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Acceptance and Refusal of Authorisations Policy

Purpose

This policy outlines procedures to be followed when:

- obtaining written authorisation from a parent/guardian or person authorised and named in the enrolment record
- refusing written authorisation from a parent/guardian or person authorised and named in the enrolment record.

Policy Statement

Values

Ewing Kindergarten is committed to:

- ensuring the safety and wellbeing of all children attending Ewing kindergarten
- meeting its duty of care obligations under the law.

Scope

This policy applies to the Approved Provider, Nominated Supervisor, Certified Supervisor, educators, staff, students on placement, volunteers, parents/guardians, children and others attending the programs and activities of Ewing Kindergarten.

Background and Legislative Requirements and Guiding Documents

Background

The National Law and Regulations requires early childhood services to obtain written authorisation from parents/guardians, and/or authorised nominees (refer to Definitions) in some circumstances, to ensure that the health, safety, wellbeing and best interests of the child are met.

Authorisation must be obtained from parent/guardians or authorized nominees in the following circumstances:

- Administering medication to children (regulation 92)
- Children leaving the premises in the care of someone other than their parent/guardian other than the case of emergency (regulation 99)
- Children being taken on excursions (regulation 102)

Refusing a written authorisation

On receipt of a written authorisation from a parent/guardian that does not meet the requirements outlined in the related Ewing Kindergarten policy, the Approved Provider will:

- immediately explain to the parent/guardian that their written authorisation contravenes kindergarten policy, and that it cannot be accepted
- ensure that the parent/guardian is provided with a copy of the relevant kindergarten policy and that they understand the reasons for the refusal of the authorisation
- request that an appropriate alternative written authorisation is provided by the parent/guardian that complies with the requirements of the relevant kindergarten policy
- ensure that procedures outlined in the relevant kindergarten policy are followed where a parent/guardian cannot be immediately contacted to provide an alternative written authorisation
- follow up with the parent/guardian, where required, to ensure that an appropriate written authorisation is obtained.

Legislative Requirements

Relevant legislation and standards include but are not limited to:

- Children, Youth and Families Act 2005 (Vic) Child Wellbeing and Safety Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic) (Part 2: Principles for Children)
- Education and Care Services National Law Act 2010: Section 167
- Education and Care Services National Regulations 2011: Regulations 96, 99, 102, 160, 161, 168(2)(m), 170
- Family Law Act 1975 (Cth)
- National Quality Standard, Quality Area 2: Children's Health and Safety
- Standard 2.3: Each child is protected.

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: www.legislation.vic.gov.au
- Commonwealth Legislation – Federal Register of Legislation: www.legislation.gov.au

Strategies for Policy Implementation/ Procedures

Ewing Kindergarten Committee of Management (CoM) is the Approved Provider and has ultimate responsibility for the management and control of Ewing Kindergarten. The CoM delegates operational responsibility and day to day management of the kindergarten to the Director and in their absence the (Nominated Supervisor) and monitors the performance of the organisation, including responsibilities contained in this policy, through regular reporting and by ensuring appropriate resources are available to carry out the organisation's functions.

The Approved Provider is responsible for:

- ensuring that parents/guardians are provided with a copy of all service policies
- ensuring that the Nominated Supervisor and all staff follow the policies and procedures of Ewing Kindergarten

- ensuring that all parents/guardians have completed and signed the authorised nominee section of their child's enrolment form prior to commencement including
 - The name of the child enrolled in the kindergarten
 - The date
 - The signature of the child's parent/guardian or nominated contact person who is on the enrolment form
 - The original form/letter/register provided by Ewing Kindergarten. (refer to Enrolment and Orientation Policy)
- ensuring that permission forms for excursions are provided to the parent/guardian or authorised nominee prior to the excursion (refer to Excursions and Service Events Policy)
- ensuring that an attendance record (refer to Definitions) is maintained to account for all children attending Ewing Kindergarten
- keeping a written record of all visitors to Ewing Kindergarten, including time of arrival and departure and purpose of visit
- ensuring that where children require medication to be administered by educators/staff, this is authorised in writing, signed and dated by a parent/guardian or authorised nominee, and included with the child's medication record (refer to Definitions) (refer to Administration of Medication Policy and Dealing with Medical Conditions Policy)
- ensuring educators/staff do not administer medication without the authorisation of a parent/guardian or authorised nominee, except in the case of an emergency, including an asthma or anaphylaxis emergency (refer to Administration of Medication Policy, Dealing with Medical Conditions Policy, Incident, Injury, Trauma and Illness Policy, Emergency and Evacuation Policy, Asthma Policy and Anaphylaxis Policy)
- ensuring educators/staff allow a child to participate in an excursion only with the written authorisation of a parent/guardian or authorised nominee including details required under Regulation 102(4)&(5) (refer to Excursions and Service Events Policy)
- ensuring educators/staff allow a child to depart from the kindergarten only with a person who is the parent/guardian or authorised nominee, or with the written authorisation of one of these, except in the case of a medical or other emergency (refer to Delivery and Collection of Children Policy and Child Safe Environment Policy)
- ensuring that there are procedures in place if an inappropriate person (refer to Definitions) attempts to collect a child from the kindergarten (refer to Delivery and Collection of Children Policy and Child Safe Environment Policy)
- developing and enacting procedures for dealing with a written authorisation that does not meet the requirements outlined in Ewing Kindergarten's policies (refer to Attachment 1).

The Nominated Supervisor is responsible for:

- Provide supervision, guidance and advice to ensure adherence to the policy at all times
- ensuring that medication is not administered to a child without the authorisation of a parent/guardian or authorised nominee, except in the case of an emergency, including an asthma or anaphylaxis emergency (refer to Administration of Medication Policy, Dealing with Medical Conditions Policy, Incident, Injury, Trauma and Illness Policy, Emergency and Evacuation Policy, Asthma Policy and Anaphylaxis Policy)
- ensuring a child only departs from the kindergarten with a person who is the parent/guardian or authorised nominee, or with the written authorisation of one of these, except in the case of a medical or other emergency (refer to Delivery and Collection of Children Policy and Child Safe Environment Policy)
- ensuring a child is not taken outside the kindergarten premises on an excursion except with the written authorisation of a parent/guardian or authorised nominee including details required under Regulation 102(4)&(5) (refer to Excursions and Service Events Policy)
- informing the Approved Provider when a written authorisation does not meet the requirements outlined in Ewing Kindergarten's policies.

Certified Supervisors and other educators are responsible for:

- following the policies and procedures of Ewing Kindergarten
- checking that parents/guardians sign and date permission forms for excursions
- checking that parents/guardians or authorised nominees sign the attendance record (refer to Definitions) as their child arrives at and departs from the kindergarten
- administering medication only with the written authorisation of a parent/guardian or authorised nominee, except in the case of an emergency, including an asthma or anaphylaxis emergency (refer to Administration of Medication Policy, Dealing with Medical Conditions Policy, Incident, Injury, Trauma and Illness Policy and Emergency and Evacuation Policy)
- allowing a child to participate in an excursion only with the written authorisation of a parent/guardian or authorised nominee including details required under Regulation 102(4)&(5) (refer to Excursions and Service Events Policy)
- allowing a child to depart from the kindergarten only with a person who is the parent/guardian or authorised nominee, or with the written authorisation of one of these, except in the case of a medical or other emergency (refer to Delivery and Collection of Children Policy and Child Safe Environment Policy)
- following procedures if an inappropriate person (refer to Definitions) attempts to collect a child from the kindergarten (refer to Delivery and Collection of Children Policy and Child Safe Environment Policy)
- informing the Approved Provider when a written authorisation does not meet the requirements outlined in Ewing Kindergarten' policies.

Parents/Guardians are responsible for:

- reading and complying with the policies and procedures of the kindergarten
- completing and signing the authorised nominee section (refer to Definitions) of their child's enrolment form (refer to Enrolment and Orientation Policy) before their child commences at the kindergarten
- keeping child enrolment details current, stating who the authorised nominees are
- signing and dating permission forms for excursions by the due date
- communicating to Responsible Person and staff any individual requests regarding authorisations
- signing the attendance record (refer to Definitions) as their child arrives at and departs from the kindergarten each session
- providing written authorisation where children require medication to be administered by educators/staff and signing and dating it for inclusion in the child's medication record (refer to Definitions).

Volunteers and students, while at the kindergarten, are responsible for

- following this policy and its procedures.

Related Policies and Procedures

- Administration of Medication Policy
- Child Safe Environment Policy
- Dealing with Medical Conditions Policy
- Delivery and Collection of Children Policy
- Enrolment and Orientation Policy
- Excursions and Service Events Policy
- Incident, Injury, Trauma and Illness Policy

References and Further Sources

- Australian Children’s Education and Care Quality Authority (ACECQA): www.acecqa.gov.au

Evaluation

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

regularly seek feedback from everyone affected by the policy regarding its effectiveness
monitor the implementation, compliance, complaints and incidents in relation to this policy
keep the policy up to date with current legislation, research, policy and best practice
revise the policy and procedures as part of the service’s policy review cycle, or as required
notify parents/guardians at least 14 days before making any changes to this policy or its procedures.

Definitions

The terms defined in this section relate specifically to this policy.

Attendance record: Kept by the kindergarten to record details of each child attending the kindergarten including name, time of arrival and departure, signature of person delivering and collecting the child or of the Nominated Supervisor or educator (Regulation 158(1)).

Authorised nominee: (In relation to this policy) a person who has been given written authority by the parents/guardians of a child to collect that child from the education and care service. These details will be on the child’s enrolment form.

Duty of care: A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury.

Inappropriate person: A person who may pose a risk to the health, safety or wellbeing of any child attending the education and care service, or whose behaviour or state of mind make it inappropriate for him/her to be on the premises e.g. a person under the influence of drugs or alcohol (Act 171(3)).

Incident, Injury, Trauma and Illness Record: Contains details of any incident, injury, trauma or illness that occurs while the child is being educated and cared for by the service. Any incident, injury, trauma or illness must be recorded as soon as is practicable but not later than 24 hours after the occurrence.

Details required include the:

- name and age of the child
- circumstances leading to the incident, injury, trauma or illness (including any symptoms)
- time and date
- details of action taken by the service including any medication administered, first aid provided, or medical personnel contacted
- details of any witnesses
- names of any person the service notified or attempted to notify, and the time and date of this
- signature of the person making the entry, and time and date of this.

These details need to be kept for the period of time specified in Regulation 183

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 service in contravention of the regulations or is mistakenly locked in/out of the service premises (Regulation 12). A serious incident should be documented in an Incident, Injury, Trauma and Illness Record (sample form available on the ACECQA website) as soon as possible and within 24 hours of the incident. The Regulatory Authority (DEECD) must be notified within 24 hours of a serious incident occurring

at the service (Regulation 176(2)(a)). Records are required to be retained for the periods specified in Regulation 183.

Medication record: Contains details for each child to whom medication is to be administered by the service. This includes

- the child's name,
- signed authorisation to administer medication and a record of the medication administered, including time, date, dosage, manner of administration,
- name and signature of person administering the medication and of the person checking the medication, if required (Regulation 92).

Resuscitation flowchart: Outlines the six steps involved in resuscitation: danger, response, airways, breathing, compression and defibrillation. The Australian Resuscitation Council provides flowcharts for the resuscitation of adults and children at http://www.resus.org.au/public/arc_basic_life_support.pdf