**ACCEPTANCE AND REFUSAL OF AUTHORISATIONS POLICY 2022**

Updates in Yellow

NATIONAL QUALITY STANDARD (NQS)

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| 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. |
| 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. |

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| EDUCATION AND CARE SERVICES NATIONAL REGULATIONS | |
| 92 | Medication record |
| 93 | Administration of medication |
| 94 | Exception to authorisation requirement – anaphylaxis or asthma emergency |
| 99 | Children leaving the education and care service |
| 102 | Authorisation for excursions |
| 160 | Child enrolment records to be kept by approved provider |
| 161 | Authorisation to be kept in enrolment record |
| 168 | Education and care services must have policies and procedures |
| 170 | Policies and procedures to be followed |

**Background**

The Education and Care Services National Regulations require early education and care services to obtain written consent from parents, or person named in the enrolment form as authorized, in matters relating to the administration of medication, medical treatment including transportation by an ambulance service, collection of children from the service, and excursions (including regular outings). The information to be provided in these written authorisations is also detailed in the Education and Care Services National Regulations.

**Purpose**

Wattle Grove Long Day Care Centre purpose is to ensure that authorisations, signed by a parent or person named in the enrolment record as authorised to give consent for a child for the Approved Provider/ Nominated Supervisor are in accordance with the Education and Care Services National regulations 2011 **Regulation 161**.

**Strategies**

* Enrolment form with signed authorised nominees able to provide authorisations for:

**(National Regulation 160(3), 161)**

* + Collection of children.
  + Medication administration.
  + Emergencies.
    - Medical treatment from a registered practitioner, hospital or ambulance.
    - Transportation in an ambulance.
  + Excursion permission. **(National Regulation 102)**
  + Incursion attendance.
  + Transportation (excursion)
  + Taking of photographs by people other than educators
  + Enrolment of children, including providing details of persons nominated to authorise consent for medical treatment or trips outside the service premises.
  + Children leaving the premises in the care of someone other than a parent.
* Management will ensure that the acceptance and refusal authorisation policy is always reviewed and maintained by Service management and adhered to by educators

**Responsibilities of the Approved Provider**

* Ensure the service operates in accordance with the Children (Education and Care Services National Law) Act 2010 and Education and Care Services National regulations 2011.

**Responsibilities of the Nominated Supervisor**

* Provide supervision, guidance and advice to staff to ensure adherence to the policy at all times.
* Ensure all authorisations will be retained within the Enrolment Record **(National Regulation 161)**, original copy and will include:
  + The name of the child enrolled in the service.
  + The date.
  + The signature of the child’s parent/guardian or authorised nominee who is listed in the enrolment form.
  + The original form/letter/register provided by the service.
* Ensure that all parents/guardians have completed the authorised nominee section of their child’s enrolment form and that the form is signed and dated before the child is enrolled at the service **(National Regulation 161(a)).**
* Keep all authorisations relating to children in their enrolment record.
* Staff are aware where the records are kept.
* Ensure a child is not taken outside the Service premises on an excursion except with the written authorisation of a parent/guardian or authorised person.
* Inform the Approved Provider when a written authorisation does not meet the requirements outlined in the Service’s policies.

The Nominated Supervisor/Responsible person will exercise the right of refusal for a child to leave the service with a person that is unauthorised to collect the child or is not able to transport the child safely. i.e. if they appear to be under the influence of substances, if they do not have an appropriate car seat or transport arrangements.

**Responsibilities of the Educators**

* Apply these authorisations to the collection of children, medication administration, excursions, medical treatment in the event of an emergency and access to records.
* Exercise the right of refusal if written or verbal authorisations do not comply.
* Waive compliance where a child requires emergency medical treatment for conditions such as anaphylaxis or asthma. The service can administer medication without authorisation in these cases, provided it is noted on medical plans and that parents/guardians are contacted as soon as practicable after the medication has been administered **(National Regulation 161)**.
* Follow the Services Incident, Injury, Trauma and Illness Policy regarding authority to provide children with medication.
* Follow the policies and procedures of the Service.
* Ensure that parents/guardians sign and date permission forms for excursions prior to the excursion being implemented.
* Allow a child to participate in an excursion only with the written authorisation of a parent/guardian or authorised person.

**Responsibilities of the Family/Guardian**

* Ensure that you complete and sign the authorised nominee section of your child’s enrolment form before your child attends the service.
* Keep child enrolment details forms current by stating who the authorised nominees are as circumstances change.
* Understanding that photos cannot be taken of children whilst in the child care centre. Any photos on special events must be taken at a designated place and with a full authorisation of the service.
* Inform service of current contact numbers to ensure you are contactable at all times.
* Communicate to Responsible Person and staff any individual requests regarding authorisations.
* Ensure that where children require medication to be administered by educators or other staff, you authorise this in writing, sign and date it for inclusion in your child’s medical record.
* Ensure the child’s medication has the child’s full name, dosage, frequency and mode of administering medication, expiration date of medication clearly labelled, and the medication is in its original package/box.
* Update the Nominated Supervisor/Responsible person in relation to any medical conditions, medical plans or ongoing medication requirements. This must be obtained from a medical practitioner, include the names of medical practitioner, name of the child, date of birth of the child, name of medications, dosage, signs, symptoms and contact information for any relevant medical professionals.
* Ensure that where children require medication to be administered by educators or other staff, you authorise this in writing, sign and date it on your child’s individual medication record.

**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 or delegated authority will:

* Immediately explain to the parent/guardian that their written authorisation does not meet legislative and policy guidelines.
* Have a printed copy of the policy ready to give to the parent/guardian and discuss the policy with them to ensure they understand.
* Request that an appropriate alternative written authorisation is provided by the parent/guardian.
* In instances where the parent/guardian cannot be immediately contacted to provide an alternative written authorisation, follow related policy procedures pertaining to the authorisation type.
* To ensure the appropriate authorisation is obtained, the Nominated Supervisor or other Responsible person must have a follow up with the parent/guardian.

Unauthorised pickup :

1. Service and families are to ensure all emergency contacts are available, minimum of 2 persons apart from parents are nominated to pick up and act as persons with full parental authority (including delegating pick up to another person and allowing the child to receive medical attention).
2. Children who are reenrolling to the children, the service considers the new year’s authorisation as valid. Previous authorisation is no longer validated.
3. Service does not allow persons to collect children unless they are named as authorised pick up or parents provided a written notice (email/text) to the service, stating the persons full name and date/time of collection.
4. All other persons are not allowed to collect children or gain information of children without a written consent of the parent.
5. In case of an emergency, intruder (unauthorised person attempts to collect) please refer to the emergency procedures and the delivery and collection of children policy.

**Related Statutory Obligations & Considerations**

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| **Australian Children’s Education and Care Quality Authority (ACECQA)** | https://www.acecqa.gov.au/ |
| **Children (Education and Care Services) National Law (NSW) No 104a** | https://www.legislation.nsw.gov.au/#/view/act/2010/104a/full |
| **Education and Care Services National Regulations** | https://www.legislation.nsw.gov.au/#/view/regulation/2011/653/full |
| **Family Law Act 1975 (Cth)** | https://www.legislation.gov.au/Details/C2017C00385 |
| **Children and Young Persons (Care and Protection) Act** | https://www.legislation.nsw.gov.au/#/view/act/1998/157 |

**Related Telephone Numbers**

* Early Childhood Education and Care Directorate - 1800 619 113
* ACECQA - 1300 422 327
* Police Department - 000

**Amendment History**

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| **Version** | **Amendment** | **Date** |
| Previous LDC policy | Acceptance and Refusal policy review  Adaptation of ACA policy- links to NQ and law  Amendments- review ACA policy  Amendments-reviewing ACA policy: changed wording, added Family’s responsibility of updating NS with medical plan/change in medical conditions and medication,  Amendments as per policy review: photographs of children by families can only at designated area and with consent of service | May 2018  September 2020  January 2022  June 2022  August 2022 Klara, Amy, Julia, Sreety, Maryam, Alex, Olivia, Kelly |
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**Sources**

§ Education and Care Services National Regulations 2011

§ Guide to the National Quality Framework 2018 (September 2020 Update): Section 4 – Operational Requirements https://www.acecqa.gov.au/sites/default/files/2020-09/Guide-to-the-NQF-September-2020.pdf accessed 30 December 2020

Further reading and useful websites (Consistent with the approach of the National Quality Framework, the following references have prioritised efficacy and appropriateness to inform best practice, and legislative compliance over state or territory preferences.)

§ ACECQA – http://www.acecqa.gov.au/ accessed 30 December 2020

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| Date: | June 2022 |
| Version: | 2020/03 |
| Last Amended By: | Julia Koti |
| Next Review: | 2023 January |
| Position: | Nominated Supervisor/Director |

This policy will be updated to ensure compliance with all relevant legal requirements every year. Appropriate consultation of all stakeholders (including staff and families) will be conducted on a timely basis. In accordance with Regulation 172 of the *Education and Care Services National Regulation*, families of children enrolled will be notified at least 14 days and their input considered prior to any amendment of policies and procedures that have any impact on their children or family.