



QUALITY AREA 7:

GOVERNANCE & LEADERSHIP

Acceptance & Refusal of Authorisations Policy

Policy Review Date: Feb 2019

Next Policy Review Date: Feb 2021

POLICY STATEMENT

Authorisation must be obtained from parent/guardians or authorised nominees in the following circumstances:

- ▷ administering medication to children (regulation 92)
- ▷ children leaving the premises in the care of someone other than their parent (regulation 99) other than the case of emergency
- ▷ children being taken on excursions (regulation 102)

GOALS

- ▷ Our service has a responsibility to protect the health, safety and wellbeing of each child at all times.
- ▷ Educators require authorisation for actions such as administration of medications, collection of children, excursions and providing access to personal records.
- ▷ This policy outlines what constitutes a correct authorisation and what does not, and may therefore result in a refusal.

SCOPE

This policy applies to the Approved Provider, Nominated Supervisor, Educators, staff, students on placement, volunteers, parents/guardians, children and others attending the programs and activities of Katoomba Leura Preschool.

BACKGROUND

Under the National Law and Regulations, early childhood services are required to obtain written authorisation from parents/guardians, and/or authorised nominees (refer to Definitions) in some circumstances, to ensure that the health, safety, wellbeing and best interests of the child are met. These circumstances include but are not limited to:

- administering medication to children (Regulation 92)
- children leaving the service premises (Regulation 99)
- children being taken on excursions (Regulation 102).

Specific service policies (including the Medication Policy, Delivery and Collection of Children Policy, Enrolment and Orientation Policy and Excursions and Service Events Policy) should include details of the conditions under which written authorisations will be accepted. However, there may be instances when a service refuses to accept a written authorisation. The Education and Care Services National Regulations 2011 (Regulation 168(2)(m)) specify that services are required to develop a policy in relation to the acceptance and refusal of authorisations to help educators/staff and parents/guardians understand exactly what they need to do.

RELATED LEGISLATION

Relevant legislation and standards include but are not limited to:

- Children and Young Persons (Care and Protection) Act 1998
- Education and Care Services National Law Act 2010: Section 167
- Education and Care Services National Regulations 2011: Regulations 99, 102, 160, 161, 168(2)(m)
- Family Law Act 1975 (Cth), as amended 2011

RELATED GUIDELINES, STANDARDS, FRAMEWORKS

- National Quality Standard, Quality Area 2: Children's Health and Safety
 - Standard 2.2: Each child is protected

DEFINITIONS

The terms defined in this section relate specifically to this policy.

Attendance record: Kept by the service to record details of each child attending the service including name, time of arrival and departure, signature of person delivering and collecting the child or of the Nominated Supervisor or educator (Regulation 158(1)).

Authorised nominee: (In relation to this policy) a person who has been given written authority by the parents/guardians of a child to collect that child from the education and care service. These details will be on the child's enrolment form. An authorised nominee must be at least 16 years of age.

The National Law and National Regulations do not specify a minimum age limit for an authorised nominee. Each service will need to determine if a person under the age of 18 is able to be an authorised nominee and, if so, what constitutes the minimum acceptable age at that service.

Duty of care: A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury.

Inappropriate person: A person who may pose a risk to the health, safety or wellbeing of any child attending the education and care service, or whose behaviour or state of mind make it inappropriate for him/her to be on the premises e.g. a person under the influence of drugs or alcohol (Act 171(3)).

Medication record: Contains details for each child to whom medication is to be administered by the service. This includes the child's name, signed authorisation to administer medication and a record of the medication administered, including time, date, dosage, manner of administration, name and signature of person administering the medication and of the person checking the medication, if required (Regulation 92).

SOURCES

- Australian Children's Education and Care Quality Authority (ACECQA): www.acecqa.gov.au
- CELA – Acceptance And Refusal Of Authorisations Sample Policy- <https://www.cela.org.au/wp-content/uploads/2017/06/acceptance-and-refusal-of-authorisations.pdf>

RELATED SERVICE POLICIES

- Child Safe Environment Policy
- Delivery and Collection of Children Policy
- Enrolment and Orientation Policy
- Excursions and Service Events Policy
- Incident, Injury, Trauma and Illness Policy
- Medical Conditions Policy
- Medication Policy

ROLES AND RESPONSIBILITIES

The Approved Provider is responsible for:

Ensuring the service operates in line with the Education and Care Services National Law and National Regulations 2011.

The Nominated Supervisor is responsible for:

- ▷ Providing supervision, guidance and advice to ensure adherence to the policy at all times.
- ▷ Ensuring all authorisations will be retained within the Enrolment Record, 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 nominated contact person who is on the enrolment form
 - » the original form/letter/register provided by the service.
- ▷ Applying these authorisations to the collection of children, administration of medication, excursion, access to records and transportation via ambulance.
- ▷ Ensuring authorisations are stored with each individual child's enrolment record.
- ▷ Ensuring that all parents/guardians have completed the authorized nominee section of their child's enrolment form and that the form is signed and dated before the child is enrolled at the service.

Early Childhood Educators are responsible for:

- ▷ Applying these authorisations to the collection of children, administration of medication, excursion and access to records.
- ▷ Exercising the right of refusal if written or verbal authorisations do not comply.
- ▷ Waiving 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.

Parents/guardians are responsible for:

- ▷ Ensuring that you complete and sign the authorized nominee section of your child's enrolment form before your child attends the service.
- ▷ Keeping child enrolment details forms current stating who the authorised nominees are.
- ▷ Informing service of current contact numbers to ensure you are contactable at all times.
- ▷ Communicating to Responsible Person and staff any individual requests regarding authorisations.
- ▷ Updating Educators in relation to any medical conditions, medical plans or ongoing medication requirements. This includes the names of medications, dosage, signs, and symptoms and contact information for any relevant health professionals.
- ▷ Ensuring 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.

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

STRATEGIES

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.
- Provide the parent/guardian with a copy of the relevant service policy and ensure that they understand the reasons for the refusal of the authorisation.
- 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.
- Follow up with the parent/guardian, where required, to ensure that an appropriate written authorisation is obtained.

MONITORING, EVALUATION AND REVIEW

This policy will be monitored and reviewed to ensure compliance with legislative requirements and unless deemed necessary through the identification of practice gaps.

Families and staff are essential stakeholders in the policy review process and will be given opportunity and encouragement to be actively involved.

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.

Policy Reviewed by: Alison Staniford

Approved by: Management Committee

Date: 25th February 2019

Next Review Date: 25th February 2021