted and fastened are strongly recommended to use an approved booster seat
- children in booster seats must be restrained by a suitable lap and sash type approved seatbelt that is properly adjusted and fastened, or by a suitable approved child safety harness that is properly adjusted and fastened.

INSURANCE

Management must review their insurance policy prior to the excursion/incursion to ensure liability is protected by the OSHC Service. A copy of the insurance policy should be kept within the service's vehicle at all times.

CHECKING FOR CHILDREN'S SAFETY

Educators will ensure:

- children's attendance records are taken on excursions
- all children are accounted for when embarking/disembarking the car/vehicle or bus
- children's names are marked off as they enter and leave the vehicle including time and date
- a thorough check is made of the vehicle to ensure no child is left in the vehicle (a second person should repeat this check for safety)
- the vehicle is parked to avoid other vehicles, driveways or car parks
- the vehicle is parked as close as possible to the OSHC premises or visiting venue
- children only disembark the vehicle when it is safe to do so
- head counts are conducted at least every 30 minutes whilst on the excursion

- bathrooms and toilets are checked for any potential hazard before children enter, and children are escorted to the bathrooms and supervised

LOST CHILD DURING AN EXCURSION

In the event of a child being unaccounted for during an excursion, educators will immediately:

- inform another educator and provide supervision for groups
- conduct a head count
- ask children/parent helpers/other educators if they have seen the missing child
- search the premises
- check organised meeting points (use mobile phone to contact other educators)
- alert the venue management and request that an announcement is made
- if the child is still unaccounted for after checking as above, the nominated supervisor, educator will contact the Police on 000 and report the incident
- the nominated supervisor will contact parents/guardian
- educators will reassure other children and provide supervision
- the Approved Provider must make a notification to the Regulatory Authority within 24 hours of a serious incident

SOURCE

Australian Children’s Education & Care Quality Authority. (2014).

Australian Children’s Education & Care Quality Authority. (2021). Policy and procedure guidelines- *Excursions Policy Guidelines*

Australian Government Department of Education, Skills and Employment. (2011). *My Time, Our Place: Framework for School Age Care in Australia*.

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Guide to the National Quality Framework. (2018). (Amended 2020).

Kidsafe Victoria *Road Safety* <https://www.kidsafevic.com.au/road-safety/>

Kids and Traffic Early Childhood Road Safety Education Program (NSW) [Transporting Children Safely](#)

NSW Government Centre for Road Safety. (2017):

<https://roadsafety.transport.nsw.gov.au/stayingsafe/children/childcarseats/index.html>

Road Transport (Safety & Traffic Management) Act 1999.

Revised National Quality Standard. (2018).

Victoria State Government Education and Training *Early Childhood Professionals*

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	MAY 2022	NEXT REVIEW DATE	MAY 2023
MODIFICATIONS	<ul style="list-style-type: none"> • policy maintenance - no major changes to policy • minor formatting edits within text 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
OCTOBER 2021	<ul style="list-style-type: none"> • Policy reviewed and included suggested guidelines from ACECQA <i>Excursions Policy Guidelines</i> (June 2021) • Additional legislative requirements added • Additional related policies 	MAY 2022	
MAY 2021	<ul style="list-style-type: none"> • Policy reviewed for currency • additional information related to incursions • additional inclusion for checking for children's safety • lost child procedure added • ensuring adequate supervision added • links checked and additional resource added 	MAY 2022	
AUGUST 2020	<ul style="list-style-type: none"> • amendments to policy to reflect new regulations for risk assessments for excursions and written authorisations for parents (effective 1 October 2020) • new definition added for 'regular outing' 	MAY 2021	
MAY 2020	<p>additional regulations added</p> <p>additional sections added:</p> <p>considerations/staffing arrangements /items to take on an excursion/parent and volunteer information /walking</p> <p>sources edited and checked for currency</p> <p>minor editing and formatting</p>	MAY 2021	
MAY 2019	<p>Terminology changed to be specific to FDC services.</p> <p>Section added and referenced: National Child Restraint Laws for Vehicles</p> <p>Sources/references corrected, updated, and alphabetised.</p> <p>'Related policies' alphabetised.</p>	MAY 2020	
MAY 2018	<p>Minor grammatical changes made to content. (Not critical to its delivery)</p>	MAY 2019	
DECEMBER 2017	<p>Updated the references to comply with the revised National Quality Standard</p>	MAY 2018	

SAFE TRANSPORTATION POLICY

Under the Education and Care Services National Regulations the approved provider must ensure that policies and procedures are in place in relation to the safe transportation of children (regulation 168) and take reasonable steps to ensure those policies and procedures are followed (regulation 170).

[ACECQA, 2021].

Out of School Hours Care (OSHC) Service provides education and care for children before school, after school and during school holidays. For children to access our Service, we provide transportation between our Service location and primary schools and other locations during school holidays whilst participating on excursions.

Compliance with the Education and Care National Law and Regulations is mandatory to ensure the safety of children at all times and new provisions and amendments to these regulations are reflected in our procedures and policy for transportation and the safe handover of children.

We acknowledge our ensuring duty of care obligations by adhering to relevant legislation providing adequate supervision of children at all times, maintaining correct educator to child ratios, maintaining accurate attendance records and providing appropriate child restraints for children under our care.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS AND LAW	
4 (1)	Definition regular transportation
85	Incident, injury, trauma and illness policies and procedures
89	First Aid Kits
98	Telephone or other communication equipment
99	Children leaving the education and care service premises

100	Risk assessment must be conducted before excursion
101	Conduct a risk assessment for excursion
102A	Transportation of children other than as part of an excursion
102B	Transport risk assessment must be conducted before service transports child
102C	Conduct of risk assessment for transporting of children by the education and care service
102D	Authorisation for service to transport children
122	Educators must be working directly with children to be included in ratios
123	Educator to child ratios
136	First aid qualifications
158	Children's attendance record to be kept by approved provider
161	Authorisations to be kept in enrolment record
168	Education and care service must have policies and procedures
168(2)(ga)	Education and care service must have policies and procedures (transportation)
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
183	Storage of records and other documents
S51(4A)	The approved provider must ensure that the number of children educated and cared for by the service at any one time doesn't exceed the maximum number of children specified in the service approval
s165	Failure to adequately supervise children
s167	Failure to take reasonable precautions to protect children from harm and hazards

PURPOSE

We aim to ensure that all children being educated and cared for by our OSHC Service are adequately supervised at all times. This includes ensuring educator to child ratios are met whenever and wherever our service is operating including providing transportation as part of our OSHC Service activity.

SCOPE

This policy applies to children, families, staff, management the approved provider, nominated supervisor, students and visitors of the OSHC Service.

IMPLEMENTATION

The safety of children enrolled at the OSHC Service is paramount. Every reasonable precaution is taken to protect children from harm and from any hazard likely to cause injury. Appropriate safety measures have been implemented through our comprehensive risk assessment process to ensure supervision is adequate at all times including transporting children before and after school to our Service and during school holidays when children may be participating in excursions. Educator to child ratios are adhered to in addition to ensuring the maximum numbers on the service approval are not breached at any time. Adequate supervision is therefore not static as it is dependent upon a range of considerations documented in risk assessments. Specific risk assessments and procedures for excursions during school holidays are included in our *OSHC Excursion Policy*.

DEFINITIONS (effective 1 October 2020)

Regular outing: in relation to an education and care service, means a walk, drive or trip to and from a destination

- (c) that the service visits regularly as part of its educational program; and
- (d) where the circumstances relevant to the risk assessment are *substantially* the same on each outing

Regular transportation: in relation to an education and care service, means the transportation by the service or arranged by the service (other than as part of an excursion) of a child being educated and cared for by the service, where the circumstances relevant to a risk assessment are *substantially* the same for each occasion on which the child is transported.

Written authorisation: authorisation given by a parent or other person named in the child's enrolment record as having authority to authorise the child being transported by the service or on transportation arranged by the service. If the transportation is regular transportation, the authorisation is only required to be obtained once in a 12-month period. The authorisation must state:

- a) the child's name; and
- b) the reason the child is to be transported; and
- c) if the authorisation is for a regular outing, a description of when the child is to be taken on the regular outings; and
- d) if the authorisation is **not** for a regular transportation, the date the child is to be transported; and
- e) a description of the proposed pick-up location and destination; and

- f) the means of transport; and
- g) the period of time during which the child is to be transported; and
- h) the anticipated number of children likely to be transported; and
- i) the anticipated number of staff members and any other adults who will accompany and supervise the children during the transportation; and
- j) any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported; and
- k) that a risk assessment has been prepared and is available at the education and care service; and
- l) that written policies and procedures for transporting children are available at the education and care service.

TRANSPORT SPECIFIC RISK ASSESSMENT

As per the Education and Care Services National Law, our service will *'ensure that every reasonable precaution is taken to protect children...from harm and from any hazard likely to cause injury'* (Section 167).

Our OSHC Service will conduct comprehensive transport specific risk assessments to minimize and manage all potential risks for transporting children before authorisation is sought to transport a child. [Reg. 102B, 102D (4)].

A risk assessment will be undertaken at least annually for *'regular transportation'* of children. Each time our Service transports, or arranges, the transport of children as part of an excursion, a new risk assessment will be conducted. All risk assessments will be regularly assessed and evaluated as to facilitate continuous improvement in our service.

Our risk assessment process is guided by the following process:

- **identify** any hazards or potential hazards that transporting the child may pose to the safety, health and wellbeing of the child
- **assess** the risk of harm or potential harm using a risk matrix
- **specify how the identified risks will be managed** by eliminating or minimising the impact using control measures
- **evaluate** the current risk or potential harm by implementing control measures
- **review** and monitor the risk or potential harm to ensure it continues to be managed as a low risk

source: Risk assessment and management ACECQA (2020)

Our risk assessment will consider:

- a) the proposed route and duration of the transportation; and
- b) the proposed pick-up location and destination; and
- c) the means of transport; and
- d) any requirements for seatbelts or safety restraints (as per the law of our jurisdiction); and
- e) any water hazards; and
- f) the number of adults and children involved in the transportation; and
- g) given the risks posed by transportation, the number of educators or other responsible adults to provide supervision and whether any adults with specialized skills are required; and
- h) whether any items should be readily available during transportation (mobile phone, list of emergency contact numbers) and;
- i) the process for entering and exiting-
 - i. the education and care service premises; and
 - ii. the pick-up location or destination (as required); and
- j) procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking.

Additional considerations may include:

- the experience of the driver and licensing conditions for the vehicle
- the age, ability, needs and skills of children being transported (non-ambulant, infants)
- the experience of adults involved in transportation and their capacity for supervising children
- movement of children between the vehicle and venues
- traffic conditions
- extreme weather conditions or natural disasters
- environmental hazards such as temperature extremes, smoke
- communication to/from the vehicle- mobile phone reception
- health needs of all children and adults
- first aid provision and management of illness, injuries and emergencies
- child safe practices.

source: NSW Government Kids and Traffic (2020)

THE APPROVED PROVIDER/MANAGEMENT/NOMINATED SUPERVISOR/RESPONSIBLE PERSON WILL ENSURE:

- all staff are inducted in the *Safe Transportation Policy* and procedure and have completed practical training

- a copy of any training is kept at the Service
- risk assessments are carried out prior to seeking authorisation for transporting children is made with the Approved Provider
- risk assessments for 'regular transportation' are evaluated regularly to ensure potential risks are identified and managed
- any updates to procedures are clearly communicated to all staff
- rehearsals for transportation of children are conducted throughout the year as 'best practice'
- risk assessments for 'regular transportation' are reviewed at least annually
- details of the safest route for travel, type of vehicle and required restraints are included in the risk assessment
- every reasonable precaution is taken to protect students from harm and hazards likely to cause injury
- adequate supervision is provided (see below)
- educator to child ratio requirements are maintained at all times, including when children are being transported as part of the service activity
- a record of staff working with directly with children (regulation 151) is kept
- compliance with first aid requirements of Regulation 136 is met at all times
- parents/guardians complete a written authorisation for transportation of their child and a copy of this is filed in the child's enrolment record/ attached to the enrolment form (effective 1 Oct 2021)
- children are instructed on processes for entering and exiting the OSHC service premises and school (drop off) site; and are aware of pick up and destination locations
- children's attendance is checked against an accurate attendance record showing when children are within the care of the OSHC service. The record of attendance must record the time that the child arrives and departs the OSHC service and signed by the nominated supervisor or educator.
- children's attendance is checked by the supervising educator/staff before departure from the designated pick-up location and marked as present as they disembark from the vehicle
- procedures for the safe handover of children between the Service and other educational site is documented correctly
- educator to child ratio requirements are maintained at all times
- children exit the vehicle using the 'safety door'
- children wear approved seatbelts/restraints whilst the vehicle is in motion in accordance to the state Road Rules and Road Transport Act
- children are never left unattended in the vehicle
- education on road safety for children is included in the Service's programming (for example Kids and Traffic, Vic Roads Primary School roads information)

- safety rules are developed with children to ensure a clear understanding of appropriate and inappropriate behaviour
- staff are aware of appropriate procedures to be followed in the event of a vehicle crash involving staff and children from the service
- a working mobile phone or other similar means of communication to communicate with the service, parents/carers is provided in case of emergency
- a list of emergency contact numbers for the children being transported
- every effort will be made to notify parents/carers of delays returning to the Service if applicable
- relevant criminal history requirements and Working with Children Checks are made and verified for any person transporting children. WWCC is recorded in staff records
- the person driving the vehicle/bus holds a current Australian driver's licence
- any allegation of misconduct of the educator or staff member will be reported immediately as per the Reportable Conduct Scheme detailed in our *Child Protection Policy* and/or *Child Safe Environment Policy*
- the maximum number of children approved for a service as confirmed on the service approval is adhered to no matter where the children are located, including when they are being transported by the Service [S. 51(4A)]

SAFE MAINTENANCE OF TRANSPORTATION VEHICLE

MANAGEMENT/NOMINATED SUPERVISOR/RESPONSIBLE PERSON WILL ENSURE:

- the transportation vehicle is fitted with the required child restraints, approved by the Roads and Traffic Authorities (see Rule 266 of the Australian Road Rules)
- the vehicle has enough fuel to transport the children each day as in accordance to schedule
- the vehicle is registered, roadworthy and insured (general legal requirements and best practice standards are adhered to)
- any repairs are completed as soon as possible by a qualified mechanic
- drivers hold a current Australian driver's licence, licenced to carry the required number of passengers for the vehicle
- in the event of any mechanical or other breakdown, children will be kept safe, comfortable and occupied with suitable activities
- every effort will be made to notify parents/carers of delays returning to the Service if applicable

MANAGEMENT/NOMINATED SUPERVISOR/RESPONSIBLE PERSON WILL ENSURE:

- to nominate the person who will be responsible for driving the vehicle- the driver

- adequate supervision is provided when children are being transported. Consideration must include:
 - the number, age and ability of children
 - visibility and accessibility
 - physical positioning of educators
 - risks related to the mode of transportation (including travel on foot)
 - risks in the environment, location and while travelling
 - the experience, knowledge and skill of each educator
 - the capacity of an educator to immediately respond to a situation requiring urgent intervention
- that if the driver is expected to perform the role of supervisor, a risk assessment must address how adequate supervision will be provided while the driver has responsibility for driving the vehicle
- an easily recognised and suitably equipped first aid kit is easily accessible during transportation
- educators carry medication, health plans and risk assessments for individual children
- educators are aware of emergency procedures in case of an incident, injury or illness of a child
- at least one staff member accompanying children during transportation holds:
 - an approved first aid qualification and
 - a current approved anaphylaxis management training qualification and
 - an approved emergency asthma management training qualification

PICKING UP CHILDREN AND DURING TRANSPORTATION

- the vehicle/bus will be parked in a safe location where children are not required to cross any roads (if this is unavoidable, a risk assessment and dedicated procedure for crossing the road will be completed)
- a 'head count' and check children's attendance record is made by the supervising educator/staff member as children assemble in a predetermined location prior to boarding
- children are continuously supervised during transportation by a designated educator/staff member sitting in a location that provides clear vision of all children
- children are to remain seated and secured in appropriate child restraints, if applicable, until the vehicle/bus has completely stopped
- the designated driver of the vehicle/bus complies with all appropriate road, safety and transport regulations
- under no circumstances will the driver of the vehicle/bus and educators supervising the children use handheld mobile phones unless safely parked

- under no circumstances will the driver and educators/employees supervising children be under the influence of alcohol or drugs
- the designated driver of the vehicle has the right, *if required* to stop in a safe place until the children conform to the safety guidelines. Parents will be notified if their child continues to be challenging and/or behaving in a dangerous manner.

DROPPING OFF CHILDREN

- the driver must park the vehicle in a safe location close to the entry to the service or location and turn off the ignition
- children are to remain seated until the vehicle/bus has completely stopped
- a designated educator/staff member will assist children to safely disembark the vehicle/bus
- children exit the vehicle/bus using the 'safety door' or door located near the kerb
- a 'head count' of children against the attendance record will be checked by the supervising educator/staff as they assemble in a predetermined location at the end of the journey and verified by a witness
- educators/staff conduct a final sweep of the vehicle/bus, checking on and under seats to ensure there are no children or belongings left behind
- checks of the vehicle should be recorded, signed by the relevant person and kept for inspection by the Regulatory Authority
- once inside (or on location) the children are signed in which will provide an additional attendance check to confirm all are present
- educators will record the time when children are signed in to the OSHC service or other venue (these must not be pre-filled. Children should only be signed in upon being seen).

EDUCATORS/DRIVER WILL ENSURE:

- driver's licence is current, and they are licenced to carry the required number of passengers for the purpose
- every reasonable precaution is taken to protect children from harm and from any hazard likely to cause injury
- they adhere to the road rules and regulations mandated by law within each state/territory
- children remain seated and do not behave in a dangerous or inappropriate manner
- the vehicle is parked in a secure and safe location for children to access
- the number of passengers does not exceed the legal requirement
- a working mobile phone is taken in case of an emergency

- a fully equipped first aid kit is easily accessible
- educators/drivers wear a high visibility vest
- once all children have exited the vehicle/bus, a final sweep of the vehicle will be made checking that there are no children or belongings left behind.
- checks of the vehicle should be recorded, signed by the relevant person/s and kept for inspection by the Regulatory Authority

FAMILIES WILL:

- adhere to the Service's Delivery of, and collection from Education and Care Service Premises *Policy* and *Safe Transportation Policy*
- communicate any change in transportation requirements for their child with management/nominated supervisor as soon as they are aware (for example: no transport is required on a particular day as the child has returned home from school due to illness)
- notify the Service if their child is going to be absent on a particular day and not require transport
- ensure written permission for transportation of their child by the Service is granted by either the parent or authorised nominee named in the child's enrolment record
- update emergency contact numbers regularly

EDUCATOR TO CHILD RATIOS (ACECQA 2020)

Over preschool age 1:15 NT, QLD, SA, TAS, VIC, NSW

RESOURCES

Childcare Centre Desktop

Safe Transportation of Children Module

- Transporting Children Risk Assessment Template
- Safe Transportation Procedure
- Bus Pick Up Drop Off Checklist

[Kids and Traffic- Early Childhood Road and Safety Education Program](#)

- Transporting children safely- Guidance on Understanding safe transport and travel requirements for education and care service providers (2020).
- Safe Travel and Transport- Advice for working with children, families, schools and communities (2020).

SOURCE

Australian Children’s Education & Care Quality Authority. (2014).
 ACECQA. (2021). Policy and Procedure Guidelines. *Safe Transportation of Children*.
 Australian Government Department of Education Skills and Employment. (2011). *My Time Our Place: Framework for School Age Care in Australia*.
 Childhood Australia Code of Ethics. (2016).
 Education and Care Services National Law Act 2010. (Amended 2018).
[Education and Care Services National Regulations](#). (2011)
 Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).
 Guide to the National Quality Framework. (2017). (Amended 2020).
 Kids and Traffic Early Childhood Road Safety Education Program (NSW)
 Revised National Quality Standard. (2018).
 Road Transport (Safety & Traffic Management) Act 1999.
 Queensland Government Early Childhood Education and Care (2021) [Guidelines for health and safety- Transportation](#)
 Vic Roads- Primary school road safety education resources
[Western Australian Education and Care Services National Regulations](#)

REVIEW

POLICY REVIEWED BY:	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	JULY 2022	NEXT REVIEW DATE	JULY 2023
MODIFICATIONS	<ul style="list-style-type: none"> • policy maintenance – additional National Law section added • Western Australia services- check Regulation 369 for ratio requirements • Western Australian National Regulations added • no major changes to policy • minor formatting edits within text • hyperlinks checked and repaired as required 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
OCTOBER 2021	<ul style="list-style-type: none"> • additional law/regulations added- ACECQA Guidelines to Policy and Procedure document (August 2021) • additional consideration for risk assessment included • training and rehearsals of transport policy and procedure added as best practice • checks of the vehicle after disembarkation to be recorded as best practice 	JULY 2022	
OCTOBER 2020	<ul style="list-style-type: none"> • relevant National Law added • clarification of adequate supervision added • additional information re: communication/telephone • additional resources added- Kids and Traffic 	JULY 2021	

AUGUST 2020	<ul style="list-style-type: none"> • Policy name changed to reflect new regulations- Safe Transportation • NEW regulations added (effective 1 October 2020) • definitions added to reflect amendments to Regulations • transport-specific risk assessment added • inclusions for risk assessment and information for written authorisation added • resources added for reference 	JULY 2021
JULY 2020	<ul style="list-style-type: none"> • additional regulations included • further information added to ensure compliance to National Regulations requirements • additional sections- picking up children, dropping off children • additional points included to ensure safety of all children sources checked for currency	JULY 2020
JULY 2019	New policy created for OSHC services	JULY 2020

VEHICLE/BUS TRANSPORTATION PROCEDURE

Transportation of children is sometimes provided as part of our school age care service. Our OSHC Service has a licensed vehicle to transport children to and from our premises. We provide regular transportation for children between our Out of School Hours Care (OSHC) Service and education facilities and other locations as well as provide transportation for educational excursions and outings during vacation care.

Working in conjunction with the *Safe Transportation Policy*, this procedure provides detailed steps to ensure a high level of supervision and safety for all children when transporting children in a vehicle or bus.

Education and Care Services National Law or Regulations (R.85, 98, 99, 100, 101, 102A, 102B, 102C, 102D, 123, 136, 158, 161, 168(2)(g), 170) NQS QA 2: Element 2.1.2 Health practices and procedures

Related Policy: Safe Transportation Policy

STEP 1: PRE-TRIP WRITTEN AUTHORISATION AND VEHICLE CHECK		
1	Parents will be provided with a copy of the Service's <i>Safe Transportation Policy</i>	

2	<p>A risk assessment and management plan will be completed by educators or the Nominated Supervisor for regular transportation and 'one-off' excursions before a child is transported. The risk assessment must consider:</p> <ul style="list-style-type: none"> • the proposed route and duration of the transportation • the proposed pick-up location and destination • the means of transport • the child restraint requirements that will be adhered to • any water hazards • the number of adults and children involved in the transportation • the process of entering and exiting the service premises and the pick-up location or destination • procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking 	
3	Regular transportation risk assessments are to be reviewed at least annually or when circumstances for transportation change such as route or destination, identified risks/hazards (water hazards)	
4	Parents will be required to provide written authorisation for their child to be transported by the Service or transport arranged by the Service	
5	The Director/Nominated Supervisor will ensure information related to procedures and route taken will be included in the written authorisation (as per Regulation 102D)	
6	<p>Management will ensure the number of educators needed whilst transporting children will be determined by the risk assessment and consider:</p> <ul style="list-style-type: none"> • the number, age and ability of children • each child's activity • visibility and accessibility of children • risks related to the mode of transportation (including when travelling by foot) • educator's experience, knowledge and skill • compliance with National Law and National Regulations • the capacity of an educator to immediately respond to a situation requiring urgent intervention 	
7	Management will ensure the vehicle/bus is registered, regularly maintained and mechanically sound	
8	Management will ensure the number of passengers does not exceed the vehicle's legal limit	
9	Management will ensure there are sufficient seat belts or safety restraints and are installed for all passengers in accordance with current Australian Safety Standards- (AS/NZS 1754)	
10	Management will ensure the vehicle/bus has current third-party comprehensive insurance	
11	The designated driver of the vehicle/bus will comply with all appropriate road, safety and transport guidelines	

12	The Director/Nominated Supervisor will ensure all adults have a current Working with Children Check recorded in staff records	
13	The Director/Nominated Supervisor will ensure the designated driver of the vehicle/bus will hold the appropriate driver's license for the vehicle they are driving	
14	The Director/Nominated Supervisor will ensure at least one staff member accompanying children during transportation holds: <ul style="list-style-type: none"> • A current approved first aid qualification • A current approved anaphylaxis management qualification • An approved emergency asthma management qualification 	
15	The Director/Nominated Supervisor will ensure an easily recognised and suitably equipped first aid kit is easily accessible during transportation	
16	The designated driver of the vehicle/bus will ensure there is adequate fuel to undertake the journey	
17	The designated driver of the vehicle/bus will be responsible for checking the safe condition and operation of <ul style="list-style-type: none"> • Tyres, brakes, indicators, lights, windscreen wipers, doors and windows Any maintenance issues will be documented and reported to the nominated supervisor as soon as practicable. If any checks are of a safety concern, these must be repaired before transporting children.	
17	The designated driver of the vehicle/bus will familiarise themselves with the route	
18	The Director/Nominated Supervisor will ensure under no circumstances will the driver and educators/employees supervising the children be under the influence of alcohol or drugs. This is inclusive of medication that has a sedative effect.	
19	The Director/Nominated supervisor will ensure under no circumstances will the driver and educators/employees supervising children use handheld mobile phones unless safely parked	
20	SchoolsOUT is responsible for the children from the time the vehicle/bus arrives at the specified location for 'pick up' through to when the children are 'dropped off' and signed out by a parent or guardian.	

STEP 2: PICKING UP CHILDREN		
1	Parents will be informed that they must notify the Service if their child is going to be absent and will not require transport	
2	The designated driver of the vehicle/bus will ensure when picking up children, the vehicle will be parked in a safe location where children are not required to cross any roads. (If this is unavoidable a risk assessment and dedicated procedure for crossing the road will be completed.)	
3	The Director/ Nominated Supervisor and educators will ensure proper restraint systems will be used in accordance with current Australian Safety Standards	

4	Designated educators/staff will ensure the safe assembly of children as they arrive at the 'pick up' location and prepare to board the vehicle/bus	
5	Children's attendance will be checked by the supervising educator/staff before departure from the designated pick-up location and marked as present as they embark on the bus/vehicle	
6	Children will be continuously supervised during transportation by a designated educator/staff sitting at the front of the bus, gaining clear vision of all children	
7	Educators will develop safety rules with the children's input, to ensure a clear understanding of appropriate and inappropriate behaviour	
8	Educators will ensure children remain seated and refrain from behaving in an unsafe or disruptive manner	
9	The designated driver of the vehicle has the right, if required to stop in a safe place until the children conform to the safety guidelines. Parents will be notified if their child continues to be challenging and/or behaving in a dangerous manner	
10	The Director/ Nominated Supervisor will notify families if there is an incident or issue which may delay the regular schedule	
11	In the case of an emergency- motor vehicle accident, vehicle breakdown or other incident, educators transporting children will: <ul style="list-style-type: none"> • check on all children and staff • provide first aid, if required • call emergency services, if required • implement all other procedures within the scope of the <i>Incident, Injury, Trauma and Illness Policy</i> • report the incident to the nominated supervisor/director • complete an incident report upon return to the Service. The nominated supervisor will notify the Regulatory Authority within 24 hours of a serious incident if required. 	

STEP 3: DROPPING OFF CHILDREN		
1	Educators will ensure children remain seated until the vehicle/bus has completely stopped	
2	The designated driver will park the vehicle/bus as close as possible to the delivery location, so children do not have to cross roads or walk-through traffic, car parks or driveways	
3	The designated educator/staff will ensure children disembark the vehicle in a safe manner using the safety exit door/ door closest to the kerb	

4	The children's attendance record will be checked by the supervising educator/staff as they assemble in a predetermined location using a head count. The date, time and name of the educator will be recorded.	
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STEP 4: POST TRIP VEHICLE CHECK		
1	Once all children have exited the vehicle, the designated educator/staff will conduct a final sweep of the vehicle, checking on and under seats to ensure there are no children or belongings left behind.	
2	An additional educator or staff member will confirm all children and belongings are off the vehicle/bus by initialing the Transport Attendance Record	
3	Together with supervising educator/staff, the children will be accompanied into the Service/residence/venue (or other destination)	
4	Once inside (or on location) the educator will record children's attendance on the sign in record which will provide an additional check to confirm all are present. The date and time and name of the educator will be recorded.	
5	The post trip vehicle check is also repeated on return journeys Under no circumstances will a child or children be left alone throughout all stages of transportation	
6	The vehicle/bus will be parked in a secure location. The designated educator/driver will ensure windows and doors are locked so no child can enter the vehicle unsupervised. Keys will be stored in a safe location inside the premises.	

ROAD SAFETY POLICY

Traffic related injuries remain one of the leading, preventable causes of death and serious injury for young children. Driveways, car parks, unfenced yards, private roads, and farms are particular danger areas and many young children, predominantly toddlers, are killed or injured each year in their own home driveway (Kids and Traffic, 2014; Kidsafe, 2018).

Our duty of care as an Out of School Hours Care (OSHC) Service, is to provide children with an adequate level of care and protection to safeguard their health, safety and wellbeing at all times. Our OSHC Service is committed to providing road safety education to help children become responsible road users as pedestrians, passengers and users of bikes, scooters, skateboards and other wheeled toys.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.1.2	Health practices and procedures	Effective illness and injury management and hygiene practices are promoted and implemented.
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practised and implemented.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
12	Meaning of a serious incident
99	Children leaving the education and care service premises
100	Risk assessment must be conducted before excursions
101	Conduct of risk assessment for excursions
102	Authorisation for excursions
102A	Transportation of children other than as part of an excursion
102B	Transport risk assessment must be conducted before service transports child
102C	Conduct of risk assessment for transporting of children by the education and care service
102D	Authorisation for service to transport children
136	First Aid qualifications

168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
s165	Failure to adequately supervise children
s167	Failure to take reasonable precautions to protect children from harm and hazards

RELATED POLICIES

Arrival and Departure Policy Acceptance and Refusal Policy Child Safe Environment Policy Death of a Child Policy	Excursion/Incursion Policy Incident, Injury, Trauma and Illness Policy Safe Transportation Policy Supervision Policy
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PURPOSE

Our Out of School Hours Care Service will ensure best practice guidelines are implemented to ensure that children are kept safe whilst travelling as pedestrians, cyclists, and passengers in vehicles. As educators, we encourage families to participate in road safety education with their children to support them to become safe and responsible on and around roads.

SCOPE

This policy applies to children, families, staff, management and visitors of the Out of School Hours Care Service.

IMPLEMENTATION

To comply with National Law and Regulations Early Childhood Services are required to protect children from harm and hazards likely to cause injury. To ensure compliance, management and educators of the Service will ensure best practice is adhered to, maintaining children's health and safety.

MANAGEMENT WILL ENSURE:

- regular discussions are held with feeder schools to ensure consistency in road safety education and procedures between schools and our OSHC Service
- road safety education is embedded in the program supporting children's understanding and knowledge (Kids and Traffic, Vic Roads Primary School roads information)
- the Educational Leader educates staff about the importance of road safety
- educators have access to regular professional development and training in road safety, complying with National Regulations and National Quality Standards

- a comprehensive risk assessment is conducted at least annually for ‘regular transportation’ of children including the safest route for travel, method of travel, type of vehicle, required restraints, proposed pick up and destination, process of embarking the means of transport including how each child is to be accounted for upon embarking and disembarking the vehicle [Reg: 102C]
- comprehensive written risk assessments are undertaken prior to excursions, including information about the safest route for travel, method of travel, type of vehicle, required restraints proposed pick up and destination, process of embarking the means of transport including how each child is to be accounted for upon embarking and disembarking the vehicle [Reg. 101]
- educators only allow a child to participate in an excursion with the written authorisation of a parent/guardian, in accordance with National Regulations (*Refer to Excursion policy*).
- adequate supervision is provided at all times children are transported
- every reasonable precaution is taken to protect students from harm and hazards likely to cause injury
- written parental consent for regular transportation of children to and from school is provided during the enrolment process as part of our *Safe Transportation Policy*
- all risk assessments are regularly assessed and evaluated as to facilitate continuous improvement in our service
- children exit the vehicle if being transported to and from other educational sites using the ‘safety door’
- children’s attendance is checked against an accurate attendance record showing when children are within the care of the OSHC service. The record of attendance must record the time that the child arrives and departs the OSHC service and signed by the nominated supervisor or educator.
- there are ample helmets for children to be able to ride bikes and scooters in the outdoor environment safely
- helmets meet Australian/New Zealand Standard 2063 and are fitted correctly
- there are visible signs to remind families about keeping children safe including:
 - where to park their car safely
 - hold their child’s hand
 - listen for traffic
 - use traffic lights (if applicable)
- parents and guardians are provided with specific road safety information, including:
 - parking safely
 - locking their car
 - local area speed limits.

- parents are provided with general road safety information about transporting children to and from the Service, including:
 - driveway safety
 - child restraint information
 - using the kerb side door to access the car and
 - the importance of role modelling safe road and car park use.
- parents have a clear understanding about our policies in order to keep children safe
- The *Carpark safety checklist* is carried out on a regular basis and items requiring attention promptly rectified.
- any educator responsible for driving a vehicle for the Service holds a current Australian Drivers licence
- the vehicle used to transport children is registered and maintained (tyres, engine) and has correctly fitted child restraints and seat belts
- the vehicle used to transport children has enough fuel to complete the journey
- the regulatory authority is notified within 24 hours of becoming aware of a serious incident (Reg.12).

A NOMINATED SUPERVISOR/ RESPONSIBLE PERSON WILL ENSURE:

- risk assessments are carried out prior to seeking written parental authorisation for transporting children for regular transportation
- written parental permission for regular transportation at least every 12 months
- a risk assessment is completed prior to any excursions to ensure the safest route and minimise or manage any potential risks
- children participate in excursions only if they have written parent permission
- children are adequately supervised at all times
- compliance with first aid requirements of Regulation 136 are met at all times
- every reasonable precaution is taken to protect students from harm and hazards likely to cause injury
- adequate supervision of children is always provided
- educator to child ratio requirements are maintained at all times, including when children are being transported as part of the service activity
- children's attendance is checked against an accurate attendance record showing when children are within the care of the OSHC service. The record of attendance must record the time that the child arrives and departs the OSHC service and signed by the nominated supervisor or educator
- educators remain current with roads and traffic professional development

- educators have a clear understanding and comprehension of National Regulations and Standards in regard to keeping children safe in and around traffic
- road safety is embedded into the program, supporting children’s understanding and knowledge
- helmets are always set up when the bikes and scooters are made available to children
- appropriate road safety expectations are discussed with families including:
 - not leaving children in the car
 - intoxication whilst driving
 - child restraints are fitted correctly for the size and age of their child
- educators are aware of their duty of care obligations and understand how to address a situation where they observe parents/families putting children at risk of harm or injury due to unsafe practices for road/car safety-
 - travelling in a car unrestrained
 - parent appears unfit to drive (intoxicated, drug affected)
 - children riding a bike without a helmet
 - parent not supervising children crossing roads

EDUCATORS WILL:

- take every reasonable precaution to protect children from harm and from any hazard likely to cause injury
- communicate excursion requirements with the Nominated Supervisor and Management to ensure they have a clear understanding about policy and procedures
- have a comprehensive understanding of the National Regulations and Standards
- educate children about the importance of road safety, obeying the rules, listening to families, holding hands, pedestrian safety, car safety etc.
- embed road safety guidelines into the program for children to gain a clear understanding and knowledge required to stay safe around roads and traffic.
- set up helmets when bikes and scooters are made available to children, and ensure all children wear them when participating in this activity
- discuss road safety expectations and guidelines with families, including making families aware of young children’s limited capacity to judge distances and speeds of travelling vehicles
- follow appropriate procedures in the event of a vehicle accident including children, educators or families, including informing management at the earliest possible convenience
- adhere to their duty of care to protect children from harm and keep children safe

- follow guidelines/procedures for discussing concerns with parents/families or reporting this concern to the Approved Provider or Police (see below)

NOTIFICATION

Parents will be notified as soon as practicable but within 24 hours if their child is involved in an accident at the OSHC Service or whilst under our service care. Details of the incident/accident will be recorded on an *Incident, Injury, Trauma and Illness Record* and parents will be required to acknowledge the details upon collection of their child.

If the incident/accident, situation or event presents imminent or severe risk to the health, safety and wellbeing of the child, or if an ambulance was called in response to the emergency (not as a precaution) the regulatory authority will be notified within 24 hours by the Nominated Supervisor or Approved Provider.

PARENTS/FAMILIES ARE RESPONSIBLE FOR:

- reading, signing and dating permission forms prior to excursions to confirm they agree to the excursion conditions
- providing written authorisation for their child to be transported to and from the OSHC Service as 'regular transportation' at least annually
- ensuring their child/children travels in an appropriate and approved restraint suitable for their age and weight
- being aware of and complying with road and car park safety requirements when arriving and departing from the Service (see *Car park safety management sheet*).
- never leaving a child/children and/or animal in the car alone at any time
- using the 'safety door' (closest to the kerb) when arriving and departing the Service
- being aware of the Service policy relating to the safe transportation of children to and from the OSHC Service (see: Safe Transportation Policy)
- communicating any concerns relating to their child's wellbeing or safety to an educator or Nominated Supervisor.

DUTY OF CARE

All educators have a duty of care to ensure the safety of children at all times. Where a parent or guardian is observed demonstrating unsafe behaviour such as: not securing a child in a suitable restraint (under 7

years of age), parking incorrectly or driving erratically, not providing a bike helmet for the child to wear on a bike or scooter, crossing roads incorrectly, educators should-

- talk to the parent about their concerns calmly
- provide a copy of this policy to the parent
- provide information to the parent about safe transportation of their child
- provide information about the use of helmets when riding to the parent
- inform the Nominated Supervisor or Approved Provider

If the parent/guardian arrives at the Service and does not appear fit to take care of the child (intoxicated or under the influence of drugs), educators should:

- discuss their concerns with the parent
- suggest that another parent or authorised nominee collects the child
- contact an authorised nominee to collect the child
- notify the police or child protection if they have any concern for the child's safety
- contact the Nominated Supervisor and/or Approved Provider
- document the actions for evidence

(see: *Acceptance and Refusal Policy; Arrival and Departure Policy*)

USEFUL RESOURCES

Child Road Safety: www.childroadsafety.org.au

Kids and Traffic: <http://www.kidsandtraffic.mq.edu.au/>

Kidsafe Inc: www.kidsafensw.org/road-safety/

[Kids and Traffic- Early Childhood Road and Safety Education Program](#)

Road Safety Education Victoria Teaching Resources Early Childhood

<http://www.roadsafetyeducation.vic.gov.au/teaching-resources/early-childhood>

Transport for NSW Centre for Road Safety

<https://roadsafety.transport.nsw.gov.au/aboutthecentre/resources/index.html>

Transportation of children with Additional Needs ELAA <https://elaa.org.au/wp-content/uploads/2016/10/Safe-transport-for-children-with-additional-needs.pdf>

SOURCE

Australian Children's Education & Care Quality Authority. (2014).

Australian Government Department of Education, Skills and Employment. (2011). *My Time Our Place: Framework for School Age Care in Australia*.

Early Learning Association Australia

Education and Care Services National Law Act 2010. (Amended 2018).

[Education and Care Services National Regulations](#). (2011)

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).

Guide to the National Quality Framework. (2017). (Amended 2020).

Kids and Traffic: Early Childhood Road Safety Education Program. (2014): <http://www.kidsandtraffic.mq.edu.au/>

Kidsafe: Child Accident Prevention Foundation of Australia. (2018): <https://kidsafe.com.au/statistics-2/>

Revised National Quality Standard. (2018).

Road Transport (Safety & Traffic Management) Act 1999.

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	DECEMBER 2021	NEXT REVIEW DATE	DECEMBER 2022
MODIFICATIONS	<ul style="list-style-type: none"> re-arranged some dot points for better flow- Management section reviewed policy against current Regulations resources and sources checked for currency 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
DECEMBER 2020	<ul style="list-style-type: none"> Additional regulations added (Safe Transportation of children) Written authorisation for regular transportation added Duty of care section added Additional resources for educators added Sources checked for currency 	DECEMBER 2021	
DECEMBER 2019	New policy drafted for OSHC services		DECEMBER 2020

Staffing Policies & Procedures

CODE OF CONDUCT POLICY

We believe in maintaining an inclusive and welcoming environment and workplace that motivates and facilitates personal growth and development for staff and educators. The values that underpin our work ethic include equality, respect, integrity, and responsibility. Our OSHC Service is committed to adhere to the ECA Code of Ethics (2016) which is based on the principles of the United Nations Convention on the Rights of the Child (1991) and provides a framework for the reflection about the ethical responsibilities of early childhood professionals.

Our Out of School Hours Care Service is committed to creating and maintaining an environment that promotes the safety of all children and embeds the National Principles for Child Safe Organisations. All staff and volunteers are responsible for promoting a culture of safety and wellbeing to minimise the risk of child abuse or harm to children whilst promoting children’s sense of security and belonging.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other’s strengths and skills.
4.2.2	Professional Standards	Professional standards guide practice, interactions and relationships.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.1	Service philosophy and purpose	A statement of philosophy guides all aspects of the service’s operations.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
82	Tobacco, drug and alcohol-free environment
84	Awareness of child protection law
155	Interactions with children
168	Education and care services must have policies and procedures

PURPOSE

We aim to establish a common understanding of workplace standards and ethics expected of all employees of the Service. We aim to ensure positive working relationships are formed between all educators and management, promoting dignity and respect by avoiding behaviour which is or may be perceived as harassing, bullying or intimidating. Educators and management will at all times conduct themselves in an ethical manner and strive to ensure that all interactions are positive and respectful and are in accordance with the Service's philosophy.

Our OSHC Service takes every reasonable effort to accommodate the diversity of all children in implementing the Child Safe Standards. We are committed to the safety and wellbeing of children and young people. We recognise the importance of and responsibility for, ensuring our Service provides a safe and supportive environment which respects and fosters the rights and wellbeing of children in our care. We are dedicated in promoting cultural safety for Aboriginal children, cultural safety for children from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children with a disability.

SCOPE

This policy applies to management, the approved provider, nominated supervisor, students, staff, families and visitors (including contractors) of the OSHC Service.

IMPLEMENTATION

The Approved Provider, Nominated Supervisor, educators and staff, volunteers, and students will adhere to the Early Childhood Australian Code of Ethics, Education and Care Services National Regulations and the National Quality Standard, Child Safe Standards and Service policies and procedures at all times, promoting positive interactions both within the Service and the local community.

Respect for people and the Service

- Employees and Management are committed to the OSHC Service philosophy and values, inclusive of best practice in school age education and care and building positive partnership with children, families and staff
- Employees and management adhere to our Child Safe policies including *Child Safe Environment Policy* *Child Protection Policy Reportable Conduct Policy (Vic Services)* and *Child Safety and Wellbeing Policy (Vic Services)* at all times and take all reasonable steps to protect children from abuse and harm
- Employees and management understand that *child safety is everyone's responsibility*
- Effective, open, and respectful reciprocal communication and feedback between employees, children, families, and management is conveyed
- It is important to treat colleagues, children, and families with respect. Bullying or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening, or derogatory language or intimidation towards other employees, children, visitors, or families is unacceptable and will not be tolerated.
- Employees are committed to valuing and promoting the safety, health, and wellbeing of employees, volunteers, children, and families
- Employees and management promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait islander children to express their culture and enjoy their cultural rights
- Employees and management promote the safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds to support children to express their culture and enjoy their cultural rights
- Employees and management promote the safety, participation and empowerment of children with a disability
- Employees are committed to an Equal Opportunity workplace and culture which values the knowledge, experience, and professionalism of all employees, team members, and managers, and the diverse heritage of our families and children
- Employees and management respect the privacy of children and their families by keeping all information about child protection concerns confidential and only share information to promote child wellbeing or safety and /or manage risk of family violence with other Information Sharing Entities (IES) as per state/territory legislation.
- Our Service will conduct a comprehensive probation and induction orientation program for all new employees, volunteers and students to include awareness of their roles and responsibilities in relation to Child Safe practices

- It is important employees and management listen and respond to the views and concerns of children particularly if they are telling you that they or another child has been abused or they are worried about their safety or the safety of another.

Expectations of Employees

Employees will:

- ensure their work is carried out proficiently, harmoniously, and effectively. They will act in a professional and respectful manner at all times whilst at work, giving their full attention to their responsibilities and adhering to all Service policies, procedures, Child Safe Standards, Education and Care Services National Law and National Regulations, and the National Quality Standard
- act honestly and exercise attentiveness in all Service operations. They will carry out all lawful directions, retaining the right to question any direction which they consider to be unethical. If uncertain they can seek advice from the Nominated Supervisor, Approved Provider or the Ombudsman
- uphold the rights of children and always prioritise their needs
- treat all children and young people with respect
- promote the wellbeing and safety of children and take all reasonable steps to protect children from abuse
- provide adequate supervision of children at all times
- understand their legislative responsibility as mandatory reporters to report any allegation of child abuse, neglect or possible risk of harm to management and/or Child Protection authority
- understand their legislative responsibility to report any inappropriate action of any other employee that involves children or young people to management as part of the *Reportable Conduct Scheme*
- participate in all mandatory training, including update of Child Protection training every 12-24 months
- report any instances of suspected corrupt conduct, mismanagement of government funds or other serious allegation to the appropriate agency (tipoffline@dese.gov.au)
- follow and comply with the *Dealing with Complaints Policy* when matters are raised regarding Child Safety and Wellbeing
- have a solid understanding of the OSHC Service's policies and procedures, Child Safe Standards and the ECA Code of Ethics. If uncertain about the content of any policy or procedure with which they must comply, employees should seek clarification from the Nominated Supervisor or Approved Provider.
- be courteous and responsive when dealing with colleagues, students, visitors, children and families

- work collaboratively with colleagues and recognise and value diversity
- be mindful of their duty of care towards themselves and others
- be positive role models for children at all times
- ensure compliance with a zero tolerance of racism within the Service
- adhere to the *Tobacco, Drugs and Alcohol-Free Policy*
- respect the confidential nature of information gained about each child participating in the program
- engage in critical reflection to inform individual and collective decision making and ensure continual improvement, including a review of Child Safe policies and procedures.

EMPLOYEES WILL NOT:

- use abusive, derogatory or offensive language
- engage in conduct that is detrimental to the professional standing of our Service, is improper or unethical, is an abuse of power, or harasses, discriminates against, victimises, humiliates, intimidates, or threatens other educators, staff members, volunteers, or visitors at the Service, either directly or indirectly via information technology such as email, text or social media. Additionally, they will not support those who do this
- condone or participate in illegal, unsafe or abusive behaviour towards children, including physical, sexual or psychological abuse, ill-treatment, neglect or grooming
- exaggerate or trivialise child abuse issues
- fail to report information to the approved provider if they know a child has been abused
- engage in unwarranted and inappropriate touching involving a child
- persistently criticise and/or denigrate a child
- verbally assault a child or create a climate of fear
- encourage a child to communicate with me in a private setting
- share details of sexual experiences with a child
- use sexual language or gestures in the presence of children
- discriminate against any child, because of culture, race, ethnicity or disability
- put children at risk of abuse- refusing food/play, making threats, exposing children to inappropriate language or material (movies, internet, photos)
- show preferential behaviour towards any child
- accept an offer of money, regardless of the amount
- seek or accept a bribe
- acquire personal profit or advantage because of their position (e.g., through the use of Service information)

- exchange any property of the Service for own use unless properly authorised
- approach other employees, managers or visitors directly on individual matters that are irrelevant to them
- engage in any action in breach of our Privacy and Confidentiality Policy, including but not limited to disclosure of confidential Service or customer information, or the improper or illegal use of that confidential information. Authorised persons will only access confidential information for the purpose intended.
- engage in or support any action in breach of Service policies and/or procedures.

Expectations of Leaders and Management

In addition to the above responsibilities, leaders and management are expected to:

- promote a collaborative and interconnected workplace by developing a positive working environment where all employees can contribute to the ongoing continuous improvement of the Service
- promote leadership by working with employees and providing opportunities for professional development and growth
- provide flexible opportunities to ensure all employees can participate in staff meetings and professional development
- provide ongoing support and feedback to employees
- keep employees informed about essential information and any relevant changes and make all documents readily accessible to them
- ensure copies of the ECA Code of Ethics and Child Safe Standards are available to staff and families
- model professional behaviour at all times whilst at the Service
- implement supportive and effective communication systems, consulting employees in appropriate decision making
- take appropriate action if a breach of the code of conduct occurs
- share skills and knowledge with employees
- give encouragement and constructive feedback to employees, respecting the value of different professional approaches
- follow recruitment policies and procedures to ensure all potential candidates undergo appropriate background checks, including Working With Children Checks
- model and provide guidance to educators and staff to ensure compliance with a zero tolerance of racism within the OSHC Service.

Reporting a breach in the code of conduct

- all employees are required by law to undergo a Working with Children Check (WWCC) which is verified by the employer to ensure it is valid and current
- if employees become aware of a serious crime committed by another employee, they are required to report it to management as per the *Reportable Conduct Scheme*
- as mandatory reporters, all employees must report possible risk of harm to children or young persons to management and/or Child Protection authority
- employees will report any concerns they may have about inappropriate actions of any other employee that involves children or young people to management as per the *Reportable Conduct Scheme*
- management will report any allegations or child related misconduct as per their legislative requirements (this may include reporting the matter to the Police and appropriate Government reporting bodies)

Managing conflict in the workplace

MANAGEMENT WILL:

- remain objective and impartial when managing conflict in the workplace
- be responsive and address a possible breach of the code of conduct by any employee as soon as they are aware of the breach
- investigate all allegations which may result in remedial action, or disciplinary action ranging from a caution to dismissal
- consider all relevant facts and make decisions or take actions fairly, ethically, consistently, and with transparency. If they are uncertain about the appropriateness of a decision or action they will consider:
 - whether the decision or conduct is lawful
 - whether the decision or conduct is consistent with Service policies and objectives
 - whether there will be an actual, potential, or perceived conflict of interest involving obligations that could influence the business relationship or conflict with business duties.

Adhering to Service confidentiality

- Unless authorised to do so by legislation, employees must not disclose or use any confidential information without appropriate approval

- Lawful sharing of information with other parties must be to promote the wellbeing or safety of children and adhere to guidelines under Child and Family Information Sharing Schemes (e.g., CISS, FVISS and MARAM in Victoria)
- All employees are to ensure that confidential information is not accessed by unauthorised people.
- Employees will adhere to the Service's *Privacy and Confidentiality Policy*.

Record keeping

- Employees and Management will maintain full, accurate, and honest records as required by Education and Care Services National regulations.
- Managers have a responsibility to ensure that employees comply with their record keeping obligation outlined in the *Record Keeping and Retention Policy*
- Employees must not destroy records without permission from management
- Records must be retained and stored securely as per our *Record Keeping and Retention Policy*

Duty of care

- Management and employees have a responsibility to take reasonable care for the health and safety of themselves and others at the workplace to enable compliance with the work health and safety legislation outlined in the *Work Health and Safety Policy*
- Duty of Care relates to both physical and psychological wellbeing of individuals
- Management and employees must provide adequate supervision of children at all times and ensure the health, safety and welfare of children and young people in their care. This includes taking all reasonable action to protect children and young people from risk of harm that can be reasonably predicted.

Appropriate use of communication and social networking sites

Social media

- As a Child Safe Organisation, our Service has the responsibility to ensure children and educators are protected from harm when they engage in with digital technology including social media
- Strict guidelines for the use of social media are outlined in our *Social Media Policy*
- The Service offers its current families and staff members a Facebook page as a communication tool. The administrator of the account is the Service's Nominated Supervisor
- The Administrator controls the content on the page and ensures that the postings are relevant and respectful of the Service, the children, the staff, families, and greater community.

- Staff members who have a personal Facebook account are not permitted to post any negative comments relating to the Service, children, colleagues, or families. If they choose to 'like' the Service's page they have a responsibility to ensure that their profile picture is an appropriate representation of a school aged care educator. If it is not, we request that they do not 'like' the page.
- Staff members are to use their own personal discretion when adding a family of the Service as a 'friend' on Facebook. The Service does not recommend staff to add families of the Service as they will be seen still as a representative of the Service and held to the Service's Code of Conduct on all posts on their private 'wall' if families have access.
- Families are asked in our *Social Media Policy* to respect that staff may have a personal policy on adding families due to their professional philosophy and that the Service does not recommend staff to have families as friends on their private account.
- Staff members are not permitted to request the 'friendship' of families from the Service.

Personal phone calls/mobile phones/smart watches

We are mindful that educators have a duty of care to ensure children are protected from potential risk of harm. It is imperative that all employees of the Service provide children with their full attention, ensuring supervision is maintained and remains on the children.

- employees are not authorised to use the Service's phones for personal reasons unless in the case of an emergency or with permission from management.
- no personal mobile phones are to be used, checked or brought on the floor during working hours, unless you are the responsible person for the shift for the purposes of work.
- mobile phones are to be kept inside employee's bags which will be placed in a designated, secure location for safe keeping.
- personal mobile phones may be used during shift breaks when employees are free from work and supervision duties. They are not to be used in general sight of children, unless a situation arises where there is an emergency.
- personal mobile phones are not to be used to take photos of children as this is a breach of children's privacy. (Service mobile phones or iPads may be used if it's for the purposes of 'observations' etc.)
- children are at no time to be given access to staff mobile phones
- no personal mail or deliveries should be directed to the Service unless prior approval has been granted by the Nominated Supervisor/management.
- educators and staff are not to contact families or children of the Service for personal reasons.

- if, for personal reasons a staff member needs to remain contactable from someone outside the Service they should ensure that the situation is explained to management and that the service's primary contact details are passed on to the persons/family outside the Service.

Service email

- Email is to be used only for company usage, not for private communications
- Passwords and access privileges are strictly confidential and to be used only by the educator issued with that access, or persons delegated to know and use that access in the normal course of operation
- It is the responsibility of the authorised user to take fair and reasonable steps to ensure the passwords and other forms of access are held safe
- Employees are to be aware that their Service email account may be accessed by Management at any time.

Use of alcohol, drugs and tobacco

- Smoking is NOT permitted in or on surrounding areas of the OSHC Service.
- It is expected that the odour of cigarette smoke will not be detected on an employee's clothing. If an employee is found smoking on the premises, that employee's employment may be terminated. Our Service supports the [Smoke Free Environment Act 2000](#). The company and its employees will follow all conditions outlined in this act.
- Our Service is bound by the Education and Care Services National Regulations. Alcohol, drugs, or other substance abuse by employees can have serious adverse effects on their own health and the safety of others. As such, all employees must not:
 - consume alcohol nor be under the influence of alcohol while working
 - use or possess illegal drugs at any workplace
 - drive a vehicle, having consumed alcohol or suffering from the effects of illegal substances, or
 - bring alcohol or any illegal drugs onto the premises.
- If a co-worker suspects a colleague to be affected by drugs or alcohol, they must inform the Nominated Supervisor immediately. No employee will be allowed to work under the influence of drugs or alcohol. (See: *Tobacco, Drugs and Alcohol-Free Policy*)
- Employees undergoing prescribed medical treatment with a controlled substance that may affect the safe performance of their duties are required to report this to the Nominated Supervisor.
- All issues pertaining to these matters shall be kept strictly confidential. A breach of this policy may initiate appropriate action including the termination of employment.

Dress code

- All employees must adhere to our uniform/dress code supplied during induction including the display of their name badge whilst on shift.
- Enclosed shoes must be worn at all times (strictly no high heels, thongs, or wedges).
- Clothes must be suitable for free movement, active play, and messy play.
- No offensive logos or political statements are to be displayed on clothing.

Personal Hygiene

All employees are to adhere to the following standards:

- long hair is to be clean and neatly tied back: Ensure hair does not hang in your eyes
- makeup is to be light and natural
- fingernails are to be clean and well groomed
- nail polish (if worn) cannot be chipped
- employees will follow appropriate oral hygiene practices
- an appropriate deodorant/antiperspirant will be worn
- strong perfumes will not be worn as they may cause allergic reactions in children.

Breach of the Code of Conduct

All staff members are made fully aware that the following breaches of the Code of Conduct and role responsibilities may result in disciplinary action which may lead to termination of employment:

- reporting to work under the influence of alcohol or drugs
- refusal to complete required additional training
- possessing or selling drugs at the Service
- immoral, immature, or indecent conduct while at the Service
- inappropriate use of company equipment and/or resources
- refusing to work as reasonable directed
- possessing a dangerous weapon whilst at the Service
- bringing disrepute to the Service
- causing disruption or discontent in the relationship between a family and the Service
- disclosure of confidential information
- falsifying documentation
- associating with families without disclosing this information with management
- stealing, abusing, defacing, or destroying company property
- interfering with work schedules

- falsification of reports, documents, or wages information
- failure to report for work without notice
- walking off the job
- failure to follow policies and procedures
- vulgarity or disrespectful conduct to families, management or colleagues
- making or publishing false, vicious, or malicious statements about any employee of the Service, or the Service itself
- failure to hand in lost property (this is regarded as stealing): Lost property is to be handed to the Nominated Supervisor
- unable to maintain or hold a current Working With Children Check/Clearance [or state equivalent].

Disciplinary Action

All staff members are made fully aware that continued abuse of the following may result in disciplinary action. These include, but are not limited to the following:

- unauthorised absence
- consistent or ongoing late arrivals and/or unauthorised extended breaks
- having personal visitors whilst on shift
- continued personal phone calls
- carrying a personal mobile phone whilst on shift
- using a personal mobile phone or device to take photographs of the children
- unauthorised distribution of Service resources or materials
- consistent or ongoing poor work standard
- carelessness in the performance of duties
- consistent or ongoing low level of enthusiasm
- lack of personal cleanliness and hygiene
- failure to report health, fire, or safety hazards

Evaluation/ Continuous Improvement

The Code of Conduct Policy will be evaluated and reviewed on an annual basis in conjunction with children, families, educators and staff.

SOURCE

Anti-Discrimination Act: See <https://raisingchildren.net.au/disability/disability-rights-the-law/law/anti-discrimination-laws> for Acts for specific Australian states and territories.
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 Early Childhood Australia Code of Ethics. (2016).
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 Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).
 Guide to the National Quality Framework. (2017) (Amended 2020).
 NSW Government Office of the Children’s Guardian *Codes of Conduct- a guide to developing child safe Codes of Conduct*. (2020).
 Ombudsman Act 2001 (Cth).
 Privacy and Personal Information Protection Act 1998 (Cth).
 Revised National Quality Standard. (2018).
 Victoria State Government. (2022). Families, Fairness and Housing. Resources for Child Safe Standards
 Victoria State Government. (2021). Family Violence Multi-Agency Risk Assessment and Management Framework.
[Western Australian Education and Care Services National Regulations](#)
 Work Health and Safety Act 2011 (Cth).
 Workplace Relations Act 1996 (Cth).
 Work Place Law <https://www.workplacelaw.com.au/getting-your-mobile-phone-policies-right/>

REVIEW

POLICY REVIEWED BY:			
POLICY REVIEWED	JULY 2022	NEXT REVIEW DATE	DECEMBER 2023
MODIFICATIONS	<ul style="list-style-type: none"> • Policy reviewed following updates to Victorian Child Safe Standards in July 2022 • Sources checked for currency • Minor edits throughout policy • Additional text included in policy in line with Code of Conduct (staff acknowledgement) • Additional section added for Continuous Improvement • link to Western Australian Education and Care Services National Regulations added in ‘Sources’ 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
DECEMBER 2021	<ul style="list-style-type: none"> • Policy reviewed as part of yearly cycle (Changed from Jan to Dec) • Child Information Sharing Schemes (CISS) information added • Minor changes for Child Safe Standards – services to amend to their state/territory requirements • Sources checked for currency 	DECEMBER 2022	
JANUARY 2021	<ul style="list-style-type: none"> • Additional related regulations added • Addition of Child Safe Standards and Reportable Conduct Scheme • Additional section- Employees will NOT.... 	DECEMBER 2021	

	<ul style="list-style-type: none"> • minor edits throughout policy- lengthy content reduced as this is covered in related policies • rearranged order of social media, mobile phones 	
JANUARY 2020	New policy developed for Out of School Hours Care Services	JANUARY 2021

TOBACCO, DRUG AND ALCOHOL-FREE POLICY

Our Out of School Hours Service is committed to creating and maintaining an environment that promotes the safety of all children, staff and visitors. We believe in maintaining a healthy, safe and productive workplace environment that reduces risks and hazards associated with the use of drugs and alcohol for all staff, children and visitors.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2:		
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.2	Professional Standards	Professional standards guide practice, interactions and relationships.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
82	Tobacco, drug and alcohol-free environment

83	Staff members and family day care educators not to be affected by alcohol or drugs
84	Awareness of child protection law
155	Interactions with children
168	Education and care services must have policies and procedures
190	Infringement offences

PURPOSE

We aim to ensure our education and care service is a tobacco, drug and alcohol-free environment at all times in accordance with Education and Care National Law and Regulations. The use of alcohol and/or other drugs may impact on the ability to work safely and ensure the safety of children in their care. Impaired workers can mean increases in lateness, inefficiency, absenteeism, and lost time. Employees should present themselves for work and remain, while at work, capable of performing their work duties safely.

Working in line with the *Code of Conduct Policy* and *Work Health and Safety Policy* our OSHC Service aims to provide a policy regarding a tobacco, drug and alcohol-free environment with clear guidelines to ensure we create an environment that is drug-safe for all children, employees and visitors. This policy sets out expectations for all employees, volunteers and visitors regarding what is and what is not acceptable behaviour and practice in relation to alcohol and drug use and provides procedures which outline how to deal with impaired people, employees, volunteers and visitors, at the service.

SCOPE

This policy applies to Staff and Management of the OSHC Service.

IMPLEMENTATION

The Education and Care Services National regulations state the Approved Provider must ensure the environment is free from the use of tobacco, illicit drugs and alcohol and ensure that ensure that employees, or volunteers at the service are not affected by alcohol or drugs (including prescription medication) so as to impair the person's capacity to supervise or provide education and care to children being educated and cared for by the service. All staff, employees, volunteers and students will abide by this policy at all times.

DEFINITIONS

Alcohol

- Alcohol is the most commonly used depressant drug. It affects both mental and motor function. Examples include beer, wine, spirits.

Under the Influence

- Includes a person who has taken drugs or alcohol that interferes with sound judgement and acceptable behaviour that may impair mental and physical ability to perform their duties safely.

Drugs

- **Illegal Drugs:** drugs such as cannabis, amphetamines, ecstasy, cocaine and heroin, are illegal. They are not subject to quality or price controls and the amount of active ingredient varies. A person using illegal drugs can never be sure of how strong the drug is, or what is actually in it.
- **Prescription Drugs:** Prescribed and over the counter medications can also be misused for the purposes of intoxication. Employees taking medication should find out how it may affect them by consulting their doctor and advising the Nominated Supervisor or Responsible Person if the prescribed medication will affect their mental and physical ability to perform their duties safely.
- **Illicit Drugs:** Illicit drugs include-illegal drugs, prescription medicines that have been obtained illegally or are not being used for medicinal purposes and other substances that are being used inappropriately — for example, sniffing glue or inhaling paint thinner

Use of tobacco, drugs and alcohol

- Our OSHC Service supports the [Smoke Free Environment Act 2000](#). The company and its employees will follow all conditions outlined in this act.
- Our OSHC Service is bound by the Education and Care Services National Regulations. Alcohol, drugs, or other substance abuse by employees can have serious adverse effects on their own health and the safety of others. As such, all employees must not:
 - consume illegal drugs or alcohol prior to starting work
 - consume illegal drugs or alcohol while working
 - be under the influence of illegal drugs or alcohol while working
 - use or possess illegal drugs at any workplace
 - drive a vehicle, having consumed alcohol or suffering from the effects of illegal substances, or
 - bring alcohol or any illegal drugs onto the premises.

- Smoking or vaping is NOT permitted in or on surrounding areas of the OSHC Service. (The smoking ban extends to an area of up to 5m around the land the service is approved to provide education and care).
- It is expected that the odour of cigarette smoke will not be detected on an employee's clothing or hands. If an employee is found smoking on the premises, that employee may be terminated.

Employees undergoing prescribed medical treatment with a controlled substance that may affect the safe performance of their duties are required to report this to the Nominated Supervisor. A medical certificate may be required prior to their approval to provide education and care.

Respect for People and the OSHC Service

- Management and employees understand that *workplace health and safety is everyone's responsibility*
- Management and employees have a responsibility to take reasonable care for the health and safety of themselves and others at the workplace to enable compliance with the work health and safety legislation outlined in the *Work Health and Safety Policy*
- Management and employees must provide adequate supervision of children at all times and ensure the health, safety and welfare of children and young people in their care. This includes taking all reasonable action to protect children and young people from risk of harm that can be reasonably predicted
- Management and employees are committed to the Service philosophy and values, inclusive of best practice in early childhood education and building positive partnership with children, families and staff

Expectations of Leaders and Management

Leaders and management are expected to:

- keep employees informed about essential information and any relevant changes and make all documents readily accessible to them
- model professional behaviour at all times whilst at the OSHC Service
- take appropriate action if a breach of the *Tobacco, Drug and Alcohol-Free Policy* occurs
- advise new employees and volunteers to the service the *Tobacco, Drug and Alcohol- Free Policy* during the induction process. Visitors will be advised of the policy through signage at the front entrance of the service
 - families and visitors are reminded that smoking is not permitted in or around the OSHC Service

- families and visitors are reminded that they should not enter the premises if they are under the influence of prohibited drugs or alcohol

Expectations of Employees

EMPLOYEES WILL:

- act honestly and exercise attentiveness in all service operations
- carry out all lawful directions, retaining the right to question any direction which they consider to be unethical. If uncertain they can seek advice from the Nominated Supervisor, Approved Provider or the Ombudsman
- report any instances of suspected alcohol or drug use at the OSHC Service
- be mindful of their duty of care towards themselves and others
- not sell, offer to sell, purchase, use, transfer or hold possession of illegal drugs while on the service premises or when representing the service after operating hours
- be committed to valuing and promoting the safety, health, and wellbeing of employees, volunteers, children, and families
- ensure that they are not, by the consumption of drugs or alcohol, in such a condition as to endanger their own safety or that of others at the OSHC Service
- ensure they do not operate heavy machinery or operate/drive vehicles while under the influence of or used or consumed drugs or alcohol.

Adhering to Service confidentiality

- All issues pertaining to these matters shall be kept strictly confidential
- Unless authorised to do so by legislation, employees must not disclose or use any confidential information without appropriate approval
- All employees are to ensure that confidential information is not accessed by unauthorised people
- Employees will adhere to the Service's *Privacy and Confidentiality Policy*.

Reasonable belief or suspicion

If a co-worker suspects a colleague to be affected by drugs or alcohol, they must inform the Nominated Supervisor immediately. Employees will report any concerns they may have about inappropriate actions of any other employee that involves the use of drugs or alcohol at the service to management. Any incidents or reports are to be documented confidentially including action taken which followed the incident or report.

Management will observe and document any reasonable suspicions that an employee is under the influence of drugs or alcohol, this may include:

- observe any smell of alcohol
- eye dilation or red/bloodshot eyes
- slurred speech
- unable to act in a professional manner within the workplace
- emotions where the employee is argumentative, agitated, irritable or drowsy
- movements where the employee is unsteady or fidgety or
- other behaviours.

If the Nominated Supervisor or Responsible Person has reasonable grounds to believe that an employee is under the influence of illegal drugs or alcohol, they will be removed immediately from working directly with children. Discipline action may follow, which may include termination of employment due to a breach of service policy. A breach in the *Tobacco, Drug and Alcohol-Free Policy* may result in termination of employment, even for a first offence.

The employee may be requested to submit to a drug or alcohol screening test if there is reasonable suspicion the employee is under the influence whilst working directly with children at the education and care service. The employee is expected not to return to work until the test results have available.

Breach of the Tobacco, drug and alcohol-free Policy

All staff members are made fully aware that any breaches of the *Tobacco, Drug and Alcohol-Free Policy* and role responsibilities may lead to termination of employment, including:

- reporting to work under the influence of alcohol or drugs
- possessing or selling drugs at the Service
- failure to follow policies and procedures

No employee will be allowed to work under the influence of drugs or alcohol. A breach of this policy may initiate appropriate action including the termination of employment.

Workplace health and safety (WHS) Legislation

Each state specifies Work Health and Safety Acts and Regulations which involves the management of risks to the health and safety of everyone in the workplace. This includes providing a tobacco, drug and alcohol-free workplace for children, visitors and employees at the service.

NSW: Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017

VIC: Occupational Health and Safety Act 2004 and Occupational Health and Safety Regulations 2017

WA: Work Health and Safety Act 2020 and Work Health and Safety regulations (under development)

SA: Work Health and Safety Act 2012 and Work Health and Safety Regulations 2012

NT: Work Health and Safety (National Uniform Legislation) Act 2011 and Work Health and Safety (National Uniform Legislation) Regulations 2011

QLD: Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011

ACT: Work Health and Safety Act 2011 Act and Work Health and Safety Regulation 2011

TAS: Work Health and Safety Act 2012 and Work Health and Safety Regulations 2012

SOURCE

Australian Government. Business. [Work Health and Safety](#)

Australian Government. Department of Health. [What are drugs?](#)

Australian Government. Safe Work Australia. [Drugs and alcohol Education and Care Services National Regulations](#). (2011).

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).

Guide to the National Quality Framework. (2017) (Amended 2020).

NSW Government. SafeWork NSW. [Alcohol and other drugs](#)

NSW Government. Work Cover NSW. (2006) [Alcohol and other drugs in the workplace, Guide to developing a workplace alcohol and other drugs policy](#)

Ombudsman Act 2001 (Cth).

Privacy and Personal Information Protection Act 1998 (Cth).

Queensland Government. Workplace Health and Safety Queensland. [Framework for alcohol and drug management in the workplace](#)

[Smoke-free Environment Act 2000](#).

Tasmanian Government. WorkSafe Tasmania. [Alcohol and drugs](#)

Victoria State Government. Work Safe Victoria. [Guide for developing a workplace alcohol and other drugs policy](#)

Work Health and Safety Act 2011 (Cth).

Workplace Relations Act 1996 (Cth).

Work Place Law. [Drug and alcohol testing in the workplace](#).

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	JUNE 2022	NEXT REVIEW DATE	JUNE 2023
MODIFICATIONS	<ul style="list-style-type: none"> policy maintenance - no major changes to policy minor formatting edits within text hyperlinks checked and repaired as required 		

STAFFING ARRANGEMENTS POLICY

Our OSHC Service aims to provide educators and Nominated Supervisors who have the qualifications and experience to develop warm, nurturing, and respectful relationships with children. We are committed to ensuring that children’s health, safety, and wellbeing is protected at all times through providing appropriate and effective supervision according to legislated ratios and best practice. Our educators, in collaboration with our Educational Leader, design and implement developmentally appropriate programs that support children’s participation and engagement, interests and learning.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance children’s learning and development.
4.1.1	Organisation of Educators	The organisation of Educators across the Service supports children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of Educators at the Service.
4.2	Professionalism	Management, Educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, Educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other’s strengths and skills.
4.2.2	Professional Standards	Professional standards guide practice, interactions and relationships.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
35	Notice of addition of new nominated supervisor
84	Awareness of child protection law
85	Incident, injury, trauma and illness policies and procedures
90	Medical conditions policy
93	Administration of medication
94	Exception to authorisation requirement- anaphylaxis or asthma emergency
95	Procedure for administration of medication
99	Children leaving the education and care services premises
100	Risk assessment must be conducted before excursion
101	Conduct risk assessment for excursion
102	Authorisation for excursions
102- B,C,D	Transport risk assessments/authorisations
115	Premises designed to facilitate supervision

117	Placing a person in day-to-day charge
120	Educators who are under 18 to be supervised
123	Educator to child ratios – centre-based services
136	First Aid qualifications
145	Staff Record
146	Nominated Supervisor
147	Staff Members
148	Educational Leader
149	Volunteers and Students
150	Responsible Person
151	Record of educators working directly with children
168	Education and care services must have policies and procedures
173	Prescribed information to be displayed
174	Time to notify certain circumstances to Regulatory Authority
369	WA services Educator to child ratios- children over preschool age

PURPOSE

Under the Education and Care Services National Regulations, the approved provider must ensure that policies and procedures are in place in relation to staffing arrangements (regulation 168) and take reasonable steps to ensure those policies and procedures are followed. (ACEQA 2021). To ensure our OSHC Service adheres to the Education and Care Service National Regulation we employ educators and staff in compliance with any state specific qualifications and experience and adhere to regulated educator and child ratios.

SCOPE

This policy applies to Management, Approved Provider, Nominated Supervisor, Responsible Persons and educators of the OSHC Service.

IMPLEMENTATION

Our Service will comply with the required educators to child ratios and take into consideration any qualification requirements and experience for educators at centre-based services in order to meet National Regulations and Standards.

Educational Leader

The Educational Leader has an influential role in inspiring, motivating, affirming, and challenging or extending the practice and pedagogy of educators. It is a joint endeavour involving inquiry and reflection, which can significantly impact on the important work educators do with children and families.

- **The Approved Provider will nominate a qualified and experienced educator to take on the Educational Leader role and responsibilities**

- The Educational Leader will keep a record about how they mentor and guide educators of the Service to ensure continuous improvement
- The Educational Leader will guide educators to provide a range of learning experiences that cater for the needs and interests of children through play and leisure opportunities
- The Educational Leader will maintain evidence about the development of the learning program and the alignment to the *My Time, Our Place* framework.

Nominated Supervisor

The Nominated Supervisor is a suitable person appointed by the Approved Provider who is placed in day-to-day charge of an approved Service. Nominated Supervisors have a range of responsibilities under the National Law and Regulations including programming, supervision and safety of children, entry to and exit from the premises, food and beverage, administration of medication, excursions and staffing. The Approved Provider will display the name of the Nominated Supervisor in a place that is clearly visible to staff, educators, families and visitors.

The Approved Provider must provide sufficient evidence and information to demonstrate compliance to the Regulatory Authority of the suitability of this person as Nominated Supervisor and notify the Regulatory Authority at least seven days prior to the Nominated Supervisor or as soon as practicable (not more than 14 days).

- The Nominated Supervisor must be 18 years of older
- The Nominated Supervisor must have successfully completed Child Protection training
- The Nominated Supervisor is responsible for the day-to-day management of the Service, ensuring compliance with the National Law, Regulations, National Standards and Family Assistance Law.
- The Nominated Supervisor will accept the role in writing, to ensure they have a clear understanding about their role and responsibilities.
- The Nominated Supervisor will ensure the Service program is reflective of the approved learning framework, incorporate the children's developmental needs, interests, and experiences, and consider the individual differences and needs of each child.
- The Nominated Supervisor will adhere to Service policies ensuring a safe and healthy environment is provided.

Responsible Person

A Responsible Person is required to be physically present at the OSHC Service at all times that children are being educated and cared for. The Responsible Person can be the Approved Provider, or a person with management or control placed in day-to-day charge of the Service. The Responsible Person must be at least 18 years old and have adequate knowledge and understanding of the provision of education and care to children.

- Our OSHC Service will ensure there is always a Nominated Supervisor or Responsible Person on the premises when children are being educated and cared for.

- Our OSHC Service will clearly communicate the Responsible Person on duty with families, educators, staff and visitors by displaying this information in the foyer or reception area.
- The Responsible Person will adhere to Service policies and procedures and maintain a safe and healthy environment for children.
- The Responsible Person will always act with professionalism when dealing with children, educators, visitors, families and volunteers.

Approved First Aid Qualifications

- The Approved Provider is required to ensure at least one staff member, or one Nominated Supervisor holds current qualifications for first aid, anaphylaxis management and emergency asthma management training.
- The Approved Provider must ensure at least one staff member, or one Nominated Supervisor be in attendance at any place children are being educated and cared for by the Service and be immediately available in an emergency and hold the mandatory qualifications for:
 - an ACECQA approved first aid qualification
 - anaphylaxis management and
 - emergency asthma management training.

(Approved qualifications are published on the ACECQA website)

- Services must have staff with current approved qualifications on duty at all times and be immediately available in an emergency.
- It is the Staff and educator's responsibility to ensure they maintain current First Aid, Asthma, and Anaphylaxis Training certificates and provide the Service with a copy of the certificate. Staff and educators must ensure they participate in training prior to the expiration date on their certificates

Working with Children Check

A Working With Children Check (WWCC) is a requirement for people who work or volunteer in child-related work. It involves a national criminal history check and a review of findings of workplace misconduct. The result of a WWCC is either a clearance to work with children for five years (NSW & Vic. SA), or a bar against working with children. Cleared applicants are subject to ongoing monitoring and relevant new records may lead to the clearance being revoked.

- To comply with National Regulations for those undertaking paid or voluntary child-related work all employees of the OSHC Service will acquire a Working with Children Check.
- Management will verify all Working With Children Checks to ensure the children are protected.
- Management will keep a record of the expiry date of the Working With Children Check for all staff, volunteers and students
- Management will ensure the Working With Children Checks are verified before Nominated Supervisors or Responsible Persons are engaged at the Service.

- Management will ensure any notifications or concerns regarding a persons Working With Children Check are recorded and steps taken immediately to ensure the person is not working directly with children in accordance with directions from the Office of the Children’s Guardian (NSW) or related authority in each state/territory

Immunisation requirements

Our Service will ensure all staff and visitors (contractors, health professionals, volunteers, students, committee members) are fully vaccinated against COVID-19 or hold a medical contraindication certificate, as per the current Public Health Order.

Staff Record

- Approved Services must keep information about the Nominated Supervisor, Educational Leader, staff, volunteers, students, and the Responsible Person at the Service
- Details must include evidence of staff working directly with children, qualifications, training and valid Working with Children Check
- Details regarding staff PRODA registrations will be kept in each staff record, including RA number and evidence of fit and proper checks
- All staff, educators, students, volunteers, and visitors are required to sign in and out each day.
- Immunisation status may be recorded as part of the staff record (including mandatory COVID-19 vaccination requirements, check your state/territory for immunisation requirements)

Adequate Supervision

Adequate supervision is a consideration for any part of the OSHC Service premises where children are educated and cared for and is part of every educator’s Duty of Care. Supervision is an active practice to help protect children from harm or hazards. Educators are required to ensure children are in sight and/or hearing at all times, demonstrating that the best interest of children is being provided for.

- Our Service will comply with educator to child ratios outlined in National Legislation and National Quality Framework
- Educators will be required to adhere to the Service’s *Supervision Policy* and maintain effective supervision
- Educators will balance supervision and children’s growing need to privacy and autonomy
- Educators will adjust their level of supervision depending on the area of the Service and the skills, age, dynamics, and size of the group of children being supervised
- Educators will respond to individual needs and attend to children as necessary
- Children will be supervised whilst sleeping or resting after school
- Educators will communicate with other staff and educators about their supervision points, offer advice and support to ensure children’s safety is of the highest priority at all times

- When supervising outdoors or when children are engaged in risky play, educators will position themselves to ensure high visibility and accessibility to these areas and experiences
- Educators will supervise children during the transition between school and the OSHC Service
- Supervision during times of transportation to and from the OSHC service will ensure the educator to child ratio is adhered to at all times
- Adequate supervision will be provided when children are being transported. Consideration will be made depending on risk assessments, number, age and ability of children, visibility of children, each child's current activity. (see Safe Transportation Policy)
- Unless briefly discussing child or Service concerns, educators will not congregate together either inside or outside
- Educators will interact with children where pedagogically appropriate whilst supervising
- Supervising educators will give their complete attention to the children and not perform other duties or tasks.

Rosters

- Our OSHC Service will ensure the roster and routine provides adequate supervision of children at all times.
- Consideration will be made to engage educators to maintain continuity of care to support children's development of secure relationships and contribute to their wellbeing.
- Where possible, casual staff will be chosen from a pool of regular educators with whom the children are familiar.

Volunteers and Students

The Approved Provider/Nominated Supervisor will ensure that volunteers and students meet any requirements for Working With Children Checks/Clearance, or teacher registration.

At no time will volunteers and/or students be left alone with a child or group of children.

All Volunteers and Students will be inducted into the OSHC Service to ensure they adhere to the Service policies and procedures, Statement of Philosophy and Code of Conduct. Induction will ensure volunteers and students are aware of how to manage medical conditions and to respond to a child in case of illness, injury or suffers trauma, awareness of privacy laws (including social media, photography) and behaviour guidance procedures.

Privacy

- Educators will adhere to the Service's *Privacy and Confidentiality Policy* and Privacy Law in relation to children and their families, or matters relating to the Service and will at no time take part in inappropriate or unlawful conversations or discussions.

- The Nominated Supervisor will ensure that students and volunteers are made aware of the Services privacy and confidentiality policy and Privacy Law during their initial induction.
- All staff, educators, volunteers and students are provided with information about the ECA Code of Ethics.
- All staff and educators will be made aware of Child Information Sharing Schemes (CISS) and Family Violence Information Sharing Schemes (FVSS) as related to each state/territory

Staff employed under 18 years of age

Our OSHC Service will ensure any staff member under 18 years of age does not work at the service alone and is adequately supervised at all times.

Staff Recruitment

- Our OSHC Service will ensure a rigorous recruitment process is followed to select the best staff possible based on skills, qualifications, experience and suitability for the position available. Each role will refer to the appropriate position description during recruitment and the probation period to ensure applicants are suitable for the role and position.
- All potential staff will participate in robust interviews and have reference checks completed before an offer of employment is presented. Reference checks will take into consideration the suitability of the applicant for the role, previous experience and their commitment to child safe practices.
- All potential staff are subject to Police Checks, maintenance of a valid Working With Children Check/Clearance (WWCC) and appropriate qualification. Valid first aid, asthma and anaphylaxis management, immunisation status -including mandatory COVID-19 vaccination requirements, or food safety qualification *may* also be required.
- All new staff will undergo a probation period of three (3) months, during this time they will participate in an induction and orientation program and hold regular discussions regarding their performance with an appointed mentor.
- Staff induction includes provision of the service’s policies and procedures, code of conduct, Child Safe Standards, child protection, work, health and safety guidelines, behaviour guidance, service routines, human resource documentation, physical environment, communication with families’ processes, Family Assistance Law, administration of Child Care Subsidy, Child Information Sharing Schemes and introduction to senior staff members and/or mentor.

Educator to Child Ratios

Age	State	Educator to Child Ratio
Over Pre-School Age	VIC, NSW	1 :15

SOURCE

Australian Children’s Education & Care Quality Authority. (2014).
 ACECQA. (2021). Policy and procedure guidelines. *Staffing Guidelines*.
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 Government of Western Australia. (2022). Education and Care Regulatory Unit
 Office of the Children’s Guardian: <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>
 Revised National Quality Standard. (2018).

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	MAY 2022	NEXT REVIEW DATE	FEBRUARY 2023
MODIFICATIONS	<ul style="list-style-type: none"> • Educator/child ratio for WA amended in line with Regulation 369 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		NEXT REVIEW DATE
FEBRUARY 2022	<ul style="list-style-type: none"> • Additional law/regulations added- ACECQA Guidelines to Policy and Procedures document-(August 2021) • Additional information re: COVID-19 vaccination requirements for each state/territory. Services to delete information that is not relevant to their service. • Checked and updated links used within policy • Updated Related Policies 		FEBRUARY 2023
FEBRUARY 2021	<ul style="list-style-type: none"> • Minor edits • addition to reference of Child Safe Standards • Probation period amended to 3 months to align with Recruitment Policy 		FEBRUARY 2021
OCTOBER 2020	<ul style="list-style-type: none"> • adequate supervision for transportation added • additional section on recruitment and probation periods • educator to child ratios amended 		FEBRUARY 2021

FEBRUARY 2020	<ul style="list-style-type: none"> • Educator qualification requirements amended • Educator to children ratios amended • Information about supervision condensed to avoid repetition • Revision of approved first aid qualifications 	FEBRUARY 2021
FEBRUARY 2019	New policy created	FEBRUARY 2020

RECRUITMENT POLICY- OUT OF SCHOOL HOURS CARE (OSHC)

Our Out of School Hours Care (OSHC) Service aims to implement a robust, well-planned recruitment process to ensure we select the best person for the position and the needs of our service. We aim to engage employees who are suitably qualified, experienced and passionate about school aged care. Our recruitment policy outlines our processes to ensure they are aligned with legislative obligations, our OSHC Service’s values and support diversity and inclusion.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance children’s learning and development.
4.1.1	Organisation of Educators	The organisation of Educators across the Service supports children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of Educators at the Service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other’s strengths and skills.
4.2.2	Professional Standards	Professional standards guide practice, interactions and relationships.
QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN		
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision making and operation of the service.

7.2.3	Development of professionals	Educators, co-ordinations and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.
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EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
4	Definitions
84	Awareness of child protection law
Part 4.4	Staffing Arrangements
Division 7	Approval and determination of qualifications
Division 9	Staff and educator records—centre-based services

RELATED LEGISLATION

NSW Anti-Discrimination Act 1977	Fair Work Act 2009
Federal and State Occupational Safety and Health Legislation	Federal and State Equal Opportunity Legislation and any other relevant industrial awards
Education and Care Services National Law Act 2010	Children and Young Persons Act 1998
Sex Discrimination Act	Child Care Subsidy Secretary's Rules 2017
Family Law Act 1975	A New Tax System (Family Assistance) Act 1999
Family Assistance Law – Incorporating all related legislation for Child Care Provider Handbook in Appendix G https://www.dese.gov.au/resources-child-care-providers/resources/child-care-provider-handbook	

PURPOSE

We aim to ensure the most suitability qualified, experienced, and reliable staff are employed at our Out of School Hours Care (OSHC) Service. We are committed to ensuring we meet all legislative and regulatory requirements including the Education and Care Services National Law, Children and Young Persons Act, Fair Work Act and Anti-Discrimination Act.

Our OSHC Service is committed to be a child safe education and care service and uphold the 10 Child Safe Standards as recommended by the National Office for Child Safety and our recruitment and screening processes play a vital role in protecting children from harm.

Our OSHC Service values workplace diversity and inclusion and we strongly encourage applicants from Aboriginal and Torres Strait Islanders, women, and individuals with disability. Recruitment and selection

of staff will be guided by the requirements of relevant legislation, issues of equity and diversity, qualification, knowledge and skills, workforce participation and experience.

SCOPE

This policy applies to staff, educators, approved provider, and management of the OSHC Service.

RECRUITMENT DECISIONS

The Approved Provider or assigned nominee will approve all recruitment decisions as outlined in this *Recruitment Policy* and Recruitment Plan Procedure. (*See Recruitment Plan*). Recruitment decisions will be based on the need and requirements of the service and will consider the following:

- ensuring the OSHC Service meets all staffing requirements as per Education and Care Services National Law and National Regulations
- any resignation of existing staff
- an increase in occupancy

The recruitment processes will be consistent, transparent, professional and timely. Any grievances relating to the recruitment procedure will be addressed as per the *Dealing with Complaints Policy*. All personal information regarding recruitment will be treated with the strictest confidence.

Selection criteria for each vacant position will be determined before advertisement and will take the following into consideration:

- position title
- qualifications required for the position
- experience required for the position
- position description/skills required for the position
- conditions of employment
- mandatory employment screening requirements including verifying Working With Children Check (WWCC), where applicable National Police Criminal History checks, immunisation requirements [including mandatory COVID-19 vaccination requirements] and conducting reference checks for every candidate to ascertain the candidate's attitudes and behaviours in previous child-related roles.
- clear expectations about commitment to child safety (Child Safe Standards)

Comprehensive job descriptions for each advertised position will be available for all applicants. Any applicants deemed unsuitable will be advised within an appropriate time frame

ADVERTISEMENTS

Information about the position and the OSHC Service will be provided to potential applicants which includes:

- job title
- job description
- location
- hours of work
- salary (award/ above award)
- Service Philosophy
- operation hours, age group of children educated and cared for
- selection criteria relating to the position available
- how to apply for the role
- a commitment to providing a safe environment for children
- closing date for applications
- contact information for further information
- immunisation requirements (including mandatory COVID-19 vaccination requirements)

Vacant positions may be advertised internally to encourage career advancement and opportunity. External advertisements may be placed through relevant media and networks including social media, newspaper and employment services such as SEEK, Indeed and Jora.

Potential applicants will be asked to complete an employment application as part of their application for the position available. *See Employment Application*

SELECTION PANEL AND INTERVIEWS

A selection panel will be determined for applicants short listed for an interview. The selection panel will consist of at least 2 people. Our OSHC service will use the interview guide and questionnaire when preparing for interviews. *(See Interview Guide and Questionnaire)*

Applicants who require support or access provisions, are encouraged to advise this at the time of their application, to ensure appropriate assistance is provided throughout the recruitment process.

Questions will be prepared in advance of the interview and applicant responses will be recorded during the interview. Each applicant will be asked the same questions to ensure fair and equitable treatment of all applicants. Interviews will be conducted in a private space and confidentiality will be maintained at all times. Applicants will be provided an opportunity to ask questions relating to the service and position at the end of the interview.

CONFLICT OF INTEREST

Any person on a selection panel must disclose to the Approved Provider or person organising the interview process if there is a conflict of interest at the time of reviewing the applications. A conflict of interest may arise if the applicant is a personal friend or past or present close work colleague.

Management must promote transparency and accountability, promote integrity and impartiality during the employment process and therefore consider if the conflict of interest poses a risk to the consistency of the application process.

PRE-EMPLOYMENT SCREENING-PROBITY CHECKS

Effective pre-employment screening ensures our service is compliant to legislative and regulatory requirements and aims to ensure we engage staff who have the skills, experience, qualifications and general 'fit'.

All preferred candidates will undergo appropriate pre-employment checks including reference checks, Working With Children Checks (WWCC), immunisation status checks including mandatory COVID-19 vaccination requirements, [\[check your state/territory for requirements\]](#) and where applicable National Police criminal history checks before an offer of employment is recommended. Measures should be in place to ensure probity checks are completed by a person or persons who have no prior professional relationship with the applicant to mitigate the perception of bias in the recruitment process.

RECRUITMENT CHECKS

Verbal reference checks will be conducted over the phone for preferred applicants. Reference check questions will be determined prior to the check conducted and will establish the relationship the referee has with the applicant.

At least 2 references are to be provided for a reference check. Where possible references should be from the immediate previous employer. The reference checks will ascertain, where possible, the

applicant's attitudes and behaviours in previous child-related roles and ascertain whether the applicant has ever been the subject of complaints.

WWCC/POLICE CHECKS

Working with Children Check legislation aims to prevent people who pose a risk from working with children as paid employees or volunteers. All employees, volunteers and students must undergo a Working with Children Check (or its equivalent) prior to working at the service. Employees, volunteers or students that are unable to provide a copy of a validated WWC Check (or equivalent) prior to the start of engagement or employment will not be able to undertake any work-related activity within the service.

NEW SOUTH WALES- A Working With Children Check (WWCC) clearance is required for all employees, volunteers and students. The service will verify the WWCC and ensure the employee, student or volunteer is cleared to work with children online at the Office of the Children's Guardian website in NSW prior to ALL students, volunteers and employees undertaking work at the service. [Office of the Children's Guardian](#)

VICTORIA - The Working with Children Check is required prior to engagement of work-related activities for employees, volunteers and students. Employees, volunteers or students under the age of 18 may be able to apply for a Working With Children Check. [Working With Children Check Victoria](#)

PRODA BACKGROUND CHECKS

Employees involved in the administration of Child Care Subsidy are required to undertake additional background checks.

OFFER OF EMPLOYMENT

An offer of employment will be made to the successful applicant following careful consideration by the selection panel. A confirmation of employment letter will be provided to successful applicants upon acknowledgment. Successful applicants are required to provide documentation regarding qualifications and immunisations and complete an employee immunisation record.

A written employment contract will be provided to the successful applicants detailing the position, hours of shift, award information, wages and salary, date and time of commencement, contact person, probationary period.

Applicants who are unsuccessful will be notified within an appropriate time frame and offered feedback regarding their application.

PROBATIONARY PERIOD AND INDUCTION

Each new permanent employee is subject to a Probationary Period of three (3) to six (6) months. This ensures assessment for both the employee and service to ensure suitability of the role for the employee. During this time employees will receive advice, training and guidance to help them become familiar with and competent in, performing the work they have been appointed to do. The appointment is subject to the satisfactory completion of the Probationary period which itself is subject to termination during any stage, by either party, upon notice in writing, or by payment in lieu of notice.

Our OSHC Service is committed to providing a comprehensive induction program to ensure the smooth integration of new employees. The Approved Provider or assigned nominee will support the new employee and help them to understand the organisational structure, how decisions are made and communicated and what role they will have in the decision-making process. An induction checklist will be used to support this process, which explains an employee's responsibility to know the policies, procedures and practices within our Service and their duty of care obligations to ensure the safety and wellbeing of all children. Induction will include relevant information on child safe practices adhering to the Child Safe Standards, Code of Conduct, strategies that identify, assess and minimise risks to children and mandatory reporting procedures.

Continuity in care within the OSHC Service is paramount. By orientating staff professionally and correctly, it guarantees the consistency of care not only within the room but also across the entire Service. New employees will undergo regular supervision appraisals, mentoring, training and development as part of the orientation process.

SOURCE

ACT Government. Access Canberra. (2020). *Working With Vulnerable People (WWVP) Registration* https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1804/kw/working%20with%20children

Australian Government Department of Education, Skills and Employment. *Child Care Provider Handbook (2018)* <https://www.dese.gov.au/resources-child-care-providers/resources/child-care-provider-handbook>

Australian Government. Fair Work Ombudsman. (2020). *Hiring employees* <https://www.fairwork.gov.au/find-help-for/small-business/hiring-employees>

Australian Human Rights Commission. *Child Safe Organisations*. <https://humanrights.gov.au/our-work/childrens-rights/projects/child-safe-organisations>

Commission for children and young people *Being a child safe organisation* <https://ccyp.vic.gov.au/child-safety/being-a-child-safe-organisation/>
<http://providers.dhhs.vic.gov.au/creating-child-safe-organisations> of the Department of Health and Human Services' Service Providers:

Government of South Australia Department of Human Services (2020). Working With Children Check: <https://screening.sa.gov.au/home>

Government of Western Australia (2020). Working With Children Check <https://workingwithchildren.wa.gov.au/>

Northern Territory Government (2020). Working With Children Clearance <https://nt.gov.au/emergency/community-safety/apply-for-a-working-with-children-clearance>

NSW Department of Education. (2021). Implementing the Child Safe Standards: A guide for early childhood education and outside school hours care services.

NSW Government. (2020). Office of the Children’s Guardian: <https://www.kidsguardian.nsw.gov.au/>

NSW Government. (2020). Office of the Children’s Guardian: A guide to the Child Safe Standards <https://www.kidsguardian.nsw.gov.au/ArticleDocuments/838/ChildSafeStandardsGuide.pdf.aspx?Embed=Y>

Queensland Government Blue Card Services Queensland (2020). <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card-services>

Tasmania Government Consumer, Building and Occupational Services Registration to work with vulnerable People: http://www.justice.tas.gov.au/working_with_children

Victoria Government. Business Victoria. (2020). Staff recruitment <https://www.business.vic.gov.au/hiring-and-managing-staff/staff-recruitment/write-a-contractual-letter-of-offer>

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	NOVEMBER 2021	NEXT REVIEW DATE	NOVEMBER 2022
MODIFICATIONS	• New Policy developed for OSHC Services		

RESPONSIBLE PERSON POLICY

As per *Education and Care Services National Law and Regulations*, a Responsible Person must be physically in attendance at all times that the Out of School Hours Care (OSHC) Service is educating and caring for children.

Approved providers are responsible for appointing a Responsible Person who is aged 18 years or older, has adequate knowledge and understanding of the provision of education and care to children, and has an ability to effectively supervise and manage an education and care service (ACECQA, 2017).

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing Arrangements	Staffing arrangements enhance children's learning and development
4.1.1	Organisation of educators	The organisation of educators across the service supports children's learning and development
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.

EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS	
Section 162	Offence to operate education and care service unless responsible person is present
Section 169	Offence relating to staffing arrangements
117A	Placing a person in day-to-day charge

117B	Minimum requirements for a person in day-to-day charge
117C	Minimum requirements for a nominated supervisor
150	Responsible Person
168	Policies and Procedures
173	Prescribed information to be displayed
177	Prescribed enrolment and other documents to be kept by approved provider

PURPOSE

Our OSHC Service is committed to meeting our duty of care obligations under the *Education and Care Services National Law and National Regulations* to ensure a Responsible Person is physically on the premises at all times to ensure the health, safety, wellbeing, learning, and development of all children at the service is maintained at all times.

SCOPE

This policy applies to the Management, Approved Provider, Nominated Supervisor, Responsible Persons and educators of the OSHC Service.

DEFINITIONS

NAME	DEFINITION
Nominated Supervisor	A person, over the age of 18, with responsibility for the day to day management of an approved service. The Nominated Supervisor has a range of responsibilities under the Law and Regulations that govern the operation of education and care services.
Responsible Person	A person, over the age of 18, who is physically at the Service and has the role of Nominated Supervisor or duly appointed person. The Responsible Person has consented to be placed in day to day charge of the Service but does not take on the responsibilities of the Nominated Supervisor rather they ensure the consistency and continuity in practices.

IMPLEMENTATION

A Responsible Person will be on the premises at all times, and the details of the Responsible Person will be clearly visible to families and visitors at the main entry of the OSHC Service. A record of the Responsible Person will be documented each day via the Responsible Person Register.

If the Responsible Person leaves the premises, they will 'hand over' obligations for the role to another duly appointed person at the Service. It is vital that all handovers to a designated Responsible Person are

documented when commencing this position throughout the day via the Responsible Person record. The process for determining the Responsible Person will be clear to all educators and staff, and procedures will be followed at all times. Both the outgoing and incoming Responsible Persons will ensure the displayed name of the current Responsible Person at the Service correctly reflects who presently holds the position.

Our OSHC Service will have one Responsible Person present at all times when caring for and educating children.

A responsible person can be:

- An Approved Provider or a person with management or control
- A Nominated Supervisor, *or*
- A person in day-to-day charge of the service (PIDTDC)

The Approved Provider/Management will ensure a Responsible Person:

- is appointed and physically on the premise at all times children are being educated and cared for
- is over the age of 18 years
- meets the minimum requirements for qualifications, experiences and management capabilities
- holds a valid and current Working With Children Check (or state/territory equivalent)
- has completed child protection training and is aware of the reportable conduct scheme
- has knowledge and a commitment to the National Child Safe Standards
- has adequate knowledge and understanding of the provision of education and care to children, the Education and Care National Law and Regulations and National Quality Standard, the approved framework for school age care- *My Time, Our Place* (MTO), Family Assistance Law and administration of CCS
- has the ability to effectively supervise and manage an education and care service
- is a fit and proper person (as per regulatory authority conditions)
- has evidence of completing an approved diploma level education and care qualification or higher is considered as a requirement or 'actively working towards' an ACECQA approved qualification
- provides references including their current and previous employers. These will be checked, and records kept on file
- provides written consent for the position of Responsible Person and this is filed in staff records (not required if the approved provider is the responsible person)

The Approved Provider/Management will ensure:

- the regulatory authority is notified 7 days prior to a **Nominated Supervisor** starting at the Service or within 14 days after the person has commenced the role through NQA IT System
- the regulatory authority is notified if the **Nominated Supervisor** changes their name or contact details; is no longer employed by the Service, has been removed from the role or withdraws their nomination
- a Responsible Person will be removed from the position should management become aware of a matter or incident which affects the ability of the person to meet the minimum requirements of the position
- the staff register has the name of the Responsible Person at the Service for each time children are being educated and cared for by the Service
- a Responsible Person is on duty from the time the Service opens each day until the time the Service closes
- ensure that the identity of the Responsible Person on duty is displayed in the main entrance of the Service and is easily visible for families and visitors
- the **PIDTDC** interchanges with the Nominated Supervisor in their absence
- Responsible Persons are aware that they have to sign off when they have finished their duty and will ensure the Nominated Supervisor or appointed Responsible Person (PIDTIC) will sign on and take on the role
- a staff record is kept recording
 - the full name, address and date of birth of the responsible person/nominated supervisor;
 - evidence of relevant qualifications
 - if applicable, evidence that the Responsible Person/Nominated supervisor is actively working towards that qualification
 - evidence of any approved training (including first aid training and child protection training)
 - verification of a Working with Children Check – identifying number and expiry date
 - written consent for the position of Responsible Person

A Nominated Supervisor/appointed Responsible person will:

- provide written consent to accept the role of Responsible Person/Nominated Supervisor
- sign their name and hours of responsibility on the Responsible Service Register
- ensure that the identity of the Responsible Person on duty is displayed in the main entrance of the Service and is easily visible for families and visitors

- inform management (Approved Provider/Nominated Supervisor) in a timely manner in the event of absence from the Service due to leave or illness so they can be replaced by another Responsible Person
- ensure they have a sound understanding of the role of Responsible Person
- abide by any conditions placed on the Responsible Person
- understand that a Responsible Person placed in day-to-day charge (PIDTIC) of the Service does not have the same responsibilities under the National Law as the Nominated Supervisor.
- in the case of Nominated Supervisor, Notify the Regulatory Authority within 7 days of any changes to their personal situation, including a change in mailing address, circumstances that affect their status as fit and proper (such as the suspension or cancellation of a Working with Children Check card or teacher registration), or if they are subject to disciplinary proceedings.
- notify management at the Service in writing, if they wish to withdraw their consent to be a Responsible Person
- Responsible Person appointments will be recorded on the Staff Roster, so all educators and staff are aware of who is appointed Responsible Person at all times the service is open
- the Director/Nominated Supervisor will advise educators and staff the educators who have been appointed as a Responsible Person

SOURCE

Australian Children’s Education & Care Quality Authority. (2014).

Australian Children’s Education & Care Authority. (2017). Responsible Person Requirements for Approved Providers: <https://www.acecqa.gov.au/sites/default/files/2018-09/ResponsiblePersonRequirements.pdf>

Education and Care Services National Law Act 2010. (Amended 2018).

[Education and Care Services National Regulations](#). (2011).

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).

Guide to the National Quality Framework. (2017). (Amended 2020).

Guide to the National Quality Standard. (2017).

Revised National Quality Standard. (2018)

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	OCTOBER 2021	NEXT REVIEW DATE	OCTOBER 2022
MODIFICATIONS	<ul style="list-style-type: none"> • minor edits to policy • deleted requirement to have an Australian Police Check for responsible person (Only required for Nominated Supervisor) 		

POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE
FEBRUARY 2021	<ul style="list-style-type: none"> • additional information related to records for Responsible Person added • related procedures and documents added 	OCTOBER 2021
OCTOBER 2020	<ul style="list-style-type: none"> • Additional standards added- QA7 • related National Law added • rewording of general section regarding Responsible Person for better flow • inclusion of knowledge of Family Assistance Law, CCS, Child Safe Standards • include information about staff records • sources updated and checked for currency 	OCTOBER 2021
October 2019	<ul style="list-style-type: none"> • Additional information added • information for withdrawal of consent added • Related policies added 	October 2020
October 2018	<ul style="list-style-type: none"> • References corrected, added &/or updated. • Incorrect references deleted & replaced. • Sources/references alphabetised. 	October 2019
November 2017	<ul style="list-style-type: none"> • Updated the references to comply with the revised National Quality Standard 	AUGUST 2018

Complaints Policies

DEALING WITH COMPLAINTS POLICY

Feedback from families, educators, staff and the wider community is fundamental in creating an evolving Out of School Hours Care Service working towards the highest standard of care and education.

It is foreseeable that feedback will include divergent views, which may result in complaints. This Policy details our Service’s procedures for receiving and managing informal and formal complaints. Parents, educators, visitors, students and members of the community can lodge a grievance or complaint, with the understanding that it will be managed conscientiously and confidentially.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 6: COLLABORATIVE PARTNERSHIPS		
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child’s learning and wellbeing.
6.2	Collaborative partnerships	Collaborative partnerships enhance children’s inclusion, learning and wellbeing.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service
7.2.1	Continuous Improvement	There is an effective self-assessment and quality improvement process in place.

LEGISLATIVE REQUIREMENTS / EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
Sec. 172	Offence to fail to display prescribed information
Sec.174	Offence to fail to notify certain information to Regulatory Authority
168(2)(o)	Education and care service must have policies and procedure... for dealing with complaints
173(2)(b)	Requires an approved provider to make the name and telephone number of the person to whom complaints may be addressed clearly visible at the service

176	Time to notify certain information to Regulatory Authority
183	Storage of records and other documents

PURPOSE

The *Education and Care Services National Regulations* requires approved providers to ensure their services have policies and procedures in place for dealing with complaints (regulation 168) and take reasonable steps to ensure those policies and procedures are followed (regulation 170).

We aim to investigate all complaints and grievances with a high standard of equity and fairness. We will ensure that all persons making a complaint are guided by the following policy values:

- procedural fairness and natural justice
- code of ethics and conduct
- culture free from discrimination and harassment
- transparent policies and procedures
- opportunities for further investigation
- adhering to our OSHC Service philosophy

PROCEDURAL FAIRNESS AND NATURAL JUSTICE

Our OSHC Service believes in procedural fairness and natural justice that govern the strategies and practices which include:

- The right to be heard fairly
- The right to an unbiased decision made by an objective decision maker
- The right to have the decision based on relevant evidence

SCOPE

This policy applies to children, families, staff, management, and visitors of the OSHC Service.

IMPLEMENTATION

Grievances and complaints can transpire in any workplace. Handling them appropriately is imperative for sustaining a safe, healthy, harmonious, and productive work environment. Our *Dealing with Complaints Policy* ensures that all persons are presented with procedures that:

- Value the opportunity to be heard
- Promote conflict resolution
- Encourage the development of harmonious partnerships
- Ensure that conflicts and grievances are mediated fairly

- Are transparent and equitable.

DEFINITIONS

Complaint: Expression of dissatisfaction made to or about an organisation related to its products, services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required. [AS/NZS 10002:2014 Complaint Management Standard]

Complaints and Grievances Management Register: Records information about complaints and grievances received at the Service, along with the outcomes. This register includes documents that must be kept in a secure file, accessible only to management and the Regulatory Authority. The register can provide valuable information to the Approved Provider and Nominated Supervisor of the service to ensure children and family's needs are being met.

Grievance: A grievance is a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature. A *workplace grievance* is a complaint raised towards an employer by an employee due to a violation of legalities (workplace policies, employment contract, national standards).

Mediator: A person who attempts to assist and support people involved in a conflict come to an agreement.

Mediation: An attempt to bring about a peaceful settlement or compromise between disputants through the objective intervention of a neutral party.

Notifiable complaint: A complaint that alleges a breach of *the Education and Care Services National Law and Regulations*, National Quality Standard or alleges that the health, safety, or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by the Approved Provider or Nominated Supervisor to the Regulatory Authority within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b)).

If the Approved Provider/Nominated Supervisor is unsure whether the matter is a notifiable complaint, it is good practice to contact the [Regulatory Authority](#) for confirmation. Written reports must include:

- details of the event or incident

- the name of the person who initially made the complaint
- if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)
- contact details of a nominated member of the Grievances Subcommittee (or Nominated Supervisor)
- any other relevant information

Written notification of complaints must be submitted using the appropriate forms, which can be found on the ACECQA website: www.acecqa.gov.au and logged using [NQA ITS](#) (National Quality Agenda IT System).

Serious incident: An incident resulting in the death of a child, or an injury, trauma, or illness for which the attention of a registered medical practitioner, emergency services, or hospital is sought or should have been sought. This also includes an incident in which a child appears to be missing, cannot be accounted for, is removed from the centre in contravention of the Regulations, or is mistakenly locked in/out of the centre premises (Regulation 12).

A serious incident should be documented in an *Incident, Injury, Trauma and Illness Record* as soon as possible and within 24 hours of the incident. The Regulatory Authority must be notified within 24 hours of a serious incident occurring at the service (Regulation 176(2)(a)). These records are required to be retained for the periods specified in Regulation 183. The Approved Provider will notify the regulatory authority of any incident where there is a reasonable belief that physical and/or sexual abuse of a child has occurred or is occurring at the service, or any allegation that sexual or physical abuse of a child has occurred or is occurring at the service.

Privacy and Confidentiality

Management and educators will adhere to our *Privacy and Confidentiality Policy* when dealing with complaints and grievances. However, if a complaint involves a staff member or child protection issues, a relevant government agency will need to be informed. (See: Reportable Conduct Scheme in *Child Protection Policy*) [Responding to incidents, disclosures and suspicions of child abuse or harm NSW](#)

Conflict of Interest

It is important for the complainant to feel confident in

- being heard fairly

- an unbiased decision-making process.

Should a conflict of interest arise during a grievance or complaints that involves the Approved Provider or Nominated Supervisor, other Management will be nominated as an alternative mediator. Our Service may also engage the resources of an Independent Conflict Resolution Service to assist with the mediation of a dispute. We will ensure that throughout the conflict resolution process the Services Code of Conduct is adhered to.

The Approved Provider/Nominated Supervisor/Responsible Person will:

- ensure the name and telephone number of the person to whom complaints can be made is clearly visible at the service
- ensure information about our *Dealing with Complaints* Policy is easily accessible to all families, visitors and volunteers
- treat all grievances and complaints seriously and as a priority
- ensure grievances and complaints remain confidential
- ensure grievances and complaints reflect procedural fairness and natural justice
- discuss the issue with the complainant within 24 hours of receiving the verbal or written complaint.
- investigate and document the grievance or complaint fairly and impartially

The investigation will consist of:

- reviewing the circumstances and facts of the complaint (or breach) and inviting all affected parties to provide information where appropriate and pertinent
- discussing the nature of the complaint (or breach) and giving the accused educator, staff member, volunteer, or visitor an opportunity to respond
- permitting the accused person to have a support person present during the consultation (for example: Union Representative or family member; however, this does not include a lawyer acting in a professional capacity)
- providing the employee with a clear written statement outlining the outcome of the investigation.
- Advise the complainant and all affected parties of the outcome within 7 working days of receiving the verbal or written complaint.
 - management will provide a written response outlining the outcome and provide a copy to all parties involved
 - if a written agreement about the resolution of the complaint is prepared, all parties will ensure the outcomes accurately reflects the resolution and sign in agreement.

- should management decide not to proceed with the investigation after initial enquiries, a written notification outlining the reasoning will be provided to the complainant
- keep appropriate records of the investigation and outcome and store these records in accordance with our *Privacy and Confidentiality Policy* and *Record Keeping and Retention Policy*
- monitor ongoing behaviour and provide support as required
- ensure the parties are protected from victimisation and bullying
- request feedback on the grievance and complaint process using a feedback form
- review the effectiveness of the Service policy and procedures to ensure all complaints and grievances have been handled fairly and professionally
- track complaints to identify recurring issues within the Service
- notify the Regulatory Authority within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised. Notification must include any incident where there is a reasonable belief that physical and/or sexual abuse of a child has occurred or is occurring at the service, or any allegation that sexual or physical abuse of a child has occurred or is occurring at the service.

Conflict of Interest

It is important for the complainant to feel confident in

- being heard fairly
- an unbiased decision-making process.

Should a conflict of interest arise during a grievance or complaint that involves the Approved Provider or Nominated Supervisor, other Management will be nominated as an alternative mediator. Our OSHC Service may also engage the resources of an Independent Conflict Resolution Service to assist with the mediation of a dispute. We will ensure that throughout the conflict resolution process the Services Code of Conduct is adhered to.

Continuous Improvement

- Complaints provide our Service with opportunities for learning and improvement. We encourage regular and ongoing feedback from staff, children and families and the community.
- Our Service is committed to resolving complaints through prompt investigation, open communication, and transparent processes.

SOURCE

Australian Children’s Education & Care Quality Authority. (2014).
 ACECQA-Using Complaints to support continuous improvement. (2018).
https://www.acecqa.gov.au/sites/default/files/2018-04/QA7_UsingComplaintsToSupportContinuousImprovement.pdf
 Australian Human Rights Commission: <https://www.humanrights.gov.au>
 Education and Care Services National Regulation. (2011).
 Guide to the National Quality Framework. (2017). (Amended 2020)
 National Quality Standard. (2017).
 Queensland Government- Guide for effective complaints management
<https://earlychildhood.qld.gov.au/legislationAndGuidelines/Documents/effective-complaints-management-guide.pdf>
 Revised National Quality Standard. (2018).

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	AUGUST 2021	NEXT REVIEW DATE	AUGUST 2022
MODIFICATIONS	<ul style="list-style-type: none"> • Policy name changed to meet ACECQA guidelines- <i>Dealing with Complaints Policy (General)</i> • additional related legislation added • related policies added • definition of ‘complaint’ amended to align with ACECQA’s definition guidelines • notification requirement for physical or sexual abuse added • additional sections-Conflict of Interest and Continuous improvement • sources checked for currency and updated where required 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		NEXT REVIEW DATE
AUGUST 2020	<ul style="list-style-type: none"> • minor editing • additional related policies • reference to Reportable Conduct Scheme added • link to Regulatory Authority added 		AUGUST 2021
AUGUST 2019	New policy created for Out of School Hours Care		AUGUST 2020

DEALING WITH COMPLAINTS/GRIEVANCE PROCEDURE

Feedback from families, educators, staff and the wider community is fundamental in creating an evolving Out of School Hours Care (OSHC) Service working towards the highest standard of care and

education. In the event that feedback includes divergent views which result in complaints or a grievance, the Director/ Nominated Supervisor or Approved Provider will ensure the grievance is managed conscientiously and confidentially following the procedure below.

Working in conjunction with the Dealing with Complaints Policy (General), Dealing with Complaints (Families) and Dealing with Complaints (Staff), this procedure provides detailed steps for receiving and managing informal and formal complaints and grievances.

Education and Care Services National Law or Regulations (R.168, 173, 176 and 183) NQS QA 6 and 7: Element 6.1.2, 6.2, 7.1.2 and 7.2.1 Relationships with families and Governance practices and procedures
Related Policy: Dealing with Complaints Policy (General), Dealing with Complaints (Families) and Dealing with Complaints (Staff)

STEP 1: COMPLAINT PROCEDURE		
1	The name and telephone number of the person to whom complaints can be made is clearly visible at the Service	
2	Information about our <i>Dealing with Complaints Policy</i> will be easily accessible to all families, visitors and volunteers	
3	The Director/ Nominated Supervisor or Approved Provider will treat all complaints and grievances seriously, professionally and as a priority while ensuring complaints or grievances remain confidential	
4	The Director/ Nominated Supervisor or Approved Provider will ensure complaints or grievances reflect procedural fairness and natural justice	
5	Families are encouraged to read through the Service's <i>Dealing with Complaints Policy</i> to ensure the most effective and appropriate method of communication is used when raising the complaint or grievance. Families are encouraged to contact their children's educator directly to make an appointment to discuss the complaint or grievance and raise their concerns. (In many cases an informal resolution can be achieved by communication and discussion). Complaints should be discussed privately and at an appropriate time. If families feel uncomfortable approaching the educator directly, we encourage them to contact Service Management to arrange a formal meeting.	
6	If the family feels as though their grievance or complaint has not been resolved when approaching the educator, management will be contacted to arrange a formal meeting. Management will contact the family within 24 hours of receiving the grievance or complaint.	
7	If any complaint or grievance is made verbally to an educator, a record of the conversation must be made and shared with the Nominated Supervisor/responsible person. This record, although informal, should be kept in the <i>Complaints Register</i> .	
8	Staff and families are encouraged to submit a written complaint through the <i>Complaints/ Grievance Form</i>	

STEP 2: UPON RECEIPT OF A COMPLAINT/FEEDBACK	
1	The Director/ Nominated Supervisor or Approved Provider will discuss the issue with the complainant within 24 hours of receiving the verbal or written complaint and will investigate and document the complaint or grievance fairly and impartially
2	<p>Management and educators will adhere to our <i>Privacy and Confidentiality Policy</i> when conducting an investigation into complaints or grievances. However, if a complaint or grievance involves a staff member or a child protection issue, a relevant agency will need to be informed. Responding to incidents, disclosures and suspicions of child abuse or harm NSW</p> <p>The Approved Provider will notify the regulatory authority of any incident where there is a reasonable belief that physical and/or sexual abuse of a child has occurred or is occurring at the service, or any allegation that sexual or physical abuse of a child has occurred or is occurring at the service.</p>
3	<p>Families who wish to raise concerns regarding the management of Child Care Subsidy (CCS) should speak with the Director/ Nominated Supervisor in the first instance. Families can raise concerns regarding management of the Child Care Subsidy to the dedicated Child Care Tip-Off Line either via phone or email:</p> <ul style="list-style-type: none"> • Phone: 1800 664 231 • Email: tipoffline@education.gov.au
4	<p>A meeting will be arranged between the complainant and management of the service.</p> <p>The <i>Complaint Management Form</i> may be used during the meeting to fairly and impartially document the complaint or grievance.</p>

STEP 3: INVESTIGATING THE COMPLAINT	
1	<p>The Director/ Nominated Supervisor or Approved Provider will begin an investigation of the complaint/ grievance/ feedback by:</p> <ol style="list-style-type: none"> a) reviewing the circumstances and facts of the complaint (or breach) and inviting all affected parties to provide information where appropriate and pertinent b) discussing the nature of the complaint (or breach) and giving the accused educator, staff member, volunteer, or visitor an opportunity to respond c) permitting the accused person to have a support person present during the consultation (for example: Union Representative or family member) d) providing the employee with a clear written statement outlining the outcome of the investigation.
2	Management will use the <i>Complaint/Grievance Investigation Guide and Form</i> to record the investigation conducted, if an investigation is required.
3	Should the Director/ Nominated Supervisor or Approved Provider decide not to proceed with the investigation after initial enquiries, a written notification outlining the reasoning is to be provided to the complainant.

4	Should a conflict of interest arise during a complaint or grievance that involves the Approved Provider or Director/ Nominated Supervisor, other Management will be nominated as an alternative mediator.	
5	Our Service may also engage the resources of an Independent Conflict Resolution Service to assist with the mediation of a dispute. We will ensure that throughout the conflict resolution process the Services Code of Conduct is being adhered to.	

STEP 4: EVALUATION OF THE INVESTIGATION

1	The Director/ Nominated Supervisor or Approved Provider will advise the complainant and all affected parties of the outcome within 7 working days of receiving the verbal or written complaint or grievance	
2	Management will provide a written response outlining the outcome and provide a copy to all parties involved	
3	If a written agreement about the resolution of the complaint or grievance is prepared, all parties will ensure the outcomes accurately reflects the resolution and sign in agreement	
4	The Director/ Nominated Supervisor or Approved Provider will monitor ongoing behaviour and provide support as required, and ensure the parties are protected from victimisation and bullying.	

STEP 5: KEEPING RECORDS OF COMPLAINTS AND FEEDBACK

1	The Director/ Nominated Supervisor or Approved Provider will keep appropriate records of the investigation and outcome and store these records in accordance with our <i>Privacy and Confidentiality Policy</i> and <i>Record Keeping and Retention Policy</i>	
2	The Director/ Nominated Supervisor or Approved Provider will request feedback on the complaint or grievance process using a feedback form and review the effectiveness of the Service policy and procedures to ensure all complaints and grievances have been handled fairly and professionally	
3	The Director/ Nominated Supervisor or Approved Provider will track complaints to identify recurring issues within the Service through the <i>Complaints Register</i> .	

STEP 6: NOTIFICATIONS OF COMPLAINTS AND FEEDBACK

1	<p>The Director/ Nominated Supervisor or Approved Provider will notify the Regulatory Authority within 24 hours if a complaint alleges a breach of the Education and Care Services National Law and Regulations, the National Quality Standard or alleges the safety, health or wellbeing of a child is being compromised. If the Director is unsure whether the matter is a notifiable complaint, it is good practice to contact the Regulatory Authority for confirmation. Written reports must include:</p> <ul style="list-style-type: none">• details of the event or incident• the name of the person who initially made the complaint• if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)• contact details of a nominated member of the Grievances Subcommittee (or Nominated Supervisor)• any other relevant information	
2	<p>Written notification of complaints must be submitted to the Regulatory Authority using the appropriate forms, which can be found on the ACECQA website: www.acecqa.gov.au and logged using NQA ITS (National Quality Agenda IT System).</p>	

Enrolments, Fees and Cancellation policies

ENROLMENT POLICY

Out of School Hours Care (OSHC) Services provide high quality care for children before and after school, on pupil free days and during school holidays as Vacation Care programs. Enrolment and orientation can be both an exciting and an emotional time for children and families whether they attend only occasionally or on a regular basis. It is important to manage this time with sensitivity and support, building partnerships between families and the Out of School Hours Service. Such partnerships enable the Out of School Hours Care Service and families to work toward the common goal of promoting consistent quality outcomes for individual children and the Out of School Hours Service.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 6: COLLABORATIVE PARTNERSHIPS		
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.1.1	Engagement with the service	Families are supported from enrolment to be involved in their service and contribute to service decisions.
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected, and families share in decision-making about their child's learning and wellbeing.
6.1.3	Families are supported	Current information is available to families about the service and relevant community services and resources to support parenting and family wellbeing.
6.2	Collaborative partnerships	Collaborative partnerships enhance children's inclusion, learning and wellbeing.
6.2.3	Community and engagement	The service builds relationships and engages with its community.

LEGISLATIVE REQUIREMENTS/EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
S175	Offence relating to requirement to keep enrolment and other documents
77	Health, hygiene and safe food practices
78	Food and beverages
85	Incident, injury, trauma and illness policies and procedures
86	Notification to parents of incident, injury, trauma and illness

88	Infectious diseases
90	Medical conditions policy
91	Medical conditions policy to be provided to parents
92	Medication record
93	Administration of medication
96	Self-administration of medication
97	Emergency and evacuation procedures
99	Children leaving the education and care service premises
100	Risk assessment must be conducted before excursion
101	Conduct of risk assessment for excursion
102	Authorisation for excursions
102D	Authorisation for service to transport children
157	Access for parents
160	Child enrolment records to be kept by approved provider and family day care educator
161	Authorisations to be kept in enrolment record
162	Health information to be kept in enrolment record
168	Education and care service must have policies and procedures
173	Prescribed information is to be displayed
177	Prescribed enrolment and other documents to be kept by approved provider
181	Confidentiality of records kept by approved provider
183	Storage of records and other documents

RELATED LEGISLATION

Child Care Subsidy Secretary's Rules 2017	Family Law Act 1975
A New Tax System (Family Assistance) Act 1999	Family Assistance Law – Incorporating all related legislation for Child Care Provider Handbook in Appendix G https://www.dese.gov.au/resources-child-care-providers/resources/child-care-provider-handbook

PURPOSE

We aim to ensure children and families receive a positive and informative enrolment and orientation process that meets their individual needs. We strive to establish respectful and supportive relationships between families and the Out of School Hours Care (OSHC) Service to promote positive

outcomes for children whilst adhering to legislative requirements.

SCOPE

This policy applies to children, families, staff, management, coordinators, and visitors of the Out of School Hours Care Service.

ENROLMENT

According to the Child Care Provider Handbook (June 2019) *'enrolling children is a requirement under Family Assistance Law for all children who attend child care (or have an arrangement for care) regardless of their parent's or guardian's eligibility for Child Care Subsidy...An enrolment links the child, the individual claiming the subsidy and the child care service.'* An enrolment notice is required for each child attending the service. This reflects the type of arrangement that is in place between the provider and the family/individual or organisation.

IMPLEMENTATION

The *Education and Care Services National Regulations* requires approved providers to ensure their services have policies and procedures in place for enrolment and orientation (regulation 168) and take reasonable steps to ensure those policies and procedures are followed (regulation 170).

Our OSHC Service accepts enrolments of children who are formally enrolled in primary school.

Enrolments will be accepted providing:

- a) the maximum daily attendance does not exceed the licensed capacity of the Out of School Hours Care Service
- b) a vacancy is available for the booking required
- c) the adult to child ratio is maintained at the Out of School Hours Care Service

PRIORITY OF ACCESS GUIDELINES

Our Service aims to assist families who are most in need and may prioritise filling vacancies with children who are:

- o at risk of serious abuse or neglect
- o a child of a sole parent who satisfies, or parents who both satisfy, the activity test through paid employment.

Providers are asked to (but are not legally obliged to prioritise children). CCS Handbook p.51

ENROLMENT

When a family has indicated their interest in enrolling their child, we will organise an enrolment meeting to share information and build relationships.

- Families will be provided with a range of information about our OSHC Service which will include:
 - collection/drop off procedures -ensuring children are signed in and out of the service
 - the service philosophy, inclusion, programming methods, menu, incursions, excursions, inclusion, fees, Child Care Subsidy, policies, procedures, SunSmart requirements, regulations and the licensing and assessment process for our State, My Time, Our Place: Framework for School Age Care in Australia, the National Quality Framework, Out of School Hours Care routines, educator qualifications, introduction to the service and learning environment, parent communication strategies and signing in and out processes.
- Families are invited to ask questions and seek any further information they require
- Families will be provided with vacancies, a start date and a suitable time for the child to be orientated to the OSHC Service
- Families will need to complete the enrolment form informing management of their child's interests, strengths and individual needs
- Any matters that are of a sensitive nature, such as discussing a child's medical needs, Court Orders, parenting plans or parenting orders, will be discussed privately with management. Families will be required to bring any documents required in relation to court orders, medical needs or plans
- Families will complete the enrolment form informing management of their child's interests, strengths and individual needs
- If a family or child uses English as a second language or speak another language at home, we request that families provide us with some key words in the language/s the child speaks so that educators can learn these words.
- Families who wish to receive CCS as reduced fees must apply for CCS through the myGov website/app, this includes completing the Child Care Subsidy activity test.
- Information about gap fees and absences will be discussed.
- It is a legal requirement that prior to the child starting at the Service we have all required documents including
 - the completed enrolment form
 - medical management plans (if relevant) completed by the child's general practitioner
 - birth certificate or passport
 - a current Immunisation History Statement from the Australian Immunisation Register (AIR)

- details of any court orders, parenting orders or parenting plans
- It is the family's responsibility to keep the Service informed of any changes to the information recorded on the application form.

FAMILIES WILL BE ASKED TO PROVIDE THE FOLLOWING INFORMATION:

1. Full name/s of parent/s (or the person legally responsible for the care of the child) residential address, place of employment and contact telephone number
2. The full name, residential address, and contact telephone number of a person or persons authorised by the parent who may be contacted in case of an emergency concerning the child if a parent is unable to be contacted (authorised nominee)
3. The full name, residential address and contact telephone number of any person authorised by the parent to collect the child from the OSHC Service (authorised nominee)
4. Full name of the child
5. Child's date of birth
6. Child's birth certificate or passport
7. Child's residency status
8. The child's address
9. Gender of the child
10. Cultural background of the child
11. Provision of care – if care will be a routine and/or casual etc.
12. Session start and end times
13. Complying Written Agreement including fee information
14. Relevant details regarding of child's school and class if being dropped off or collected from a school
15. Any court orders or parenting agreements regarding the child
16. The primary language spoken by the child; if the child has not learnt to speak, the child's family's language
17. Any special requirements of the family, including for example cultural or religious requirements.
18. The needs of a child with a disability or with other additional needs
19. A statement indicating parental permission for any medications to be administered to the child whilst at the Service. [Only a parent on the enrolment form can authorise the administration of medication.]
20. Authorisation and signature by parent/authorised person for the approved provider, nominated supervisor or educator to seek:

- medical treatment for the child from a registered practitioner, hospital or ambulance service
 - transportation of the child by an ambulance service
21. Child's Medicare number
 22. Specific healthcare needs of the child, including allergies and intolerances
 23. Any medical management plan for a specific severe healthcare need, medical condition, or allergy, such as an Anaphylaxis Emergency Management Plan or Risk Minimisation Plan.
 24. Details of any dietary restrictions for the child
 25. The name, address and telephone number of the child's doctor
 26. Authorisation for regular occurring transportation and regular outings/excursions
 27. Immunisation status of the child (Immunisation History Statement)
 28. CRN for child and claimant
 29. Child Care Subsidy Assessment confirmation.

Although Out of School Hours Care services are regulated under the Education and Care Services National Law Act, children attending Out of School Hours Care are exempt from the immunisation/enrolment requirements that apply to other early childhood education and care services (long day care, family day care & preschools). The *immunisation status* of the child is however required to be kept in the enrolment record for each child enrolled at the education and care service- Regulation 162 Education and Care Services National Regulations.

ORIENTATION OF THE SERVICE

During the orientation of the Out of School Hours Care Service, families will:

- be provided with the enrolment form to be completed or shown how to complete this through an online platform
- have Child Care Subsidy explained to families and assistance may be offered to assist with the application process
- provided with an outline of the Service policies which will include key policies such as: *Payment of Fees, Sun Safe, Incident, Injury, Trauma and Illness, Control of Infectious diseases, Sick Child Policy and Administration of Medication*
- shown the signing in/out process [insert information about Kiosk if used]
- advised of appropriate clothing for children to wear to the Service for mufti days or vacation care, including shoes
- informed about policies regarding children bringing in toys from home
- introduced to their child's educators

- taken on a tour around the Service and environment
- asked to share information on any medical management plan or specific healthcare needs of their child (if applicable)
- informed of the daily report and how parents can view this or informed about the online platform/App the Service may use
- introduced to the routines and Service program, including the observations to aid programming
- informed about Service communication strategies including meetings, interviews, newsletters, emails, etc.
- given the opportunity to set goals for their child
- confirm preferred method of communication.

ENROLMENT PACK

Once the enrolment fee and bond has been paid, families will be provided with an enrolment pack which consists of:

- Family Handbook, which outlines the Service's operation and philosophy
- current fee structure and payment details
- Child Care Subsidy information
- information on the National Quality Framework and *My Time Our Place* learning framework
- ECA Code of Ethics brochure
- Lunchbox and Snack ideas (if applicable- Vacation Care)
- Munch and Move Fact Sheets

THE APPROVED PROVIDER/MANAGEMENT WILL ENSURE:

- the enrolment form is completed accurately and, in its entirety
- authorisations are signed by both parents/guardians
- a child with medical needs does not begin at the OSHC Service unless a medical management plan is received and medication is brought to the service each day
- the child's medical management plan is recorded, and this information is shared/distributed to Educators
- Action Plans are completed in full (if relevant)
- Administration of Medication forms are completed (if relevant)
- Risk Minimisation Plans and Communication Plans are requested/completed with parents for children with medical needs before the child begins at the OSHC Service

- Educators are informed of the new child including any medical conditions, interests, developmental needs, and strengths
- Immunisation certificate and birth certificate has been sighted and photocopied
- the enrolment is lodged through Kidsoft
- a file for the Child's information is created
- families are provided with an orientation survey to complete within the first 6 weeks of starting to gain feedback about the orientation and enrolment process.

FAMILIES WILL:

- complete all documentation required by the Service for enrolment
- provide required authorisations as indicated on enrolment form
- notify the service of any specific health care needs of the child, including medical conditions and allergies and provide a medical management plan for child if applicable
- ensure all information about the child and family is kept up to date.

CHILD CARE SUBSIDY

[Child Care Subsidy](#) (CCS) offers assistance to families to help with the cost of childcare for children aged 0-13 years. There are three factors that determine a family's level of CCS. These are:

- [Combined annual family income](#)
- [Activity test](#) – the activity level of both parents
- [Service type](#) – type of child care service and whether the child attends school

Documentation may be required such as Australian driver licence, Australian passport, Foreign passport, Australian birth certificate, Australian Marriage certificate, Australian citizenship certificate

- Families are provided with a Customer Reference Number (CRN)
- Child Care Subsidy is paid directly to providers to be passed on to families as a fee reduction
- Families will contribute to their childcare fees and pay the Service the difference between the fee charged and the subsidy amount- generally called the 'gap fee'
- Families may also be eligible for [Additional Child Care Subsidy](#) depending upon their circumstance

COMPLYING WRITTEN ARRANGEMENT AND ADDITIONAL CHILD CARE SUBSIDY (ACCS) (CHILD WELLBEING) PROCEDURES

- The Provider and Parent must enter into an agreement regarding the planned arrangements for care of a child, this is called a *Complying Written Arrangement (CWA)* and is an agreement to provide care in return for fees.
- The CWA must be recorded, and the parent must confirm the terms of the agreement either electronic or hard copy and this must be kept by the provider.
- The CWA must include the following information:
 - the names and contact details of the provider and the individual(s)
 - the date the arrangement starts
 - the name and date of birth of the child (or children)
 - if care will be provided on a routine basis and if so, details about the days on which sessions of care will usually occur
 - the usual start and end times for these sessions of care
 - whether care will be on a casual or flexible basis (in addition to, or instead of, a routine basis)
 - details of fees charged under the arrangement (providers can reference a fee schedule or information available on their website), which the parties understand may vary from time to time.
- Where there are certain changes (fees or booked days) to the individual Complying Written Arrangements (CWA) for care between the provider and an individual, the provider must update the arrangement in writing, and the families are required to confirm the changes by signing the updated CWA.
- An enrolment notice must be submitted within 7 days following the signed CWA and enrolment acceptance.
- Once the provider submits an enrolment notice the family will be asked to confirm the enrolment through their myGov account.
- Parents can apply for ACCS (grandparent), ACCS (temporary financial hardship) or ACCS (transition to work) through Centrelink directly
- The provider can apply for ACCS (child wellbeing) through the CCS software or PEP for children identified at risk of serious abuse or neglect
- Our OSHC Service will ensure all ACCS applications are managed in line with the [Guide to Additional Child Care Subsidy \(child wellbeing\)](#) and [CCS Handbook](#)
- Once a child has been identified as 'at risk' the Service will check the ACCS eligibility requirements from the Guide to the ACCS (Child Wellbeing)

- If the Service deems the child is eligible for ACCS the service will submit an initial ACCS Certificate for a 6-week period
- The Service needs to provide a referral to an appropriate support agency in conjunction with the submission of an ACCS certificate
- If further ACCS (Child Wellbeing) is required following the initial 6-week certificate the service may apply for a Determination for a period of up to 13 weeks
- Following an application for an ACCS 6-week certificate the provider will abide by the requirement to make an ACCS (child wellbeing) referral to an appropriate support agency
- Following an application for an ACCS 12-week determination the provider will abide by the requirement that the application must be accompanied by evidence, dated less than 6 months old, or a statutory declaration that supports the provider's view that the child continues to be 'at risk'
- If the child continues to be 'at risk; after the initial 13-week determination, then the provider needs to lodge a subsequent determination application.

ENROLMENT RECORD KEEPING

Our *Record Keeping Policy* outlines the information and authorisations that we will include in all child enrolment records.

ON THE CHILD'S FIRST DAY

Consideration will be made to each family regarding the initial settling in period and strategies may be offered to assist in this transition- for example, organising a buddy in the same class to remind the child to attend OSHC on that particular day; notifying the child's classroom teacher that the child will be beginning OSHC on certain days.

- The child and their family will be welcomed to the Service upon drop off
- They will be greeted by one of the educators who will show them where to sign in and out, discuss what is happening within the Service, and show where children can store their personal belongings whilst attending Out of School Hours Care.
- Information about collecting their child at the end of the day will be discussed
- Management will ensure the orientation checklist has been completed and all required documents and information has been received from families.

SOURCE

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ACECQA. (2021). Policy and procedure guidelines. *Enrolment and Orientation*.

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Australian Government Services Australia
<https://www.servicesaustralia.gov.au/individuals/services/medicare/australian-immunisation-register/how-get-immunisation-history-statement>

Australian Government Guide to Social Policy Law. Family Assistance Guide Immunisation- approved exemptions (FTB). <https://guides.dss.gov.au/family-assistance-guide/2/1/3/40>

Department of Human Services (Centrelink):
<https://www.humanservices.gov.au/individuals/services/centrelink/child-care-subsidy>

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National Centre for Immunisation Research and Surveillance. (2021). No Jab No Play, No Jab No Pay <https://www.ncirs.org.au/public/no-jab-no-play-no-jab-no-pay>

NSW Government Health. (2019). Questions and answers about vaccination requirements for child care: https://www.health.nsw.gov.au/immunisation/Pages/childcare_qa.aspx

Revised National Quality Standard. (2018).

Victoria State Government. Requirements for all early childhood services.
<https://www.education.vic.gov.au/childhood/providers/regulation/Pages/reqallservices.aspx>

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	SEPTEMBER 2021	NEXT REVIEW DATE	SEPTEMBER 2022
MODIFICATIONS	<ul style="list-style-type: none"> Additional law/regulations added- ACECQA Guidelines to Policy and Procedures document-(August 2021) Updated Related Policies Checked and updated links used within policy Additional section for Families Additional information added re: ACCS requirements 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		NEXT REVIEW DATE
OCTOBER 2020	<ul style="list-style-type: none"> Family Law inclusion Additional section related to CWA and ACCS 		SEPTEMBER 2021
SEPTEMBER 2020	<ul style="list-style-type: none"> Activity test requirements valid until 4 October 2020 		SEPTEMBER 2021

	<ul style="list-style-type: none"> • minor editing change 	
JULY 2020	<ul style="list-style-type: none"> • resumption of CCS and ACCS from 13 July 2020 • additional information included about enrolment, CCS application process, Activity Test, Complying Written Arrangement (CWA), and immunisation requirements • rewording of some content • deleted sections that were repetitive • order changed for some items required for the enrolment of the child 	SEPTEMBER 2020
SEPTEMBER 2019	<ul style="list-style-type: none"> • Added regulations • Priority Access Guidelines removed- new information added • Deleted immunisation requirements for OSHC services • Grammar, punctuation and spelling edited. • Additional information added. • Points re-ordered for better flow. • Sources/references corrected, updated, and alphabetised. • New reference/source added. • Related policies alphabetised. 	SEPTEMBER 2020
SEPTEMBER 2018	<ul style="list-style-type: none"> • Included a statement referring to CCS Written Arrangement updates/changes on page 4. 	SEPTEMBER 2019
MAY 2018	<ul style="list-style-type: none"> • New policy created 	MAY 2019

PAYMENT OF FEES POLICY

Under the *Education and Care Services National Regulations*, an approved provider must ensure that policies and procedures are in place for the payment of fees and the provision of a statement of fees charged by the service and take reasonable steps to ensure policies and procedures are followed. (ACECQA, 2021).

Out of School Hours Care provides quality education and care for primary school-age children outside school hours and during school holidays. Our OSHC Service supports children to engage in play and leisure activities, develop new skills and build relationships with other children and educators whilst supporting workforce participation of parents and carers. Our OSHC Service is committed to providing quality education and care to all children at an affordable fee for families.

As an approved childcare service, Child Care Subsidy (CCS) is available to reduce fees to eligible families. Our fee structure is based on our ability to provide the requirements of the Education and Care National Law and National Regulations, Family Assistance Law, the Australian Taxation Office and guidelines contained in the Child Care Provider Handbook.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined, and understood and support effective decision making and operation of the service

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
172	Notification of change to policies and procedures

RELATED LEGISLATION

Child Care Subsidy Secretary's Rules 2017
A New Tax System (Family Assistance) Act 1999

Family Law Act 1975
Family Assistance Law – Incorporating all related
legislation for Child Care Provider Handbook in Appendix G
<https://www.dese.gov.au/resources-child-care-providers/resources/child-care-provider-handbook>

PURPOSE

For parents to gain a clear understanding of the Outside School Hours Care Service fee structure, payment requirements and Child Care Subsidy benefits prior to enrolment. This policy explains process of fee payment and the necessity of ensuring children's fees are paid on time and consequences for failure to pay fees on time.

SCOPE

This policy applies to children, families, staff, management and visitors of the OSHC Service.

IMPLEMENTATION

Our OSHC Service aims to ensure families understand the fee schedule and payment process required for education and care to be provided for their child. We are committed to meet our obligations to maintain financial integrity and comply with all Child Care Subsidy legislative requirements. We have effective compliance systems in place to ensure childcare funding is administered appropriately. Our OSHC Service ensures the confidentiality and privacy of all personal information provided to the Service about the enrolled child and family.

The fee structure of the OSHC Service includes:

General Fees

- Fees are charged for each session for before and after school care and per day for vacation care programs
- Fees payable by families vary depending on the amount of Child Care Subsidy (CCS) rebate each family receives
- CCS is paid directly to the Service and this is used as a fee reduction (visible on a family's statement).
- Families are required to pay the difference between the fee charged and the subsidy amount- the 'gap' amount
- Fees must be kept in advance of a child's attendance.

- Fees are to be paid weekly through a direct debit system. If families wish to pay fees on a fortnightly basis, it is a requirement that the family pay in advance and are not in arrears.
- Fees are payable in advance for every session that a child is enrolled at the OSHC Service. This includes pupil free days, sick days, and family holidays but excludes periods when the Service is closed. The Service may be closed due to periods of local emergency such as bushfire or flood or pandemic.
- If a session of care falls on a public holiday, families will not be required to pay normal fees. CCS will be paid for sessions that fall on public holidays.
- Fees are charged for full sessions only (regardless of the actual attendance hours any day).
- Families are requested to contact the Service if their child is unable to attend a particular session.
- Casual days may be offered to families if available within the OSHC Service's license.

Child Care Subsidy (CCS)

- Parents/guardians are required to register for CCS through their [myGOV](#) account linked to Centrelink and provide documentation to support the CCS payment
- Basic requirements that must be satisfied for an individual to be eligible to receive Child Care Subsidy.

The child must:

- be a 'Family Tax Benefit child' or 'regular care child' and
- be 13 or under and not attending secondary school and
- meet immunisation requirements

The person claiming the Child Care Subsidy, or their partner must:

- meet residency requirements and
- be liable to pay for care provided under a Complying Written Arrangement (their written agreement) with their childcare provider
- childcare must be provided by an approved provider
- Families level of Child Care Subsidy will be determined by:
 - Combined family income
 - Activity test of parents
 - Type of early learning and childcare Service.
- Child Care Subsidy will be provided directly to the Service and this amount deducted from the parent/family account.

- Families must regularly check their details are correct and report a change in circumstance to Centrelink- (family income, activity levels, relationship changes or any other changes to their circumstances).
- Any disputes with CCS payments is the responsibility of the family. The family will be referred to contact Centrelink directly for any enquiries regarding CCS payments.
- Discounts will only be offered as outlined in the CCS Handbook.

Payment of fees

- Fees are set up using the OSHC Service's direct debit system. The family is required to provide banking details to facilitate set up of the direct debit account
- Fees and charges associated with direct debit system are outlined upon enrolment
- A dishonour fee will apply for direct debit transactions where there are insufficient funds to cover the fees.

Absences from OSHC Service

- Families are requested to contact the Service if their child is unable to attend a particular session
- Families must still pay the 'gap' fee to the Service if their child is unable to attend.
- Under the Child Care Subsidy families are allowed 42 absence days per child, per financial year and may be entitled to additional absence days in certain circumstances. (See Child Care Subsidy Handbook).
- Additional absences can be claimed for the specified reasons as defined by the Family Assistance Law
- Records and evidence will be kept by the Service for each additional absence, where required
- Allowable absences can be taken for any reason, including public holidays and when children are sick.
- Families can view their absence count through their Centrelink online account via [myGov](#).
- In a period of local emergency, such as bushfire or pandemic, and our Service is temporarily shut down on public health advice, families may be provided with additional absence days as per Family Assistance Law legislation.
- If our Service is forced to close as a result of a public health directive, due to COVID-19, we may waive gap fees in line with Family Assistance Law guidelines.

Financial Difficulties

- If a family is experiencing financial difficulties, a suitable payment plan may be arranged with authorisation of the approved provider.
- Families can apply for Additional Child Care Subsidy (ACCS) through Centrelink if they are in temporary financial hardship.
- There are four different payments under Additional Child Care Subsidy:
 - **Additional Child Care Subsidy (child wellbeing)**—to help children who are at risk of serious abuse or neglect. The approved provider is involved in determining children who may require additional support who are at risk of harm
 - **Additional Child Care Subsidy (grandparent)**—to help grandparents on income support who are the principal caregiver of their grandchildren. Families are required to contact Centrelink directly regarding this payment
 - **Additional Child Care Subsidy (temporary financial hardship)**—to help families experiencing financial hardship. Families are required to contact Centrelink directly regarding this payment
 - **Additional Child Care Subsidy (transition to work)**—to help low-income families transitioning from income support to work. Families are required to contact Centrelink directly regarding this payment

Debt Recovery Procedure

- If a family fails to pay the required fees on time, a reminder letter will be issued after **one week** and then again after **two weeks** if the fees are still outstanding.
- At any time of the debt recovery process the family will be encouraged to enter a debt agreement with the service to repay outstanding fees. A written contract will be provided for the family to sign outlining repayment plan details. The repayment plan will provide information as to the duration and amount of the repayments as well as steps that will be taken if the repayment plan is not adhered to.
- A child's position will be terminated if payment has not been made after **three weeks**, for which the family will receive a final letter terminating the child's position. At this time the OSHC Service will initiate its debt collection process, following privacy and conditional requirements.

Late Fees

- Our OSHC Service is not licensed or insured to have children on the premises after hours. This is a breach in the Education and Care Regulations.
- It is unacceptable to pick children up late from the OSHC Service. A late fee may apply where children are not picked up prior to closing time.

- A review of the child’s enrolment will occur where families are consistently late with fee payment.

Change of Fees

- Fees are subject to change at any time provided a minimum of two weeks written notice is given to all families.
- CCS hourly rate caps may be increased by the [CPI](#) at the commencement of each financial year.
- Any CCS hourly rate increases are governed by CCS and are automatically adjusted through our CCS Software.

Termination of Enrolment

- Parents are to provide **two weeks** written notice of their intention to withdraw a child from the centre.
- If termination from the OSHC Service is required without notification, families can lose their Child Care Subsidy, resulting in the payment of requirement for full fees to be charged.
- In some circumstances CCS may not be paid for sessions if the child has not physically started care.
- Additionally, CCS may not be paid for absences submitted after a child’s last physical day of care, unless conditions have been met as specified by Family Assistance Law

Responsibility of Management

The Nominated Supervisor is responsible for:

- ensuring all families are aware of our *Payment of Fees Policy*
- ensuring enrolments are submitted correctly with the appropriate enrolment information
- providing families with regular statement of fees payable
- notifying families of any overdue fees
- providing families with reminder letters as required
- terminating enrolment of children should fees not be paid
- discussing fee payment with families if required
- providing at least 2 weeks written notice to families of any fee increases or changes to the way fees are collected Reg. 172 states a minimum of at least 14 days must be provided to families.

Responsibility of Families

- Provide the Service with the correct enrolment details to facilitate the CCS claim, if required, including:

- Centrelink Reference Numbers for child and CCS claimant
- Date of Birth for child and CCS claimant
- Ensure payment of fees as per policy
- Notify Centrelink of any changes that may affect their CCS entitlement
- Confirm their child's enrolment through the parents myGov account.

Third Party Payments

Parents are generally liable to pay the co-contribution for childcare fees. Only state and territory governments (and their agencies) can contribute to the cost, in part or full, of child care fees for families.

Where an agreement has been made between an employer or charity to assist in the contribution of fees the fees must be reduced accordingly before CCS has been applied.

Our Service will record all documentation regarding any third party payments.

Complaints relating to the administration of Child Care Subsidy

Families who wish to raise concerns regarding the management of Child Care Subsidy should speak with the Nominated Supervisor in the first instance. The Nominated Supervisor will follow the steps as outlined in this policy, including advising the Approved Provider of all grievances.

Families can raise concerns regarding management of the Child Care Subsidy to the dedicated Child Care Tip-Off Line either via phone or email:

Phone: 1800 664 231

Email: tipoffline@dese.gov.au

Resources and information for families

[Child Care Subsidy](#)

[Centrelink Customer Reference Number](#)

[Absences from childcare- Australian Government](#)

Resources for Management- (Available on Childcare Centre Desktop- letters QA7)

Overdue Fee Payment Procedure- including non-payment of fees letters to parents

SOURCE

Australian Children's Education & Care Quality Authority. (2014).

Authority. (2021). Policy and procedure guidelines. *Payment of Service Fees and Provision of a Statement of Fees Charged by the Service.*

Australian Government Department of Education, Skills and Employment. Child Care Provider Handbook

<https://www.dese.gov.au/resources-child-care-providers/child-care-provider-handbook>

Australian Government Department of Education, Skills and Employment *Early Childhood and Care*

<https://www.dese.gov.au/early-childhood>

Australian Government Department of Education, Skills and Employment *Information for child care providers when a period of local emergency occurs*

Education and Care Services National Law Act 2010. (Amended 2018).

[Education and Care Services National Regulations](#). (2011).

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).

Guide to the National Quality Framework. (2017). (Amended 2020).

Kearns, K. (2017). *The Business of Childcare* (4th Ed.).

Revised National Quality Standard. (2018)

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	11/08/2022
POLICY REVIEWED	MAY 2022	NEXT REVIEW DATE	MAY 2023
MODIFICATIONS	<ul style="list-style-type: none"> • policy maintenance – name change of related policy • no major changes to policy • minor formatting edits within text • hyperlinks checked and repaired as required 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
AUGUST 2021	<ul style="list-style-type: none"> • Update of Related Legislation • Policy revised to align with recommendations with ACECQA’s policy guide (August 2021) • Updated Related Policies • Check of links used within policy 	MAY 2022	
MAY 2021	<ul style="list-style-type: none"> • Policy reviewed following updates in October 2020 as part of yearly review cycle • Policy content and sources current • Resource-<i>Overdue Fees Procedure</i> information added 	MAY 2022	
OCTOBER 2020	<ul style="list-style-type: none"> • Minor adjustments recorded • Additional information added- ACCS, absences, responsibility of families, CCS tip-off line and complaints 	MAY 2021	
MARCH 2020	<ul style="list-style-type: none"> • Policy statement added • Implementation information added • CCS section included • Absences section added • Responsibility for Management expanded • Resources and information section added 	MAY 2021	
MAY 2019	<ul style="list-style-type: none"> • Sources checked for currency. • URLs added. • Sources/references alphabetised. 	MAY 2020	

	Minor formatting for consistency throughout policy. 'Related policies' alphabetised.	
MAY 2018	New policy created to comply with changes to the Child Care Subsidy	MAY 2019

OVERDUE FEE PAYMENT PROCEDURE

Our OSHC Service is committed to providing quality education and care to all children at an affordable fee for families. Our OSHC Service aims to ensure families understand the fee schedule and payment process required for education and care to be provided for their child.

Working in conjunction with the Payment of Fees Policy, this procedure explains the process of fee payment and the necessity of ensuring children's fees are paid on time and consequences for failure to pay fees on time.

Education and Care Services National Law or Regulations (R.168 and 172) NQS QA 7: Element 7.1.2 and 7.1.3 Governance practices and procedures
Related Policy: Payment of Fees Policy

OVERVIEW		
1	Fees are charged for each session of Before, After School and Vacation care and vary depending on the family's eligibility for Child Care Subsidy (CCS).	
2	CCS is paid directly to the Service and this is used as a fee reduction (visible on a family's statement)	
3	Families are required to pay the difference between the fee charged and the subsidy amount- the 'gap' amount/fee	
4	Fees must be kept up to date and paid in advance of a child's attendance	
5	Fees are to be paid weekly through a direct debit system. If families wish to pay fees on a weekly or monthly basis, it is a requirement that the family pay in advance and are not in arrears	
6	Families are to advise the Director/ Nominated Supervisor at the earliest opportunity if they are experiencing financial difficulties, paying childcare fees	
7	A payment plan may be entered into for families experiencing financial difficulties	

8	If a family fails to pay the required fees on time, a reminder letter will be issued after one week and then again, after two weeks if the fees are still outstanding	
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FIRST WARNING- 1 WEEK OVERDUE

1	Families will be contacted via email to advise that their payment is 1 week overdue and payment is due immediately	
2	Families will be reminded of fee contribution agreement and fee policy guidelines	
3	A copy of the fee policy and statement of account will be attached to the email sent to families	
4	At any time of the debt recovery process the family will be encouraged to enter a debt agreement with the service to repay outstanding fees. A written contract will be provided for the family to sign outlining repayment plan details. The repayment plan will provide information as to the duration, and amount of the repayments as well as steps that will be taken if the repayment plan is not adhered to.	
5	Children will not be able to pick up additional or extra days whilst fees are outstanding, or a payment plan is in place.	
6	The Director/ Nominated Supervisor will provide information to families regarding additional childcare subsidy claim for financial hardship, if applicable	
7	See <i>Non-Payment of Fees letter – 1st warning</i>	

SECOND WARNING- 2 WEEKS OVERDUE

1	Families will be contacted via email and also phone call to advise their payment is 2 weeks overdue and payment is due immediately	
2	Families will be advised their child's placement is at risk of termination	
3	Families will be reminded of fee contribution agreement and fee policy guidelines	
4	A copy of the fee policy and statement of account will be attached to the email sent to families	
5	At any time of the debt recovery process the family will be encouraged to enter a debt agreement with the service to repay outstanding fees. A written contract will be provided for the family to sign outlining repayment plan details. The repayment plan will provide information as to the duration and amount of the repayments as well as steps that will be taken if the repayment plan is not adhered to.	
6	See <i>Non-Payment of Fees letter – 2nd warning</i>	

PAYMENT PLAN

1	Families can request a payment plan at any time by meeting with the Director/ Nominated Supervisor	
2	At any time of the debt recovery process the family will be encouraged to enter a debt agreement with the service to repay outstanding fees	
3	A written contract will be provided for the family to sign outlining repayment plan details	
4	The repayment plan will provide information as to the duration and amount of the repayments as well as steps that will be taken if the repayment plan is not adhered to	
5	The payment plan is to consider regular fee payments and clear the outstanding amount within a set period of time	
6	Each payment plan will be individualised for each family by the Director/Nominated Supervisor	
7	A copy of the payment plan will be placed in the child's enrolment file and provided to the family.	
8	See <i>Payment plan letter</i>	

TERMINATION OF ENROLMENT FOLLOWING NON-PAYMENT OF FEES

1	A child's position will be terminated if payment has not been made after three weeks, for which the family will receive a final letter terminating the child's position	
2	The family will be contacted to arrange a meeting regarding non-payment of fees and to discuss termination of enrolment. The child will be unable to return to the service until account is paid in full. Documentation of this meeting is to be completed with the account statement and/or payment plan attached. An email will be sent to families as notification of the meeting.	
3	If the family does not attend the meeting, a phone call will be made to the family advising the child's enrolment is terminated due to non-payment of fees. An email will be sent to the family confirming in writing that the child/children's position has been terminated due to non-payment of fees	
4	The Service will initiate its debt collection process, following privacy and conditional requirements	
5	Any fees associated with debit recovery will be passed onto families	
6	Families will be offered a payment plan to arrange payment of outstanding fees over a nominated period of time	
7	See <i>Termination of enrolment letter</i>	

EXAMPLE NON-PAYMENT OF FEES LETTER – 1ST WARNING

Date [insert date]

RE: NON-PAYMENT OF FEES – 1ST WARNING

Dear: [insert parents name]

Just a friendly reminder your fees are currently outstanding. As per our *Payment of Fees Policy*, all accounts are to be **2 weeks in advance** at all times.

It is a condition of enrolment that fees are payable in full by the due date on your statement.

Currently the BALANCE OUTSTANDING as of [date]: \$amount

We note the last payment received was on the [date] for \$amount

Your weekly fees are \$amount

Should you wish to discuss the account or put a payment plan in place, please do not hesitate to contact the Director to organise a time to meet with you to discuss payment options.

Yours sincerely

Director

Director Name

Service Name

EXAMPLE NON-PAYMENT OF FEES LETTER – 2ST WARNING

Date: [insert date]

URGENT ACTION REQUIRED

RE: NON-PAYMENT OF FEES – 2ND WARNING

Dear [insert parents name]

This letter is to request immediate payment for the outstanding amount of your account. As per our *Payment of Fees Policy*, all accounts are to be **2 weeks in advance** at all times.

Outstanding balance \$amount as of [date]

It is a condition of enrolment that fees are payable in full by the due date on your statement.

To avoid further action, please forward your payment directly to the centre, for the full amount of the debt, within 7 days from the date of this letter.

If payment is received within 7 days, no further action will be taken. However, if payment is not received, our instructions are to refer the matter to our 3rd Party debit collection agency and your child's position at the service will be jeopardised.

If you have any issues about this debt or have paid it prior to receiving this letter, please contact the centre within the 7 days to discuss this.

Yours sincerely

Director

Director Name

Service Name

EXAMPLE PAYMENT PLAN LETTER

Date: [insert date]

RE: PAYMENT PLAN

Dear: [insert parents name]

Your account is currently in excess of **2 weeks** in arrears. This is a clear breach of our *Payment of Fees Policy*. Your child's position at our service is at risk of being terminated. We would like to assist you to bring your account back up to date by providing a payment plan to help you.

Currently the **BALANCE OUTSTANDING** as of [date] is \$**amount**

Weekly fees	\$ amount
Payment Plan Term	
Agreed amount	\$ amount
Frequency	

From [date] onwards, an amount of \$**amount** will be due for [term of plan] each [frequency] to bring your account up to date.

I agree to the above conditions as stated in this payment plan. I understand that if I fail to make nominated payments as agreed to, my child's enrolment will be terminated.			
Parent/ Caregiver Name		Date	
Signature			

Director Name		Date	
Signature			

EXAMPLE PAYMENT PLAN LETTER

Date: [insert date]

RE: TERMINATION OF ENROLMENT

Dear: [insert parents name]

We wish to advise that effective of [insert date], Out of School Hours Care provided to [insert child's full name] will be terminated. The reason for your child's termination of enrolment is due to

[Insert reasons]

Your child's last day will be [insert child's last day].

Your final fee payment will be [\$ insert final outstanding amount] which will need to be finalised by [insert date].

Yours sincerely

Director

Director Name

Service Name

RECORD KEEPING AND RETENTION POLICY

The Approved Provider and Management are responsible for overseeing and ensuring records are maintained and stored in accordance with relevant legislation contained in the National Law and National Regulations, National Quality Standard and Family Assistance Law.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service.
7.1.1	Service philosophy and purposes	A statement of philosophy guides all aspects of the service's operations.
7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.1	Continuous improvement	There is an effective self-assessment and quality improvement process in place.
7.2.2	Educational leadership	The educational leader is supported and leads the development and implementation of the educational program and assessment and planning cycle.
7.2.3	Development of professionals	Educators, co-ordinations and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
55	Quality improvement plans
74	Documenting of child assessments or evaluations for delivery of educational program
87	Incident, injury, trauma and illness record
92	Medication record
102	Authorisations for excursions
102D	Authorisations for service to transport children
118	Educational leader
126(2)	Centre-based services – general educator qualifications- caring for children over preschool age
145	Staff record
146	Nominated Supervisor
147	Staff members
149	Volunteers and students
150	Responsible Person

151	Record of educators working directly with children
158	Children’s attendance record is to be kept by approved provider
161	Authorisations to be kept in enrolment record
160	Child enrolment records to be kept by approved provider and family day care educator
162	Health information to be kept in enrolment record
167	Record of service’s compliance
168	Education and care service must have policies and procedures
173	Prescribed information to be displayed
177	Prescribed enrolment and other documents to be kept by approved provider
180	Evidence of prescribed insurance
181	Confidentiality of records kept by approved provider
183	Storage of records and other documents
184	Storage of records after service approval transferred

RELATED LEGISLATION

Child Care Subsidy Secretary’s Rules 2017	Family Law Act 1975
A New Tax System (Family Assistance) Act 1999	Work Health and Safety Act 2011
Family Assistance Law – Incorporating all related legislation for Child Care Provider Handbook in Appendix G https://www.dese.gov.au/resources-child-care-providers/resources/child-care-provider-handbook	

RELATED POLICIES

Arrival and Departure Policy Administration of First Aid Policy Administration of Medication Policy Child Protection Policy Child Safe Environment Policy CCS Governance Policy Dealing with Complaints Policy Death of a Child at the Service Policy Enrolment Policy Excursion Policy	Governance Policy Incident, Injury, Trauma and Illness Policy Medical Conditions Policy Photograph Policy Privacy and Confidentiality Policy Professional Development Policy Responsible Person Policy Supervision Policy
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PURPOSE

We aim to maintain and manage appropriate records in a private and confidential manner, working in accordance with legislative requirements and best practice.

SCOPE

This policy applies to families, staff, management and visitors of the OSHC Service.

IMPLEMENTATION

The Approved Provider is responsible for compliance with record keeping requirements in accordance with Education and Care Services National Law and National Regulations. To maintain approval for Child Care Subsidy, providers must also keep certain records in accordance with Family Assistance Law.

This policy encompasses requirements for National Law and National Regulations and Family Assistance Law. Records that are required for Family Assistance Law must be kept for **seven years** and are highlighted in **red**.

Prescribed records to be kept by approved provider:

The following records are to be retained in a secure location at the Service:

- complaints made to the provider, or to any of the services of the provider, relating to compliance with Family Assistance Law (**records must be kept for seven years**)
- children's attendance records (regardless of eligibility for Child Care Subsidy) (Regulation 158) (to be kept until the end of 3 years after the child's last attendance [Regulation 183]. These records are also required for Family Assistance Law (**records must be kept for seven years**))
- record of any absences from care for all children (**regardless of eligibility for Child Care Subsidy- records must be kept for seven years**)
- statements or documents demonstrating that additional absence days in excess of the initial 42 absence days satisfy requirements (records must be kept for seven years)
- copies of invoices and receipts issued for the payment of childcare fees (**records must be kept for seven years**)
- the identifying number and expiry date of a Working with Children Check (WWCC), current vulnerable people check or criminal history record of all staff
- any evidence or information produced to obtain police checks and Working With Children Checks for personnel and to support any statements about these checks in an application for provider or service approval. These records are also required for Family Assistance Law (**records must be kept for seven years**)
- copies of all Statements of Entitlement issued, and any statements issued to advise that there was a change of entitlement (**records must be kept for seven years**)

- written record of any notice given to a state or territory body about a child at risk of abuse or neglect (records must be kept for seven years)
- copies of the evidence and information provided with an application for approval about persons with management or control of a provider and persons responsible for the day-to-day operation of the service (records must be kept for seven years)
- educational leader records (Regulation 118)
- an incident, injury, trauma and illness record (Regulation 87) (to be kept until child is 25 years [Regulation 183])
- medication records (Regulation 92) (Keep until the end of 3 years after the child's last attendance [Regulation 183])
- evaluations of the child's wellbeing, development and learning (Regulation 74) (to be kept for 3 years after the child's last day of attendance [Regulation 183]) for services in ACT, TAS, VIC, SA, WA.
- services in NSW and QLD, evaluations for each child are not mandated.
- staff records (Regulation 145)
- record of volunteers and students (Regulation 149)
- records of the Responsible Person at the Service (Regulation 150)
- record of Educators working directly with children (Regulation 151)
- children's attendance records (Regulation 158) (to be kept until the end of 3 years after the child's last attendance [Regulation 183])
- any record relating to the death of a child whilst being educated and cared for by the Service or as a result of an incident whilst being educated and cared for, until the end of 7 years after the death of a child.
- child enrolment records (Regulation 160) (to be kept until the end of 3 years after the child's last attendance [Regulation 183])
- record of the Service's compliance with the Law (Regulation 167)
- a record of each nominated supervisor and any person placed in day to day charge of the education and care service (Regulation 146)
- PRODA RA Number (*for specified personnel- people managing or employed in child care in roles regarding the approval and operation of a service and permitted to undertake actions through the Child Care Subsidy System- Child Care Provider Handbook p.30*)
- evidence of prescribed insurance must be available at the education and care service premises (Regulation 180). Current policy of insurance for public liability with a minimum cover of \$10 000 000 (Reg. 29)

Records to be kept in Relation to the Nominated Supervisor (Reg. 146)

- the full name, address and date of birth
- evidence of any relevant qualifications held by the Nominated Supervisor
- if applicable, evidence that the Nominated Supervisor is actively working towards a qualification.

If this is the case, the following must be recorded:

- Proof of enrolment.
 - Documentary evidence that the Nominated Supervisor has commenced the course, is making satisfactory progress towards the completion of the course, is meeting the requirements of maintaining the enrolment.
 - For Nominated Supervisors who are working towards the completion of a Diploma level education and care qualification, proof that they hold an approved Certificate III level education and care qualification or have as completed the units of study that equate to an approved Certificate III level education and care qualification determined by ACECQA.
- evidence of any approved training (including first aid training, current approved anaphylaxis management training, approved emergency asthma management training and approved Child Protection) completed by the Nominated Supervisor.
 - the identifying number and expiry date of a Working with Children Check (WWCC), current vulnerable people check or criminal history record and/or Australian National Police Check
 - the date the check, card, record or registration was and the date this was verified and by whom.

Records to be kept in Relation to Staff and Educators: (Reg: 151, 152)

- the full name, address and date of birth
- evidence of any relevant qualifications
- evidence of any approved training (including first aid training) completed by the staff member
- the identifying number and expiry date of the Working with Children Check (WWCC) and the date this was verified. (Check with the legal requirements for each state and territory)
- if applicable the identifying number and expiry date of their current teacher registration from state Department of Education and Training.

Records to be kept in relation to the Educational Leader: (Reg: 148)

- the name of the educator who is designated at this role in accordance with Regulation 118.

Records to be kept in relation to Students and Volunteers: (Reg: 149)

- the full name, address and date of birth of each student or volunteer.
- the Approved Provider must also keep a record for each day on which the student or volunteer participates in the Service, the date and hours of participation.

Records to be kept in relation to the Responsible Person: (Reg: 150)

- the staff record must include the name of the responsible person at the Service for each time that children are being educated and cared for by the Service.
- application for approval about the person responsible for day-to-day operation of a Service

Records to be kept in relation to educators working directly with children: (Reg: 151)

- the name of each educator.
- the hours that each educator works directly with children.
- a staff roster or time sheet stating educators contact and non-contact hours/shift.

Records to be kept in relation to incident, injury, trauma and illness: (Reg: 87)

- details of any incident in relation to a child or injury received by a child or trauma to which a child has been subject while being educated and care for by the Service. The following must be included:
 - the name and age of the child, including date of birth
 - gender
 - the circumstances leading to the incident, injury or trauma.
 - the time and date the incident occurred, the injury that was received or the child was subjected to the trauma.
- details of any illness, which becomes apparent while the child is being educated and cared for by the Service. The following must be included:
 - the name and age of the child
 - the relevant circumstances surrounding the child becoming ill and any apparent symptoms
 - the time and date of the apparent onset of the illness
 - date when child was last at the service
- details of the action taken by the Service in relation to any incident, injury, trauma or illness which a child has suffered while being educated and cared for by the Service. The following must be included:
 - any medication administered, or first aid provided

- any medical personnel contacted
- details of any person who witnessed the incident, injury or trauma, including signature of witness
- the name of any person who the education and care service notified or attempted to notify of any incident, injury trauma or illness a child has suffered at the Service and the time and date of the notification and notification attempts.
- the name and signature of the person making an entry in the record and the time and date that the entry was made
- signed and dated parent/guardian acknowledgement of record
- this record must be recorded as soon as is practicable, but not later than 24 hours after the incident, injury, trauma or onset of illness occurred
- the record must show that a serious incident is entered into the [NQA IT System](#)
- these records must be kept until the child is aged 25 years.

Records to be kept in relation to medication: (Reg: 92, 95, 96)

- the name of the child
- the authorisation to administer medication (including self-administration is applicable) signed by a parent or a person named in the child's enrolment record as authorised to consent to administration of medication.
- the name of the medication to be administered
- the time and date the medication was last administered
- the time and date or the circumstance under which the medication should be next administered
- the dosage of the medication to be administered
- the manner in which the medication is to be administered
- if the medication is administered to the child:
 - the dosage that was administered
 - the manner in which the medication was administered
 - the name and signature of the person who administered the medication
 - if another individual is required to check the dosage, the name and signature of that person.

Records to be kept in relation to children's attendance: (Reg: 158)

- the full name of each child attending the Service.
- the date and time each child arrives and departs.

- the signature of:
 - the person who delivers and collects the child when he or she arrives and departs or,
 - the Nominated Supervisor or Educator.

Records to be kept in relation to child enrolment: (Reg: 160)

- the full name, date of birth and address of the child [birth certificate, passport, identify papers]
- the name, address and contact details of:
 - each known parent of the child
 - any person who is to be notified of any emergency involving the child if any parent of the child cannot be immediately contacted
 - any person who is an authorised nominee
 - any person who is authorised to consent to medical treatment of, or to authorise administration of medication to the child
 - any person who is authorised to authorise an educator to take the child outside the education and care service premises
 - any person who is authorised to authorise the education and care service to transport the child or arrange transportation for the child
 - details of any court orders, parenting orders or parenting plans provided to the approved provider relating to powers, duties, responsibilities or authorities of any person in relation to the child or access to the child
 - details of any other court orders provided to the approved provider relating to the child's residence or the child's contact with a parent or other person
 - gender of the child
 - language used in the child's home
 - cultural background of the child and parents
 - any special considerations for the child (e.g., cultural, religious, dietary requirements or additional needs)
 - authorisations signed by a parent or a person named in the enrolment record as authorised to consent to the medical treatment of the or nominated supervisor to seek:
 - medical treatment for the child from a registered medical practitioner, hospital or ambulance service.
 - transportation of the child by any ambulance service.
- authorisation to take the child on regular outings [Reg 102]
- authorisation for regular transportation of the child (if relevant) [Reg 102D (4)]

Health Information to be kept in enrolment record [Reg: 162]

- the name, address and telephone number or the child's registered medical practitioner or medical service
- the child's Medicare number if available
- details of any specific healthcare needs of the child including any medical conditions or allergies including whether the child has been diagnosed as at risk of anaphylaxis, including details of any medical management plan.
- details of any dietary restrictions for the child
- the immunisation status of the child
- a notation that states that a staff member or approved provider has sighted a child's health record.

Records to be kept in relation to the Service's compliance with the law: (Reg: 167)

- Details of any amendments of the Service Approval made by the Regulatory Authority including:
 - the reason stated by the Regulatory Authority for the amendment
 - the date on which the amendment took, or takes, effect
 - the date (if any) that the amendment ceases to have effect
 - details of any suspension of the service (other than a voluntary suspension) including:
 - the reason stated by the Regulatory Authority for the suspension
 - the date on which the suspension took, or takes, effect
 - the date that the suspension ends.
- details of any compliance direction or compliance notice issued to the approved provider in respect of the service, including:
 - the reason stated by the Regulatory Authority for issuing the direction or notice.
 - the steps specified in the direction or notice.
 - the date by which the steps specified must be taken.
 - this information must not include any information that identifies any person other than the approved provider.
- the Approved Provider must ensure that the documents referred to above in relation to a child enrolled at the Service are made available to a parent of the child on request. Accordingly, if a parent's access to the kind of information referred to in this documentation is limited by an order of a court, the approved provider must refer to the court order in relation to the release of information concerning the child to that parent.

- the record of compliance referred to above must be available for access on request by any person.

Storage of Records (Reg: 183, 184)

Records made by our Service will be stored in a safe and secure location for the relevant time periods as set out above and only made accessible to relevant individuals.

If the record relates to the death of a child while being educated and cared for by the Service or as a result of an incident while being educated and cared for by the Service, the records must be kept for 7 years after the death. Records related to an incident, illness, injury or trauma must be kept until the child is aged 25 years.

In the case of any other record relating to a child enrolled at the education and care service, until 3 years after the last date on which the child was educated and cared for by the service. (See Appendix 2- ACEQCA image)

All records required to maintain approval as listed in *Child Care Providers Handbook*, must be kept for **seven years**. Written records include records that are made and stored electronically, as long as they are stored safely and any changes, apart from incidental changes related to their storage and display, are also recorded. (p. 79).

If a service is transferred under the law, documents relating to a child must not be transferred without the express consent of the child's parents.

Confidentiality of Records (Reg: 182)

The Approved Provider will ensure that information kept in a record is not divulged or communicated through direct or indirect means to another person other than:

- the extent necessary for the education and care or medical treatment of the child to whom the information relates
- a parent of the child to whom the information relates, except in the case of information kept in a staff record
- the Regulatory Authority or an authorised officer
- as expressly authorised, permitted or required to be given by or under any Act or law- [Child Information Sharing Scheme (CISS)/ MARAM (Victorian service) or similar.

- with the written consent of the person who provided the information.

Information to be displayed (Reg: 173)

Services must have the following displayed:

- in relation to the provider approval
 - the name of the approved provider
 - the provider approval number
 - any conditions on the provider approval.
- in relation to the service approval:
 - the name of the education and care service,
 - the service approval number,
 - any conditions on the service approval.
- the name of each nominated supervisor.
- in relation to the rating of the service:
 - the current rating levels for each quality area stated in the National Quality Standard, and
 - the overall rating of the service.
- in relation to any service waivers or temporary waivers held by the service, the details of the waivers including:
 - the elements of the NQS and the regulations that have been waived, and
 - the duration of the waiver, and
 - whether the waiver is a service waiver or a temporary waiver.

The service must also display:

- the hours and days of operation of the education and care service.
- the name and telephone number of the person at the education and care service to whom complaints may be addressed.
- the name and position of the responsible person in charge of the service at any given time.
- the name of the educational leader at the service.
- the contact details of the Regulatory Authority
- if applicable, a notice stating that a child who has been diagnosed as at risk of anaphylaxis is enrolled at the service.
- if applicable, a notice stating that there has been an occurrence of an infectious disease at the premises
- information relating to the educational program (Regulation 75)

- the weekly menu is displayed (Regulation 80)
- emergency and evacuation floor plans and instructions are displayed (Regulation 97 (4))
- the certificate issued by the regulatory authority displaying the current rating levels of the National Quality Standards and the overall rating of the service. If applicable display the certificate stating the highest rating level (ie excellent rating). (Regulation 173 (3))

ADDITIONAL RECORDS TO BE KEPT FOR FAMILY ASSISTANCE LAW (if applicable)

- a Complying Written Agreement (CWA) for all enrolments registered to claim Child Care Subsidy (CCS). Updated CWAs must be signed if there are changes to the original enrolment conditions.
- documentation relating to an Additional Child Care Subsidy (ACCS) claim

Appendix 1: Family Assistance Law

Family Assistance Law is a broad term that encompasses the following legislation:

[*A New Tax System \(Family Assistance\) Act 1999*](#)

[*A New Tax System \(Family Assistance\) \(Administration\) Act 1999*](#)

[*Child Care Subsidy Minister's Rules 2017*](#) (Minister's Rules)

[*Child Care Subsidy Secretary's Rules 2017*](#) (Secretary's Rules)

Any other instruments (including regulations) made under the [*A New Tax System \(Family Assistance\) Act 1999*](#) and the [*A New Tax System \(Family Assistance\) \(Administration\) Act 1999*](#)

Schedules 5 and 6 to the [*A New Tax System \(Family Assistance and Related Measures\) Act 2000*](#).

Appendix 2: ACECQA graphic image



*For preschool programs provided by a school, the service should keep child attendance records in accordance with their state education law or department policy.



https://www.acecqa.gov.au/sites/default/files/acecqa/files/NQF/Record_keeping_A4.pdf

SOURCE

Australian Children’s Education & Care Quality Authority. (2014).
 Australian Government Department of Education Skills and Employment Child Care Provider Handbook
<https://www.dese.gov.au/resources-child-care-providers/resources/child-care-provider-handbook>
 Australian Legal Information Institute: www.austlii.edu.au
 Australian Taxation Office: www.ato.gov.au
 Department of Community Services: www.community.nsw.gov.au
 Child Care Subsidy Secretary’s Rules 2017.
 Department of the Officer of the Privacy Commissioner: www.privacy.gov.au
 Early Childhood Australia: www.earlychildhoodaustralia.org.au
 Education and Care National Regulations. (2011).
Education and Care Services National Law Act 2010. (Amended 2018).
 NSW Office of the Children’s Guardian: www.kidsguardian.nsw.gov.au
Privacy Act 1988.
 Revised National Quality Standard. (2018).

REVIEW

POLICY REVIEWED BY	Rachel Camillo	Area Manager	12/08/2022
POLICY REVIEWED	DECEMBER 2021	NEXT REVIEW DATE	DECEMBER 2022
MODIFICATIONS	<ul style="list-style-type: none"> • Additional authorisations for transportation added- Reg 160 • Additional section Health Information in enrolment record • Child Information Sharing Scheme included (MARAM for Victorian services) • Information to be displayed added • Sources checked 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
AUGUST 2021	<ul style="list-style-type: none"> • Update of Related Legislation • Update of Related Policies • Update of sources used within policy 	DECEMBER 2021	
FEBRUARY 2021	<ul style="list-style-type: none"> • minor edits to ensure Family Assistance Law record keeping requirements are easily identified within policy • correction of regulation related to insurance 	DECEMBER 2021	
OCT-DEC 2020	<ul style="list-style-type: none"> • additions in relation to enrolment records (Reg. 160) • additional information related to police checks/ PRODA RA number evidence of prescribed insurance- public liability added 	DECEMBER 2021	
MARCH 2020	Inclusion of related Family Law regulations Additional records to be kept for Family Law and Child Care Subsidy Length of time records to be kept added Appendix added in relation to Family Law legislation	DECEMBER 2020	

DECEMBER 2019	Related policies added Deleted information not related to OSHC Edits to documentation records for some states Additional regulations added	DECEMBER 2020
DECEMBER 2018	New policy drafted for OSHC	DECEMBER 2019