



	<p>This policy outlines procedures to be followed when refusing a written authorisation from a parent/guardian or person authorised and named in the enrolment record. As an example, the National Law does not specify the minimum age of a person who is authorised to collect a child from the service premises. The Approved Provider has adopted a policy position accepting authorisations for persons over the age of 16 to collect a child from the service. This decision is outlined in the service's <i>Early Years Policy - Delivery and collection of children</i>. In the event the Service receives written authorisation for a person under the age of 16 to collect a child from the Service, the procedures outlined below for refusing this written authorisation are enacted.</p>
<p><b>Definitions:</b></p>	<p><b>Approved Provider:</b> an individual or organisation that has completed an application form and been approved by the Regulatory Authority as fit and proper (in accordance with Sections 12, 13 and 14 of the National Law) to operate one or more education and care services. In this case it is Macedon Ranges Shire Council.</p> <p><b>Nominated Supervisor:</b> a person who is a Certified Supervisor and has been nominated by the Approved Provider of the service under Part 3 of the Act to be the Nominated Supervisor of that service, and who has consented to that nomination. The Nominated Supervisor has day-to-day responsibility for the service in accordance with the National Regulations. All services must have a Nominated Supervisor.</p> <p><b>Attendance record:</b> kept by the service to record details of each child attending the service including name, time of arrival and departure, signature of person delivering and collecting the child or of the Nominated Supervisor or educator (<i>Regulation 158(1)</i>).</p> <p><b>Authorised nominee:</b> 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. The National Law and National Regulations do not specify a minimum age limit for an authorised nominee. Each service will need to determine if a person under the age of 18 is able to be an authorised nominee and, if so, what constitutes the minimum acceptable age at that service.</p> <p><b>Duty of care:</b> 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.</p> <p><b>Inappropriate person:</b> 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)).</p> <p><b>Medication record:</b> contains details for each child to who 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 the person administering the medication and of the person checking the medication (<i>Regulation 92</i>).</p> <p><b>NQS:</b> National Quality Standards.</p>
<p><b>References:</b></p>	<p>Australian Children's Education and Care Quality Authority (ACECQA) Information Sheets: <a href="http://www.acecqa.gov.au/national-quality-framework/information-sheets/">www.acecqa.gov.au/national-quality-framework/information-sheets/</a>  <i>Guide to the Education and Care Services National Law 2010 and the Education and Care Services National Regulations 2011.</i>  <a href="http://www.acecqa.gov.au">www.acecqa.gov.au</a></p>

	<i>Guide to the National Quality Standard: <a href="http://www.acecqa.gov.au">www.acecqa.gov.au</a></i>
<b>Related Policies:</b>	<ul style="list-style-type: none"> <li>• <i>Early Years Policy - Delivery and collection of children</i></li> <li>• <i>Early Years Policy - Enrolment and fees</i></li> <li>• <i>Early Years Policy - Enrolment and orientation</i></li> <li>• <i>Early Years Policy - Administration of medication</i></li> <li>• <i>Early Years Policy - Managing medical conditions</i></li> <li>• <i>Early Years Policy - Excursion and Service events</i></li> <li>• <i>Early Years Policy - Child Safe environment</i></li> <li>• <i>Early Years Policy - Incident, injury, trauma and illness</i></li> </ul>
<b>Related Legislation:</b>	<ul style="list-style-type: none"> <li>• <i>Children, Youth and Families Act 2005 (Vic) Child Wellbeing and Safety Act 2005 (Vic)</i></li> <li>• <i>Child Wellbeing and Safety Act 2005 (Vic) (Part 2: Principles for Children)</i></li> <li>• <i>Education and Care Services National Law Act 2010: Section 167</i></li> <li>• <i>Education and Care Services National Regulations 2011: Regulations 96, 99, 102, 160, 161, 168(2)(m), 170</i></li> <li>• <i>Family Law Act 1975 (Cth)</i></li> <li>• <i>National Quality Standard, Quality Area 2: Children's Health and Safety</i> <ul style="list-style-type: none"> <li>– Standard 2.3: Each child is protected.</li> </ul> </li> </ul>

## **ACCEPTANCE AND REFUSAL OF AUTHORISATION FOR A CHILD TO LEAVE THE SERVICE**

### **Mandatory- Quality Area 2**

#### **SCOPE**

This policy and procedure applies to the Approved Provider, Nominated Supervisor, staff, students on placement, volunteers, parents/guardians, children and others attending the programs and activities of Macedon Ranges Shire Council's Early Years Services.

#### **RESPONSIBILITIES**

##### **The Approved Provider and Persons with Management or Control are responsible for:**

- ensuring parents/guardians have access to a copy of this policy
- ensuring the Nominated Supervisor and all staff follow this guidelines of this policy
- ensuring all parents/guardians have completed the authorised nominee section of their child's enrolment form (refer to *Early Years Policy - Enrolment and fees*), and that the form is signed and dated before the child is enrolled at the service
- ensuring permission forms for excursions are provided to the parent/guardian or authorised nominee prior to the excursion (refer to *Early Years Policy - Excursions and Service events*)
- ensuring educators/staff allow a child to participate in an excursion only with the written authorisation of a parent/guardian or authorised nominee (refer to *Early Years Policy - Excursions and Service events*)
- ensuring an attendance record (refer to *Definitions*) is maintained to account for all children attending the Service
- keeping a written record of all visitors to the service, including time of arrival and departure
- ensuring the authorisation in writing, for staff to administer medication including being signed and dated by a parent/guardian or authorised nominee, and included with the child's medication record (refer to *Definitions*) (refer to *Early Years Policies - Administration of medication, Managing medical conditions, and Anaphylaxis and Asthma*)
- ensuring educators/staff only administer medication 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 *Early Years Policies - Administration of medication, Managing medical conditions, Incident, injury, trauma and illness, and Emergency and evacuation*)
- ensuring educators/staff allow a child to depart from the service 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 emergency or an excursion (refer to *Early Years Policies - Delivery and collection of children from the Service, and ChildSafe environment*)
- ensuring procedures are followed if an inappropriate person (refer to *Definitions*) attempts to collect a child from the Service (refer to *Early Years Policies - Delivery and collection of Children, and Child Safe environment*)
- developing and enacting procedures for managing a written authorisation which does not meet the requirements outlined in Service policies (refer to Attachment 1)

##### **The Nominated Supervisor and Teachers are responsible for:**

- following the policy and procedures of the service
- ensuring 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 *Early Years Policies - Administration of*

*medication, Managing medical conditions, Incident, injury, trauma and illness, Emergency and evacuation, Anaphylaxis, and Asthma)*

- ensuring a child only departs from the Service 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 emergency or an excursion (refer to *Early Years Policies - Delivery and collection of children, and Child Safe environment*)
- ensuring a child is not taken outside the Service premises on an excursion except with the written authorisation of a parent/guardian or authorised nominee (refer to *Early Years Policy - Excursions and Service events*)
- informing the Coordinator Early Years Services, being the Person of Management or Control, when a written authorisation does not meet the requirements outlined in Service policies

**Educators are responsible for:**

- following the policies and procedures of the Service
- checking parents/guardians sign and date permission forms for excursions
- checking parents/guardians or authorised nominees sign the attendance record (refer to *Definitions*) as their child arrives at and departs from the Service
- 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 *Early Years Policies - Administration of medication, Managing medical conditions, Incident, injury, trauma and illness, Emergency and evacuation, Anaphylaxis, and Asthma*)
- allowing a child to participate in an excursion only with the written authorisation of a parent/guardian or authorised nominee (refer to *Early Years Policy - Excursions and Service events*)
- allowing a child to depart from the service 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 emergency or an excursion (refer to *Early Years Policy - Delivery and collection of children, and Child Safe environment*)
- following procedures if an inappropriate person (refer to *Definitions*) attempts to collect a child from the Service (refer to *Early Years Policy - Delivery and collection of children, and Child Safe environment*)
- informing the Coordinator Early Years Services, being the Person of Management or Control, when a written authorisation does not meet the requirements outlined in service policies

**Parents/guardians are responsible for:**

- reading and complying with the policies and procedures of the service
- completing and signing the authorised nominee section (refer to *Definitions*) of their child's enrolment form (refer to *Early Years Policy - Enrolment and fee*) before their child commences at the Service
- signing and dating permission forms for excursions
- signing the attendance record (refer to *Definitions*) as their child arrives at and departs from the service
- providing written authorisation, where their child requires medication to be administered by educators/staff, and signing and dating it for inclusion in the child's medication record (refer to *Definitions*)
- if the medical authorisation has not been completed, a child will not be allowed to enrol in the service and therefore will not be accepted into the program

- be aware if a child requires medical attention, or an ambulance, permission will not be sought from parents, as they will have signed the authorisation to seek medical treatment. This will be at the cost to the family.

**Volunteers and students, while at the service, are responsible for following this policy and its procedures.**

## **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

## **ATTACHMENTS**

Attachment 1: Procedure for refusing a written authorisation

**ATTACHMENT 1**

**Procedure for refusing a written authorisation**

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

- immediately explain to the parent/guardian that their written authorisation contravenes service policy, and that it cannot be accepted
- ensure that the parent/guardian is provided with a copy of the relevant service 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 service policy
- ensure that procedures outlined in the relevant service 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