



**WINTON SHIRE COUNCIL
LITTLE SWAGGIES CHILD CARE CENTRE**

ACCEPTANCE & REFUSAL OF AUTHORISATION POLICY & PROCEDURE

ACCEPTANCE & REFUSAL OF AUTHORISATION - POLICY & PROCEDURE

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ACCEPTANCE & REFUSAL OF AUTHORISATION - POLICY & PROCEDURE

POLICY STATEMENT

This Winton Shire Council (WSC) Little Swaggies Child Care Centre policy provides clear instruction on how authorisations are obtained to meet the Education and Care Services National Regulations 2011 and the National Quality Framework. To provide guidance on what constitutes a correct authorisation and what does not and may therefore result in a refusal.

SCOPE

Authorisation must be obtained for:

- Administering medication to children (including self-administration if applicable for school age)
- Children leaving the premises in the care of someone other than a parent
- Children to be taken on excursions

Exceptions

Authorised administration with verbal consent National Regulations, Regulation 93:

In case of an emergency, administration of medication is authorised if verbal consent is obtained from a parent or person named in the child's enrolment record as authorised to consent to administration of medication. If this person cannot be contacted, a registered medical practitioner or medical emergency services can provide verbal consent. If medication is administered to a child based on verbal consent from a registered medical practitioner or medical emergency services, the approved provider must ensure written notice is given to a parent or other family member as soon as practicable.

Exception to Authorisation requirement – anaphylaxis or asthma emergency National Regulations, Regulation 94:

Medication may be administered to a child without an authorisation in the case of an anaphylaxis or asthma emergency. If this occurs, the approved provider, nominated supervisor or family day care educator must notify the parent of the child and emergency services as soon as practicable.

The approved provider, nominated supervisor and family day care educator shall make sure that a child being educated and cared for by this service does not leave the premises except where the child:

- *is given into the care of a parent, an authorised nominee named in the child's enrolment record or a person authorised by a parent or authorised nominee, or*
- *leaves in accordance with the written authorisation of the child's parent or authorised nominee, or*
- *is taken on an excursion with written authorisation from a parent or authorised nominee, or*
- *is 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.*

'Parent' includes a guardian of the child and a person who has parental responsibility for a child under a decision or order of a court. It does not include a parent prohibited by a court order from having contact with the child.

An approved provider can restrict a nominated person from collecting a child, for example if the service's policy does not allow children to be collected by a person under 16 of age.

PROCEDURE

Nominated Supervisor and Responsible Person/s shall:

- Positively and clearly communicate all aspects of the policy and take a zero-tolerance approach to compliance.
- Understand and comply with all aspects of this policy and related legislation and support team members to do the same.
- Lead a culture of reflection and regular review of policies, seeking feedback from educators, families, children and other community agencies and professionals as appropriate.

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- Ensure written documentation relating to authorisations contains:
 - the name of the child enrolled in the service
 - date
 - signature of the child's parent/guardian, or nominated contact person who is on the enrolment form
 - other items listed as required under the regulations for each authorisation.
- Apply these authorisations to the collection of children, administration of medication, excursion and access to records.
- Keep these authorisations in the enrolment record and child's file in a confidential manner.
- Exercise the right of refusal if written authorisations do not comply, for example:
 - Where a form is not fully completed
 - Where a form is signed by a person not authorised in writing.
- Check all authorisation forms received to ensure they are fully completed and are verified, (name and signature) by a nominated parent/guardian or authorised person on the enrolment form.
- Ensure enrolment forms contain authorisation to seek and/or provide medical and/or emergency treatment and transportation, including the administration of life saving medication should it be necessary.
- Waive compliance where a child requires emergency medical treatment. The service can administer medication without authorisation in these cases, provided they contact the parent/guardian as soon as practicable after the medication has been administered.
- In the event that medication is administered to a child without an authorisation in the case of an anaphylaxis or asthma emergency WSC Management or Nominated Supervisor or Responsible Person in Charge will notify the parent of the child and emergency services as soon as practicable.
- Take all reasonable steps to ensure that a person not familiar as an authorised collector does not collect a child from the service. This includes precautions such as asking for photo identification or confirming with a known authorised collector or parent of the child.

Procedures to be followed where refusal of an authorisation is deemed necessary:

- Return the authorisation/permission form to the family or authorised person if incomplete or inappropriately signed.
- Ensure no action, about the specific activity requiring authorisation occurs unless the authorisation form has been completed correctly and signed by an authorised person.
- Notify families of any refusals and provided with the reason for the refusal. Where suitable, they may be offered the opportunity to rectify the reason for the refusal, for instance where a form is not fully completed or signed.
- Refuse a written authorisation if it contravenes a regulation, service policy or the Nominated Supervisor or responsible person in charge has serious concerns for the child's health, safety or well-being. For example:
 - A child may not be released to a person who is authorised in writing if:
 - The authorised person does not appear, at the time of collection, to be fit and well to collect the child due to being under the influence of a drug, medication or alcohol
 - The person collecting does not have a safe and suitable way to transport the child, for example no suitable child restraints fitted to a vehicle which will transport the child
 - WSC Management, Nominated Supervisor or Responsible Person in charge reasonably believes that the collection is not in the best interest of the child's health, safety or wellbeing
 - The authorisation contravenes another policy, such as a person, who is not a parent, being under the age of 16yrs (refer to Arrival and Departure Policy)
 - WSC Management, Nominated Supervisor or Responsible Person in charge is aware of, has a copy of or reasonably believes that a parenting or court order is in place restricting access or collection.

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- Where it is reasonably determined that it is not in the best interest of the child to release them to an authorised collector due either to their current state or transportation method, the Nominated Supervisor or Reasonable Person in Charge will consider the best alternative at the time to ensure the health, safety and wellbeing of the child. This may include, but not be limited to:
 - Contacting a parent or alternative person who is authorised to collect
 - Suggesting the child remains at the service until such time as a suitable collection can be conducted
 - Arranging alternative transport where practicable
 - Contacting the local police station or dialling 000 if deemed necessary.
- An authorisation for a child to attend an excursion or participate in an event may be refused if WSC Management, Nominated Supervisor or Responsible Person in charge reasonably believes that the participation in the excursion or activity would not be in the best interest of the child's health, safety or wellbeing, for example if a child is visibly unwell.

Educators And Other Team Members Shall:

- Be proactive in fulfilling the requirements of this policy and related legislative requirements.
- Seek further guidance where required.
- Report any concerns or non-compliance immediately to the Nominated Supervisor or Responsible Person.
- Participate in the review of documents and provide constructive feedback to the Nominated Supervisor or WSC Management.
- Check all authorisation forms received to ensure they are fully completed and are verified, by a nominated parent/guardian or authorised person on the enrolment form.
- Immediately advise the Nominated Supervisor or Responsible Person in charge of any incomplete authorisations or any situation where you reasonably believe an authorisation should not be provided.
- Take all reasonable steps to ensure that a person not familiar as an authorised collector does not collect a child from the Centre. This includes precautions such as asking for photo identification or confirming with a known authorised collector or parent of the child.
- Notify the Nominated Supervisor or responsible person in charge regarding refusal of authorisations where all requirements are not met or where you reasonably believe that the authorisation may pose a risk to the health, safety and wellbeing of a child or staff member.

Families Shall:

- Fulfil responsibilities under this policy and related legislative requirements.
- Understand that the service must take steps as required under legislative requirements and follow advice from recognised authorities.
- Participate in a review of documents and provide constructive feedback to the Nominated Supervisor or Responsible Person.
- Discuss any questions with the Nominated Supervisor or Responsible Person in charge.
- Ensure that all authorisations provided are:
 - In writing when required
 - Clear and legible
 - Dated and signed
 - Fully completed
- Understand that refusal of authorisation will occur when all requirements are not met.

COMMUNICATION

- Nominated Supervisors must ensure all educators are advised of this policy and their right to refusal for non-compliance.
- Educators and families will have access to this policy at all times.
- Educators and families will be provided with opportunities to be involved in the review of this policy.

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ENFORCEMENT

The Failure of any person to comply with this policy in its entirety may lead to:

- Termination or modification of child enrolment
- Restriction of access to the service
- Performance management of an employee which may lead to termination

RELATED POLICIES AND FORMS

- Service handbook
- Medication Policy and Procedure
- Medical Conditions Policy and Procedure
- Transportation Policy and Procedure
- Excursion Policy and Procedure
- Enrolment and Orientation Policy and Procedure
- Arrival and Departure Policy and Procedure
- Enrolment Agreement Forms
- Medication Forms

LEGISLATIVE, RECOGNISED AUTHORITIES AND SOURCES

- “Guide to the National Quality Framework” Australian Children’s Education & Care Quality Authority September 2020
- *Education and Care Services National Law Act 2010 (version February 2021)*
- *Education and Care Services National Regulations (version Oct 2020)*
 - 92 Medication record
 - 93 Administration of medication
 - 94 Exception to authorisation requirement – anaphylaxis or asthma emergency
 - 99 Children leaving the education and care premises
 - 102 Authorisation for excursions
 - 102D Authorisation for service to transport Children
 - 161 Authorisations to be kept in enrolment record
 - 168 Education and care service must have policies and procedures
 - 170 Policies and procedures to be followed
 - 171 Policies and procedures to be kept available
 - 172 Notification of change in policies or procedures affecting ability of family to utilise service
- National Quality Standards
 - 2.1.2 Health practices and procedures
 - 2.2.1 Supervision
 - 7.1.2 Management systems

CEO DISCRETION

Where applicable, the CEO can apply his discretion as to the enforcement of the procedures outlined in this policy.

REVIEW OF POLICY

This policy remains in force until amended or repealed by resolution of Council. This document will be review biannually or as required.

RECORD OF AMENDMENTS and ADOPTIONS

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DATE	REVISION NO	REASON FOR AMENDMENT	ADOPTED BY COUNCIL
October 2021	V1.0	Preparation for Council Adoption	

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