

Family day care health and safety policy

This is a mandated policy under the operational policy framework. Any edits to this policy must follow the process outlined on the [creating, updating and deleting operational policies](#) page.

Overview

The South Australian Department for Education (the department) operates a family day care program (the program). Family day care services are provided through a network of self-employed family day care (FDC) educators who are registered with one of the department's 12 FDC services (schemes) to deliver education and care to children in the educator's own home and/or an approved premises.

Scope

This policy applies to all department FDC staff, registered FDC educators and approved FDC educator assistants.



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Detail

The legislative base

As an approved provider of FDC, the department services are governed by the National Quality Framework for Early Childhood Education and Care and School Age Care (NQF). The NQF incorporates and is established by the *Education and Early Childhood Services (Registration and Standards) Act 2011, Schedule 1, Education and Care services National Law, (South Australia)*, (the National Law) and the *Education and Care Services National Regulations* (the National Regulations) with which the department must comply. The department's actions in this area are governed by the Children and Young People (Safety) Act 2017 (SA), the Child Safety (Prohibited Person) Act 2016 (SA) and our Safeguarding children and young people policy.

The NQF also includes a *National Quality Standard (NQS)* against which our services are assessed and rated. The NQS comprises 7 quality areas: educational program and practice; children's health and safety; physical environment; staffing arrangements; relationships with children; collaborative partnerships with families and communities and governance and leadership. Educational programs must be based on two approved learning frameworks: *Being, Belonging and Becoming: Early Years Learning Framework (Early Years Learning Framework)* and *My Time Our Place: Framework for School Age Care (Framework for School Age Care)*.

The NQF is administered by the Australian Children's Education and Care Quality Authority (ACECQA). In addition, the state based regulatory authority, the Education Standards Board (ESB) monitors services for compliance with the National Law and National Regulations and assesses them for quality against the NQS.

A series of statutory objectives underpin all aspects of the NQF. Those that particularly apply to individuals and entities involved in the provision of services whether as providers, staff, educators, educator assistants and students, are described in *National Law, Part 1 (3)(2) Objectives and Guiding Principles*).

- (a) to ensure the safety, health and wellbeing of children attending education and care services;
- (b) to improve the educational and developmental outcomes for children attending education and care services;
- (c) to promote continuous improvement in the provision of quality education and care services

As an approved provider, the department holds overarching responsibility for the achievement of these objectives in our service.

The service model

Family day care is defined by the National Law Part 1, s 5 (1) (a) as an education and care service that is delivered using 2 or more educators to provide education and care to children and operates from 2 or more premises.

Family day care educators are engaged by or registered with a family day care service to provide

education and care for children in a premise, or other approved venue. Typically, another approved venue is a premise leased or used for the purpose of providing family day care, such as a rented premises or a premises belonging to a family member of an educator. The department operates 12 approved family day care services (schemes). Each of the department's 12 FDC schemes, is comprised of multiple self-employed educators. FDC educators are small business owners and not employees of the department. Educators must always meet the FDC educator registration conditions to maintain registration with the department FDC service.

Overarching policies

To ensure that the department meets its obligations under the National Law and relevant state-based legislation, the department has a suite of three overarching policies comprising:

- Governance, leadership and staffing
- Health and safety
- Programming, physical environment and relationships

In addition, the department has two procedures comprising:

- Management of complaints, incidents and non-compliance in family day care and Respite Care program
- Family day care fee and levy charging.

Together, these policies and procedures address the key operating requirements of the NQF making clear how those requirements must be met, the responsibilities of all leaders, educators and staff involved in operating our family day care service, and thereby, transparency for all stakeholders.

A suite of operational guides supports the policies. Educators are required to adhere to these guides. The operational guides have been developed to reflect current expert advice in respect to the delivery of education and care in a family day care setting. The operational guides are published on the [family day care educator portal](#).

Policy purpose

The department is strongly committed to the principle that 'Children have the right to experience quality education and care in an environment that safeguards and promotes their health, safety and physical and psychological wellbeing'¹. Achieving this is our first objective. It is a requirement of the National Law that the approved provider, nominated supervisor and family day care educator of an education and care service must ensure that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury. It is an offence under the National Law if one of these entities is found to have not complied with this provision.

¹ <https://www.acecqa.gov.au/nqf/national-quality-standard/quality-area-2-childrens-health-and-safety>, accessed 13 Feb 2022

Our aim is to safeguard and promote children’s health, safety, and physical and psychological wellbeing by minimising risks and protecting them from harm, injury and illness. The department also recognises that all children have the right to experience quality education and care in an environment that provides appropriate challenge, opportunity for extension and support for their growing competence, confidence and independence. One of the practices required by the National Law to protect children from injury, illness and trauma and to promote their wellbeing is the use of risk assessments. These assessments aim to minimise but not eliminate risk where they offer a valuable learning benefit. In instances where an action is necessary, such as administering medication to a child, and there is risk, the purpose of a risk assessment is to minimise risk to undertake that action as safely as possible.

This Health and Safety Policy outlines the key legislated requirements of Quality Area 2 Health and Safety and how the department meet those requirements. It underpins and ensures systems are in place to support each child’s health and physical activity, that they are protected while being educated and cared for in our service and that our schemes meet or exceed the Standard for Quality Area 2. It does this by outlining practices that comply with the National Law in relation to wellbeing and health practices for such matters as hygiene, food handling, medical procedures, sleep, and rest and managing illness, injury and trauma. It also addresses safety in the form of supervision and the use of risk assessments for travel and excursions, child protection and managing emergencies. It clarifies approved provider, nominated supervisor, educational leader, coordinator and educator roles and responsibilities in meeting obligations under the National Law.

This policy specifically provides the frame for operational guidelines relating to:

- S 51(1)(a) Conditions on service approval (safety, health, and wellbeing of children)
- S 170 Offence relating to unauthorised persons on education and care service premises
- S 171 Offence relating to direction to exclude inappropriate persons from education and care premises
- S 165 Offence to inadequately supervise children
- S 167 Offence relating to protection of children from harm and hazards
- R 77 Health, hygiene and safe food practices
- R 78 Food and beverages
- R 79 Service providing food and beverages
- R 80 Weekly menu
- R 81 Sleep and rest
- R 82 Tobacco, drug and alcohol-free environment
- R 83 Staff members and family day care educators not to be affected by alcohol or drugs
- R 84 Awareness of child protection law
- R 85 Incident, injury, trauma and illness policies and procedures
- R 86 Notification to parents of incident, injury, trauma and illness

- R 87 Incident, injury, trauma and illness record
- R 88 Infectious diseases
- R 89 First aid kits
- R 90 Medical conditions policy
- R 91 Medical conditions policy to be provided to parents
- R 92 Medication record
- R 93 Administration of medication
- R 94 Exception to authorisation requirement—anaphylaxis or asthma emergency
- R 95 Procedure for administration of medication
- R 96 Self-administration of medication
- R 97 Emergency and evacuation procedures
- R 98 Telephone or other communication equipment
- R 99 Children leaving the education and care service premise
- R 100 Risk assessment must be conducted before excursion
- R 101 Conduct of risk assessment for excursion
- R 102 Authorisation for excursions
- R 102B Transport risk assessment must be conducted before service transports child
- R 102C Conduct of risk assessment for transporting of children by the education and care service
- R 102D Authorisation for service to transport children
- R 168 (2) Education and care service must have policies and procedures
- R 169 (2) Additional policies and procedures – family day care service

Health

The department is committed to promoting children’s health and wellbeing as the foundation for their learning and development. Children’s health and physical wellbeing contributes to their ability to concentrate, engage and learn. Being active, healthy, well rested, and free of illness helps children to participate happily and successfully in the learning environment. It is also important that children are supported to take increasing responsibility for their own health and physical wellbeing just as they must learn to be increasingly independent and competent in all areas of their lives.

Educators’ work in partnership with parents and families to understand and sensitively support the health and wellbeing needs of each child in care. Educators also actively seek to engage with local communities and support agencies to help to respond to the needs of each child.

To ensure a best practice approach to supporting and promoting children’s health, this policy and relevant operational guidelines are informed by recognised authorities and up-to-date information.

Wellbeing and comfort

“Wellbeing and comfort incorporate both physical and psychological aspects and are central to children’s learning and development. Without a strong sense of wellbeing, it is difficult for children to develop a sense of belonging, to trust others and feel confident in being themselves and to participate in experiences that support their personal growth”².

Children’s wellbeing and comfort is affected and supported by how our service supports their individual requirements for various health-related needs.

Sleep and rest

Appropriate and responsive sleep, rest and relaxation, nappy changing, and toileting arrangements are fundamental to children’s comfort and wellbeing and the National Law requires that they are the subject of service policy and guidelines.

The following policy statement underpins our service guidelines and practice for children’s sleep and rest:

- our service’s safe sleep and rest guideline and practice follow [Red Nose guidelines](#) and require cots (including portable cots) and bedding to comply with the Australian Standards AS/NZS 2195 (and carry a label to indicate compliance)
- educators and department staff have a shared duty of care to ensure every reasonable precaution is taken to protect all children from harm and hazard and provide them with a high level of safety when sleeping and resting in areas that are well ventilated. These areas should have adequate lighting to enable effective supervision and monitoring of children by educators
- educators must develop a risk benefit assessment specifically for sleep and rest and these must be reviewed annually, or when matters arise that may affect the safety, health or wellbeing of children during sleep and rest
- continuous supervision of sleeping and resting infants and children is best practice. This involves the educator being within sight and hearing of the sleeping infant and child at all times
- educators regularly monitor children’s safety and wellbeing when they are asleep or resting
- educators regularly visually check the child’s breathing and the colour of the child’s lips and skin tone
- educators keep a record of their checks on each child when they are sleeping or resting, conducted not less than every 15 minutes
- educators’ will regularly discuss with families about their child’s routine for sleep and rest at home and implement this at the service where possible and safe to do so
- child safety is our priority - educators and staff will refer to this policy and associated operational guides should a family make a request that is contrary to the safety of the child

² *Early Years Learning Framework*, p. 30; *Framework for School Age Care*, p. 29

- educators will negotiate sleep, rest, and relaxation arrangements in developmentally appropriate ways with all children and always, with school aged children
- specific sleep requirements apply to the provision of extended and overnight care which, because of the change in circumstances, educators must be approved to provide.

Nappy change and toileting

The following policy statement underpins our service guidelines and practice for toileting and changing children's nappies:

- nappy changes and toileting are undertaken hygienically to safeguard children's health. The environment must include appropriate change, toilet, washing and drying facilities
- the management of soiled nappies, clothing and linen is managed in a hygienic and safe manner prior to their disposal or laundering
- nappy changes and toileting must be positive, sensitive and appropriate to each child's needs. This includes respecting the increasing need for privacy as children develop and the right of all children to be treated with dignity
- toilets must be readily accessible from inside and outside
- placement of and access to nappy change and toileting facilities must be balanced with the need for educators to adequately supervise all children being educated and cared for
- educators will consult with families about their child's nappy change or toileting routine at home, particularly for children learning to use a toilet and follow families requests, where possible and safe to do so.

Health and safety practices and procedures

The department recognises that illness is not always preventable and that injuries sometimes occur.

Best practice hygiene and health management responses, significantly reduce the likelihood of children becoming sick in family day care.

Risk assessments and actions to minimise risk reduce the likelihood of injury, but if injury does occur, its impact is reduced by effective medical, communication and recording procedures and practices.

To support children's health, safety, and wellbeing, by preventing, minimising or managing illness or injury in our service, the following policy statement underpins our guidelines and practices:

- our family day care service's health and safety practices and procedures must follow
 - [National Health and Medical Research Council's Staying Healthy: Preventing infectious diseases in early childhood education and care services guidelines](#)
 - [Kidsafe SA](#) advice
 - [Food Safety Standards](#) developed by Food Standards Australia and New Zealand (FSANZ) as the recognised authority on food preparation, handling, and storage practices
 - [St John's Ambulance](#) first aid advice

- [Australian Standards](#) to support Furniture Materials and equipment
- [Red Nose Australia, Sids and Kids SA](#)
- [Cancer Council SunSmart](#)
- [Royal Life Saving Australian Water Safety Council](#)
- our priority is children’s health and safety
- educators and department staff have a shared duty of care to ensure that children are educated and cared for in a safe, hygienic manner and environment that complies with this policy and guidelines, model hygienic practices and actively teach those practices to children
- our systems ensure that educators and educator assistants have and maintain a current approved first aid certificate, anaphylaxis and emergency asthma management training (completed every three years) and have completed approved cardio-pulmonary resuscitation (annually) to support their responsibility to administer first aid
- educators must be well when educating and caring for children and have plans in place to manage the illness of residents in their home to protect the children for whom they educate and care
- educators and staff must not have alcohol or drugs present in their system when educating and caring for children and must provide children with an environment that is free from the use of tobacco, illicit drugs, and alcohol
- educators have a suitably equipped first aid kit readily accessible within their service and ensure first aid equipment is taken with them when leaving the premises for excursions, regular outings or at any time when transporting children
- in an anaphylaxis or asthma emergency, educators can provide medication without authorisation and must notify as soon as practicable (as per Regulation 94 (2)) the parent of the child and emergency services
- where their first aid training is insufficient to keep a child safe, and where delays could compromise a child’s safety, educators must seek assistance without authorisation. This may include calling an ambulance
- Educators follow the department [health support planning for children and students in education and care settings](#) to manage the health conditions of children and minimise potential risks to children
- educators must not undertake medical procedures which have not been covered as part of their mandatory first aid training and which are not authorised. Where such a need is identified at the point of enrolment, an educator may, after agreement by the department, undertake relevant training and instruction from a qualified medical practitioner, develop a health support agreement and medical management plan with the parent and then begin providing education and care to the child. The agreement includes a risk minimisation plan incorporating a communication plan.

Communicating with parents

- parents provide information about their children’s health requirements during enrolment in the service. Medical authorisations will be required to be completed for each child, if needed

- information about managing illness, injury and medical conditions will be provided to parents by the educator upon enrolment of their child in our service
- parents must update the educator and the Business and Customer Support Centre as soon as practical about any changes to their child's health circumstances once enrolled
- educators inform parents in the event of incidents, injury, illness, and trauma as it relates to their child, including all parents in the event of infectious diseases, as soon as practical, and within 24 hours.

Key procedures

- children must be immunised against vaccine preventable illnesses according to the [National Immunisation Program Schedule](#), before attending our family day care service
- known and practised routines form the basis of preventing and minimising illness and injury, including those for cleaning equipment, food preparation, handling and storage, eating and drinking, sleep and rest, administering medication, toileting and nappy change
- with the required authorisations, educators are able to administer medication by adhering to and following the department's medication management guidelines
- risk assessments and risk minimisation strategies are applied to all identified hazards in family day care premises
- risk assessments and risk minimisation strategies are also required, for all travel and excursions to minimise the likelihood of harm to children
- to ensure the health and comfort of all children, it will sometimes be necessary for children to be excluded from the family day care setting. A clearance letter from a doctor may be required before education and care can recommence
- educators, parents, and health professionals will work together to manage any health concerns or conditions to minimise potential risks to children
- educators manage injuries consistent with the requirements outlined on [Children's health and safety webpage](#)
- children are supported in managing their own health requirements in developmentally appropriate ways, including self-administering medication with parent authorisation.

Confidentiality and record keeping

- medical and medication requirements are agreed and documented as part of a child's enrolment record. Educators are to remind families to update these annually
- educators in collaboration with staff will, following department procedures, make a record of any incident, illness, injury, or trauma experienced by children whom they are educating and caring for
- children's records are stored confidentially including records relating to incident, illness, injury, or trauma.

Review

- the department monitor and review incidents of illness, injury and trauma to children while being educated and cared for in our services, and if necessary, take appropriate action whether at the educator or scheme level to minimise recurrence in accordance with the [management of complaints, incidents and non-compliance in Family Day Care and Respite Care program procedure](#).

Healthy lifestyle

To comply with the National Law and to implement best practice, the following policy statement underpins our service guidelines and practice for children's food and drinks:

- our service's food and beverages guideline and practice follow:
 - [Australian Government Department of Health and Ageing's Get Up and Grow: Healthy Eating and Physical Activity Guidelines for Early Childhood Settings](#)
 - [Australian Dietary Guidelines](#)
- children's individual food and beverage requirements are met, including any food allergies or intolerances
- parents are consulted about their family's food practices and these are considered, including religious and cultural practices, when providing food and drinks
- if the family day care educator supplies food, ample nourishing, varied and developmentally appropriate food is provided for children
- healthy food and beverage guidelines are promoted by educators
- educators, family members and visitors model healthy eating and drinking
- opportunities to learn about and cook or make nutritious food and beverages are included in children's educational programs and respect for the diversity of cultural and religious food practices is promoted
- educators who provide food and drinks for children clearly display a weekly menu
- children are consulted in developmentally appropriate ways about their food and drink preferences, including when they eat and their menu
- safe drinking water is available to children at all times and their intake is monitored by educators to ensure hydration
- food is prepared, stored, and handled hygienically
- physical activity is incorporated into educator's programs. Physical activity takes a variety of forms such as dance, drama, games, and movement, to support and respond to children's interests and development
- water play and water-based activities are managed and provided within department guidelines and under direct supervision
- educators are to increase children's sun safe awareness through daily activities and experiences when children are in care and ensure they use a combination of sun protection measures for all

outdoor activities that is consistent with [SunSmart](#) and accurately reflects the educator's own environment. Educators can download the [Sun Protection policy](#) template and use it as their own

- where animals are kept on the premises or visit the premises when children are in care, educators must conduct a risk benefit assessment to identify the level of danger posed and implement strategies to manage any potential risk
- there must be a suitable separate area for all pets that is not accessible to children
- educators must plan suitable interactions between animals and children and obtain written permission from each family before interaction with animals.

Safety, each child is protected

Supervision

Adequate supervision is critical to children's protection from harm and hazard. All children must be adequately supervised at all times that children are being educated and cared for in our service. The department as the approved provider, nominated supervisors of our schemes and family day care educators may be found guilty of an offence under the National Law if the service, their scheme or the family day care educator has been found to have contravened the requirement of [Regulation 15](#).

Adequate supervision is determined by a range of factors, including:

- number, ages, and abilities of children
- positioning of educator
- each child's current activity, including eating, drinking, sleeping and transitions
- areas where children are playing
- the visibility and accessibility of these areas
- risks in the environment
- experiences provided to children
- the educator's knowledge of each child and the group of children
- the experience, knowledge, and skill of each educator.

Active supervision

Children are to be actively supervised. Active supervision is direct and constant monitoring. It requires focused and intentional observation of children. Active supervision principles include:

- careful, purposeful positioning
- scanning and moving around the area
- listening closely for sounds or the absence of noise
- observing

- anticipating, assisting, and checking for appropriate behaviour
- removing distractions (for example, impact of visitors)
- planning the experiences and environment to enable educators to actively engage with children in their play and learning.

Visitors

Visitors must not be left alone with any child whom the educator is educating and caring for at any time and must be supervised in the care environment.

A visitor is any person (including children) who visits the premises while children are being educated and cared for. A parent, family member or authorised nominee delivering or collecting their child is not included in this definition, nor are emergency services or medical personnel attending the premises in an emergency. A visitor is not required to have a current Department of Human Services Working with Children Check. Educators' must ensure that anyone, including a parent, family member or authorised nominee coming into the premises is not left alone with any child/ren in care.

While an educator is delivering education and care they must maintain an accurate record of all visitors to the premises. The record must include specified details for each visitor and be kept for the time required by the National Law as detailed in the relevant guideline.

Incident, injury, trauma, illness and emergency management

The National Law requires that the department have a policy, guidelines and reporting mechanisms in relation to *Incident, injury, trauma, and illness*. Our policy statement on health practices and procedures underpins our guidelines and practice.

Educators must notify the department of any serious incidents within 12 hours of the incident, and the department, in turn will notify the Education Standards Board (the Board) within 24 hours of the incident. All incidents are reviewed and assessed to ensure appropriate action is undertaken at the educator or Scheme level, minimise recurrence and address any non-compliance. The Board also identifies trends, provides expert advice to the department to address any trends of concern and investigates breaches of the Law where children's health and safety have been compromised. Serious incidents may include illness and injury as well as trauma and are prescribed by Regulation 12. The department comply with this requirement, using practices outlined in our guideline *Incident, injury, trauma and illness*.

It is an offence under the National Law if an educator fails to notify the department of a serious incident that has occurred or is occurring while they are educating and caring for a child or children; a complaint alleging that a serious incident has occurred or any contravention of the National Law. It is also an offence if the department fails to notify the Education Standards Board (the Board) of the same.

Changes to circumstances that pose a risk to children

As a condition of their registration, educators must report to the department any changes to circumstances that pose risks to children's health, safety and wellbeing. Examples include serious criminal charges against an educator, family member, educator assistant, volunteer or visitor to the educator's premises or venue, death at a family day care premises. In addition, educators must also notify their scheme when environmental risks are identified in the care environments such as when renovations are

being undertaken or when other changes to the residence/ venue occur.

Emergencies and evacuation

Educators must be prepared to protect children in an emergency, and to comply with the National Law, we require that family day care educators have a documented emergency plan including an evacuation floor plan. This assists educators and staff to handle emergencies calmly and effectively, reducing the risk of harm or injury. The following policy statement underpins our service guidelines and practice for managing emergencies and evacuation:

- children's safety is our priority
- emergency plans are based on a risk assessment that identifies the potential emergencies for each family day care educator's circumstances. All areas within the premises used for providing education and care must be clearly identified on the diagram and a risk assessment completed. In relation to multi storey premises, further detail regarding children's direct access to safe evacuation areas are required to be documented in the risk assessment, particularly if care is provided for very young children and children that are unable to walk
- educators are to develop emergency plans in consultation with relevant authorities
- educators must have a bushfire action plan which is to be informed by the Country Fire Service or the Metropolitan Fire Service
- emergency plans, including written instructions and evacuation floor plans are displayed clearly at all exit points in each family day care premises or venue
- emergency plans are practiced every three months and within a week when a child starts with an educator
- educators have ready access to a telephone or similar means of communication to enable communication with emergency services, parents and department staff
- family day care scheme emergency contact details are provided to parents on enrolment and displayed prominently in the family day care premises or venue.

Children arriving at and leaving the premises, excursions and educators transporting children

The movement of children is a necessity to provide them with education and care, whether to enable access or to provide opportunities to enrich and extend their educational program beyond the possibilities of a family day care premises or venue. Movement in the form of arrivals and departures, transportations and excursions within our family day care service introduce risks which the department specifically address. Each is the subject of an operational guide outlining the requirements which comply with the National Law.

The following policy statement underpins the department guidelines and practice:

- information for this policy and guidelines is based on [Kidsafe SA Driveway Safety](#) and [SA Department of Infrastructure and Transport](#) as relevant authorities

- children can only leave the family day care premises if being collected, attending an excursion or when being transported, such as to preschool, or in the event of needing medical attention or other emergency
- parent / carer authorisation must be given annually for regular transportation and excursions and for each non-routine excursion or transportation
- it is recognised that a child in family day care may transition, for example from family day care to preschool, and children must be accounted for at all time
- children may leave the service with an educator, such as to walk home at a certain time, if the educator has written authorisation from the parent or authorised nominee. In agreeing to this the educator must consider their duty of care to all children and consider influencing factors such as obvious or potential risks, distance to be travelled and the age and maturity of the child or children. Risk assessments must be completed, documented, and acted upon to ensure the safety of children, arriving at and leaving from the family day care premises, on excursions and when being transported as part of the service
- risk assessments must be completed and reviewed annually for routine excursion or transportation, and for every non-routine excursion or transportation.
- parents must provide written authorisation for their child or children to attend excursions and be transported by a family day care educator or approved educator assistant - this authorisation must include who may collect their child or children from the family day care premises or excursion
- the department may refuse authorisations based on the interest of a child or children where duty of care to the child or children cannot be fulfilled
- the department and educators ensure that parents give informed authorisation for an excursion which may include transport or, for being transported for other reasons, such as to and from a preschool or school
- authorisations may only be requested after educators provide parents with detailed information regarding:
 - excursions, including the destination, means of transport, proposed activities and educational value, any water hazards, educator-to-child ratio, number of adults in attendance and other information required by the National Law
 - transportation of children, including the proposed pick-up location, route and destination, the means of transport and the number of staff, other adults involved in the transportation and other information required by the National Law.
- children's attendance is recorded, including arrivals and departures, with the signature or PIN of the person responsible for verifying the accuracy of the record and the identity of the person collecting the child
- educators must act consistently with their risk assessments to safeguard children's health and safety during excursions, when transporting them and when they arrive at and are collected from the family day care premises – the risk minimising approach must include:

- adequately supervising
- complying with road rules, including those regarding car restraints and taking particular care in and around driveways
- having a documented arrival and departure routine which is supplied to parents and taught to children
- taking the opportunity provided by excursions and travel to teach children about road and car safety and to engage them in planning to address these
- being well prepared with all relevant emergency information and equipment such as a phone, a first aid kit and emergency contact details for the children and our service.

Child Protection

Protecting the safety and wellbeing of children and young people is a fundamental responsibility that cannot be compromised by other considerations³. The department's FDC service meets its obligation under the National Law to ensure that our nominated supervisors and persons in day-to-day charge have successfully completed the child protection training required by South Australian law, and that staff members, family day care educators and volunteers are advised of the existence and application of the current child protection law; and any obligations that they may have under that law. The department is committed to achieving timely and effective identification of, and response to, children who are or may be at risk, including those who may be experiencing harm or are at risk of harm.

The department's actions in this area are governed by the Children and Young People (Safety) Act 2017 (SA), the Child Safety (Prohibited Person) Act 2016 (SA) and our Safeguarding children and young people policy. The Safeguarding children and young people policy outlines the personal obligations that must be met to maintain child safe environments. Additionally, department FDC staff and educators are mandated notifiers. They are legally required to report if they suspect on reasonable grounds that a child or young person is, or may be, at risk, to the child abuse report line (13 14 78). All department FDC staff and department FDC educators must initially undertake the responding to risks of harm, abuse, and neglect – education and care full day child protection training. They must then undertake an approved update program every 3 years.

All FDC staff, educators, educator assistants, volunteers, students, and any person aged 18 years or over who resides on family day care premises must have a current Department of Human Services Working with Children Check.

All FDC staff, educators, educator assistants, volunteers and students are guided by the

- [Protective practices for staff in their interactions with children and young people](#)
- [Managing allegations of sexual misconduct in South Australian Education and care settings guidelines](#),

³ SA Department for Education, *Child Protection in Education and Early Childhood Services Policy*

- [Statutes Amendment \(Child Sexual Abuse\) Act 2021](#)
- [Sexual behaviour in children and young people procedure and guideline](#)

Inappropriate Persons

The Department understands and ensures that its staff and educators comply with child protection offence provisions under the National Law as a priority.

Section 171 sets out that there is an offence relating to a failure to direct an inappropriate person away from FDC premises if directed to do so by the Education Standards Board, where an inappropriate person means a person—

- (a) who may pose a risk to the safety, health or wellbeing of any child or children being educated and cared for by the education and care service; or
- (b) whose behaviour or state of mind or whose pattern of behaviour or common state of mind is such that it would be inappropriate for him or her to be on the education and care service premises while children are being educated and cared for by the education and care service.

The Department, the relevant nominated supervisor of the relevant Scheme and/or family day care educator may be issued with a direction to exclude an inappropriate person and will be held responsible if they do not comply.

Roles and responsibilities

The department

The department provides leadership and management to each scheme through a structure that clearly defines roles and responsibilities and levels of decision making in accordance with the National Law. This policy supports but does not replace the legislated responsibilities allocated by the National Law and Regulations to the statutory positions of approved provider, responsible person, nominated supervisor, educational leader, persons delegated in day-to-day charge, coordinator, educator, and educator assistant. The Law allocates responsibility according to the level of control that each position holds in operating a service. This is reflected in its compliance, enforcement and offence provisions.

Head, Office for the Early Years

Delegate under the National Law as the Approved provider of the FDC services.

Ensure the safety, health and wellbeing of the children attending our family day care services.

Promote the continuous improvement of the quality of our service provision.

Determine the permanent removal of a FDC educator from the Department for Education FDC register.

Director, Child Care Services

Support oversight of the efficient management of the FDC program and compliance with associated

legislation.

Endorse FDC policies and operational guidelines to ensure the efficient management of the program that meets the strategic direction of the Department for Education.

Responsible for temporary removal of a FDC educator from the Department for Education FDC register.

Assistant Director, Child Care Services

Line manage scheme managers.

Oversee service quality and compliance.

Senior Policy Officer (FDC Programs)

Develop FDC policy, procedures and standards in accordance with the Department for Education policy framework requirements.

Implement appropriate controls to minimise risks in accordance with the Department for Education risk management policy and procedures.

Scheme Manager

Monitor compliance with this policy with all scheme staff.

Be the designated nominated supervisor under the National Law.

Team Leader

Be the educational leader under the National Law.

Coordinator

Adequately monitor and support educators registered with the department's family day care service to provide education and care to children.

Employee

Comply with this policy and any associated operational guidelines.

Abide by the [Public Sector Values](#) and the [Code of Ethics for the South Australian Public Sector](#).

Educator

Comply with:

- conditions of registration
- FDC Code of conduct

- [safeguarding children and young people policy](#)

Responsible for quality of the education and care delivered to children.

Protect children from harm and hazard.

Maintain and update their knowledge of health and safety in education and care as required, including service policy and operational guidelines updates.

Definitions

direct supervision

Educators/supervising adults must be always within arm's length of children (max of 2 metres). No child is to be left unattended.

first aid

The immediate treatment or care given to a person suffering from an injury or illness until more advanced care is provided or the person recovers. First aid training should be delivered by approved first aid providers, and a list is published on the [ACECQA website](#).

hazard

A source of potential harm or a situation that could cause or lead to harm to people or property - work hazards can be physical, chemical, biological, mechanical or psychological.

medication

Medicine within the meaning of the Therapeutic Goods Act 1989 of the Commonwealth. Medicine includes prescription, over-the-counter and complementary medicines. All therapeutic goods in Australia are listed on the Australian Register of Therapeutic Goods, available on the [Therapeutic Goods Administration website](#).

trauma

When a child feels intensely threatened by an event he or she is involved in or witnesses. See the National Child Traumatic Stress Network's page on [early childhood trauma](#).

working with children check

A working with children check as required by the [South Australia Child Safety \(Prohibited Persons\) Act 2016](#):

working with children check means—

(a) a working with children check conducted by the central assessment unit in accordance with this Act; or

(b) a working with children check (however described) of the Commonwealth, or of another State or Territory, declared by the regulations to be a working with children check for the purposes of this Act

Supporting information

[Being, Belonging and Becoming: Early Years Learning Framework](#)

[Guide to the NQF](#)

[My Time Our Place: Framework for School Age Care](#)

[National Quality Standard](#)

Related legislation

[Education and Early Childhood Services \(Registration and Standards\) Act 2011, Schedule 1, Education and Care services National Law, \(South Australia\)](#)

[Education and Care Services National Regulations](#)

[Statutes Amendment \(Child Sexual Abuse\) Act 2021](#)

[Child Safety \(Prohibited Persons\) Act 2016](#)

[Children and Young People \(Safety\) Act 2017](#)

Related policies

[Family day care fee and levy charging procedure](#)

[Family day care governance, leadership and staffing policy](#)

[Family day care programming, physical environment and relationships policy](#)

[Protective practices for staff in their interactions with children and young people guidelines](#)

[Management of complaints, incidents and non-compliance in family day care and respite care program procedure](#)

[Safeguarding children and young people policy](#)

[Financial management and compliance framework](#)

[SA Treasurer's Instructions](#)

Related operational guides

[Animals on the premises](#)

Beds, cots, bedding and safe sleep environments (under development)

[Fencing and barriers](#)

[Furniture and equipment for care](#)

General home equipment and appliances (under development)

[Glass](#)

Gym and exercise equipment (under development)

Incident, illness and injury records and reporting (under development)

Outdoor play equipment and softfall (under development)

Safe sleep practices (under development)

[Sun safety and shade](#)

Trampolines (under development)

Transportation (under development)

Vehicles (under development)

[Water safety and practices](#)

[Wheeled equipment](#)

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