



ACCEPTANCE AND REFUSAL OF AUTHORISATIONS POLICY

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ACCEPTANCE AND REFUSAL OF AUTHORISATIONS POLICY

DIVISION: Sport, Community and Activation

BRANCH: Community Outcomes - Family Day Care

CATEGORY: 3

PART 1 – INTRODUCTION

1. BACKGROUND

- 1.1 Camden Family Day Care works collaboratively with families to ensure the health, safety, wellbeing and best interests of children, the requirement to obtain written authorisation of parents/guardians or authorised nominee's before proceeding with certain practices, processes', or actions forms part of this assurance.
- 1.2 Through the authorisation process, parents are informed of risks associated with a matter, and can make an informed choice whether or not to proceed.
- 1.3 Authorisation must be obtained from parent/guardians or authorised nominees in the following circumstances:
 - Administering medication to children (regulation 92).
 - Children being collected by someone other than their parent (regulation 99) other than the case of emergency.
 - Children being taken on excursions or regular outings (regulation 102).
 - Transportation of children (regulation 102D).
- 1.4 The *Education and Care Services National Regulations* require Approved Providers to ensure their services have policies and procedures in place in relation to the acceptance and refusal of authorisations.

2. OBJECTIVE

- 2.1 To ensure we seek the correct written consent for children through responsible processes for managing authorisations that are sensitive to the needs of children and their families.

3. SCOPE

- 3.1 This policy applies to:
 - Camden Council Family Day Care Service.
 - Camden Council Family Day Care staff employed by Camden Council.
 - Family Day Care educators (including educator assistants and relief educators) registered with the Service as agents of the Approved Provider-Camden Council.

- Children enrolled in the service and their families.
- Volunteers and students engaged within Camden Family Day Care services.

4. DEFINITIONS

- 4.1 **Approved Provider** means a person who holds a provider approval (*Education and Care Services National Law*). A provider approval authorises a person to apply for one or more education and care service approvals and is valid in all jurisdictions.
- 4.2 **Authorised Nominee** means a person who has been given permission by a parent or family member to collect the child from the Family Day Care service/educator.
- 4.3 **Authorisation** means the parent/guardian or authorised nominee's permission or consent.
- 4.4 **Co-ordination Unit** means the Camden Family Day Care principal office and main faculty for running the Service from which Camden Family Day Care employees work.
- 4.5 **Educational program** means a program that is based on an approved learning framework and is delivered in accordance with the framework. Is based on the developmental needs, interests and experiences of each child and is designed to take into account the individual differences of each child.
- 4.6 **Educator** means an individual suitably qualified and registered by Camden Family Day Care to provide education and care, can refer to the Family Day Care educator as the business owner, educator assistant or relief educator.
- 4.7 **Enrolment Record** means the approved provider and Family Day Care educator must ensure that an enrolment record is kept for each child enrolled at the service. The record must contain details relating to the child, authorisations given by the parent/guardian and legal documents such as court orders.
- 4.8 **Excursion** means an outing organised by an education and care service or FDC educator.
- 4.9 **Family Day Care (FDC)** means a type of education and care service that is run from the educator's own residence or an approved venue for the purpose of educating and caring for small groups of children aged 0-12 years.
- 4.10 **Family Day Care Service** means the Family Day Care education and care business of each individual educator.
- 4.11 **Medication** means 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 (tga.gov.au).
- 4.12 **Medical Attention** means a visit to a registered medical practitioner or attendance at a hospital.

- 4.13 **Medication Record** means a record for each child to whom medication is administered by the FDC service and must be kept by the approved provider and FDC educator and include information such as the child's name, signature of person authorising the medication, name and details of the medication, time & dosage required, manner of administration, name and signature of person administering the medication and time administered.
- 4.14 **Parent** means the child's mother or father or other person responsible for the child through a court of law as their legal guardian and does not include a parent who is prohibited from having contact with the child.
- 4.15 **Regular Outing** means a walk, drive or trip to and from a destination: (a) that the FDC service visits regularly as part of its educational program; and (b) where the circumstances relevant to the risk assessment are the same on each outing.
- 4.16 **Regular Transportation** means the transportation by the FDC service or arranged by the FDC service (other than as part of an excursion) of a child being educated and cared for by the FDC service, where the circumstances relevant to a risk assessment are the same for each occasion on which the child is transported.
- 4.17 **Responsible Person** means a person appointed by the Approved Provider as responsible for overseeing an education and care service, as referred to in section 162(1)(a) to (c) of the *Education and Care Services National Law*.
- 4.18 **Rights of the Child** means Human rights belonging to all children, as specified in the United Nations Convention on the Rights of the Child.
- 4.19 **Signature** means your name written by yourself, always in the same way, usually to show that something has been written or agreed by you and for the purpose of electronic record systems can be a unique Personal Identification Number (PIN).
- 4.20 **Staff** means employees of Camden Council Family Day Care.
- 4.21 **Wellbeing** means a positive emotion that results from the satisfaction of basic needs – the need for tenderness and affection; security and clarity; social recognition; to feel competent; physical needs and for meaning in life. It includes happiness and satisfaction, effective social functioning and the dispositions of optimism, openness, curiosity and resilience.

PART 2 - POLICY STATEMENT

5. PRINCIPLES

- 5.1 Children have a right to be safe and their rights, safety, health and wellbeing is paramount to our service. Our range of safeguards include policies and procedures for the acceptance and refusal of authorisations.
- 5.2 Our families are part of the service decision-making process. Through authorisations, they are made aware of risks and can make informed decisions.
- 5.3 We acknowledge the important role played by our FDC educators and staff and provide training and support to ensure they are aware of their role and responsibilities and act in accordance with this policy and its related procedures.

- 5.4 We prioritise quality governance and management and ensure that our acceptance and refusal of authorisations processes are effective and transparent and meet all regulatory requirements.

6. CONSIDERATIONS

6.1 Authorisations to be kept on the enrolment record for each child enrolled are:

- Collection of children.
- An authorisation, signed by a parent or a person named in the enrolment record as authorised to consent to the medical treatment of the child, for the family day care educator to seek:
 - Medical treatment for the child from a registered medical practitioner, hospital or ambulance service; and
 - Transportation of the child by an ambulance service.
- If relevant, an authorisation given under regulation 102 for the family day care educator to take the child on regular outings; and
- If relevant, an authorisation given under regulation 102D(4) for regular transportation of the child.

6.2 Authorisation documentation must include the following:

- Full name of the child enrolled in the service.
- Date.
- Signature of the child's parent/guardian or person nominated by the parent/guardian on the enrolment form as authorised to provide consent.
- The original form/letter/register/ record provided by the service.

6.3 The enrolment record will collect the name, address and contact details of each parent of the child; any emergency contacts and any person nominated by the parent to:

- Be an emergency contact.
- Collect the child from the residence/ approved venue.
- Consent for administration of medication.
- Consent to medical treatment or transportation by an ambulance.
- Give approval for an FDC educator to take the child out of the residence/ approved venue.
- Authorise transportation.

- 6.4 Where an authorisation does not meet the requirement, it must be refused and further action taken to obtain an appropriate authorisation, actions for refusal are outlined in the *Considerations for Refusing Authorisations* procedure.
- 6.5 Authorisation may be waived for the administration of medication where a child requires emergency medical treatment for anaphylaxis or asthma, provided the parent/guardian and emergency services are contacted as soon as practicable after the medication has been administered.

7. ROLES AND RESPONSIBILITIES

7.1 Approved Provider:

- Ensure that obligations under the *Education and Care Services National Law and National Regulations* are met.
- Ensure the *Acceptance and Refusal of Authorisations* policy and related procedures are in place.
- Take reasonable steps to ensure that nominated supervisors, educators, staff and volunteers follow the policy and procedures.
- Ensure the nominated supervisor and co-ordination unit have access to appropriate resources for the development, implementation, training and ongoing management of this policy and its related procedures.
- Ensure that an enrolment record is kept for each child that includes authorisations signed by a parent or a person authorised to consent to the medical treatment of the child if relevant, in relation to:
 - Seeking medical treatment from a registered medical practitioner, hospital or ambulance service.
 - Transportation by an ambulance service.
 - Regular outings and transportation (regulations 160, 161).
- Ensure that a medication record is kept that includes the authorisation to administer medication signed by a parent or a person named in the enrolment record (regulation 92).
- Ensure that medication is only administered or self-administered if authorised or, in an emergency, authorisation is provided verbally by:
 - A parent/guardian or a person named in the enrolment record.
 - A registered medical practitioner or an emergency service if the parent or person named in the enrolment record cannot be contacted (regulations 93, 96).
- In the case of an anaphylaxis or asthma emergency, medication may be administered without authorisation (regulation 94).

- Ensure that children only leave the service premises, FDC residence or approved FDC venue with a parent, an authorised nominee named in the enrolment record, or a person named in the enrolment record to collect the child (regulation 99).
- Ensure all children have appropriate authorisation to leave the service on an excursion or regular outing (regulation 102).
- Ensure no child is transported by the service without authorisation from a parent or other person named in the enrolment record (regulation 102D).
- Ensure systems requiring authorisations are in place for other legal requirements or quality practices, e.g. photos of children and privacy.
- Ensure authorisations are kept up to date.

7.2 Nominated Supervisor/Team Leader:

- Ensure they conduct themselves and the service practices in accordance with all legislative requirements and Camden Family Day Care policy and procedures and as directed by the Approved Provider.
- Implement the *Acceptance and Refusal of Authorisations* policy and procedures.
- Take reasonable steps to ensure that educators, staff, volunteers and students follow legislative the policy and procedures.
- Guide and mentor educators and staff to be able to follow the policy and procedures.
- Ensure that communication between educators, the principal office and parents/guardians is adequate to ensure that all parties are aware of their roles and responsibilities in relation to legislative requirements and Camden Family Day Care policy and procedures and they have the opportunity to provide their input into the Service.
- Ensure that the child's family completes and signs authorisations in the enrolment record and medication record (if relevant) before the child commences at the service.
- Ensure no child is transported by the service without an authorisation from their parent or other person named in the enrolment record.
- Ensure that medication is only administered or self-administered if authorised or, in an emergency, authorisation is provided verbally by:
 - A parent/guardian or a person named in the enrolment record.
 - A registered medical practitioner or an emergency service if the parent or person named in the enrolment record cannot be contacted.
- In the case of an anaphylaxis or asthma emergency, medication may be administered without authorisation.

- Ensure that children only leave the service premises, FDC residence or approved FDC venue with a parent, an authorised nominee named in the enrolment record, or a person named in the enrolment record to collect the child.
- Ensure all children have appropriate authorisation to leave the service on an excursion or regular outing.
- Ensure no child is transported by the service without authorisation from a parent/guardian or other person named in the enrolment record.
- Implement and oversee authorisation systems for other legal requirements or quality practices, e.g. photos of children and privacy.
- Ensure authorisations are kept up to date.
- Implement processes for circumstances where authorisations may be refused/not applicable.

7.3 Co-ordination unit staff:

- Ensure they conduct themselves and the service practices in accordance with all legislative requirements and Camden Family Day Care policy and procedures and as directed by the nominated supervisor.
- Implement the *Acceptance and Refusal of Authorisations* policy and procedures.
- Provide guidance to FDC educators in the event of any unreasonable request or authorisation refusal.
- Liaise with families to facilitate completion of enrolment record authorisations.
- Facilitate induction and ongoing training of FDC educators, assistants and relief educators.

7.4 FDC Educators:

- Ensure they conduct themselves and their FDC service practices in accordance with all legislative requirements and Camden Family Day Care policy and procedures and as directed by the nominated supervisor.
- Must be aware of and implement the *Acceptance and Refusal of Authorisations* policy and procedures.
- Educators are aware of and understand that in the case of a Family Day Care education and care service the obligation of an Approved Provider is also the obligation of the Family Day Care educator.
- Ensure all action plans are carried out in line with the *Acceptance and Refusal of Authorisations* policy and procedures.
- Ensure that the child's authorisations are available and correct in the enrolment record and medication record (if relevant) before the child commences at the service.

- Ensure no child is transported by the service without an authorisation from their parent/guardian or other authorised person named in the enrolment record.
- Ensure that medication is only administered or self-administered if authorised or, in an emergency, authorisation is provided verbally by:
 - A parent/guardian or a person named in the enrolment record.
 - A registered medical practitioner or an emergency service if the parent or person named in the enrolment record cannot be contacted.
- In the case of an anaphylaxis or asthma emergency, medication may be administered without authorisation.
- Ensure that children only leave the service premises or FDC residence or approved FDC venue with a parent/guardian, an authorised nominee named in the enrolment record, or a person named in the enrolment record to collect the child.
- Ensure all children have appropriate authorisation to leave the service on an excursion or regular outing.
- Implement authorisation systems for other legal requirements or quality practices, e.g. photos of children and privacy.
- Ensure authorisations are kept up-to-date and notify Camden Family Day Care service of change.
- Implement processes for circumstances where authorisations may be refused/not applicable.
- Consult with the FDC service staff to discuss options or alternatives to any unreasonable request or authorisation refusals.

7.5 Families

- Be aware of the requirements for providing authorisation and implement the appropriate practices as directed by the FDC educator and the Service.
- Complete and sign authorisations in the enrolment record and medication record (if relevant) before their child commences at the service.
- Complete and sign the authorisation for their child to attend excursions and/or to be transported by the service.
- Ensure any changes to authorisations or contact details are kept up to date.
- Be familiar with circumstances where authorisations may be refused/not applicable.

8. INDUCTION AND ONGOING TRAINING

- 8.1 Induction and ongoing professional development will be implemented for all educators and FDC staff, focusing on this policy and related procedures.

- 8.2 FDC educator induction will be implemented as a part of the registration process, their ongoing training requirements and review of their service environments and practices occurs annually at the time of re-registration and as a need is identified.
- 8.3 Information will be shared with educator assistants and relief educators on induction and as relevant to the environments that they are working in, their shift responsibilities and the children in their care.

9. MONITORING, EVALUATION AND REVIEW

- 9.1 This policy will be monitored to ensure compliance with legislative requirements and unless deemed necessary through the identification of practice gaps, the service will review this Policy every three years.
- 9.2 Families, educators, and staff are essential stakeholders in the policy review process and will be given opportunity and encouragement to be actively involved.
- 9.3 In accordance with R. 172 of the *Education and Care Services National Regulations*, the service will ensure that families of children enrolled at the service are notified at least 14 days before making any change to a policy or procedure that may have significant impact on the provision of education and care to any child enrolled at the service; a family's ability to utilise the service; the fees charged or the way in which fees are collected.

10. SOURCES AND RESOURCES

- [Guide to the National Quality Framework | Australian Children's Education and Care Quality Authority \(ACECQA\)](#)

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RELEVANT LEGISLATIVE INSTRUMENTS: *Children (Education and Care Services National Law Application) Act 2010 No 104a*
Education and Care Services National Regulations (2011 SI 653)
National Quality Standard | Australian Children's Education and Care Quality Authority (ACECQA) QA2
Family Law Act 1975
Australian Child Protection Legislation

RELATED POLICIES, PLANS AND PROCEDURES: Excursions policy
Emergency and evacuation policy
The administration of first aid policy
Incident, injury, trauma and illness policy
Dealing with medical conditions in children policy
Enrolment and orientation policy
Safe transportation of children policy
Delivery of children to, and collection from, family day care service policy
Governance and management policy
Nutrition, food and beverages, dietary requirements policy
Considerations for refusing an authorisation procedure
Obtaining and keeping authorisations procedure

RESPONSIBLE DIRECTOR: Director Sport, Community and Activation

APPROVAL: General Manager through the Executive Leadership Group.

HISTORY:

Version	Approved by	Changes made	Date	EDMS Number
1		New	Feb 2012	
2			May 2019	
3	ELG	Major amendments	17/03/2022	22/119822