



ACCEPTANCE AND REFUSAL OF AUTHORISATIONS POLICY 2019

NQS

QA2	2.2.1	Supervision - At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
-----	-------	---

National Regulations

Regs	92	Medication record
	93	Administration of medication
	99	Children leaving the education and care service
	102	Authorisation for excursions
	160	Child enrolment records to be kept by approved provider
	161	Authorisations to be kept in enrolment record
	168	Education and care services must have policies and procedures

Aim

Our service aims to provide clear and transparent policies and procedures for authorisations. This helps staff and parents understand exactly what they need to do.

Related Policies

Administration of Medication Policy
Enrolment Policy
Excursion Policy
Photography Policy
Privacy and Confidentiality Policy
Social Media Policy

Purpose

Erina kindergartens 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)**



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)**).

The Nominated Supervisor 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.

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.
- 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.
- Update Educators in relation to any medical conditions, medical plans or ongoing medication requirements. This must include the names of medical practitioner, 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.
- 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.

Staff will refuse an authorisation if it unreasonably risks the child's safety, is not in line with our policies and procedures or is fraudulent. For example, staff will refuse an authorisation in the following situations:

- the authorisation is not (or does not appear to be) made by an authorised person
- the authorisation does not comply with aspects of our policies and procedures e.g. medication is not in the original container, does not have the child's name on it, has expired, has an illegible label or the authorised dosage does not match the doctor's instructions
- an authorised nominee, or person authorised by a parent or authorised nominee, does not appear to be capable of safely collecting the child (Delivery and Collection of Children Policy)

For transparency and accuracy, if staff refuse an authorisation they will record the following information in the child's file:

- the details of the authorisation
- why the authorisation was refused
- actions taken e.g. parent asked to supply medication in original container

Implementation

To ensure children's health and safety, and comply with the requirements of the National Law and Regulations and our policies and procedures, we will only allow the following activities to occur in respect of individual children if they are properly authorised in writing and dated:

- Administration of medication
- Administration of medical treatment, dental treatment, general first aid products and ambulance transportation (required in enrolment records)
- Excursions including regular outings
- Taking of children's photographs
- Posting of children's photographs on the service social media account
- Collection of children by people other than parents e.g. child
 - leaves in accordance with written authorisation of a parent or authorised nominee
 - is given into care of a person or taken outside the premises for urgent medical treatment or because of another emergency



- Disclosure of a child's personal information where this is not legally required or families would not expect the disclosure

Written authorisations will contain all information required under the National Regulations and service policies - please see specific policies for more details.

Our service will accept verbal authorisations in the following situations:

- there is a medical emergency (authorisations are not required for asthma and anaphylactic emergencies)
- parents or authorised nominees are unable to collect a child before the service closes and authorise an alternate person to collect the child

Whenever a person not known to educators is authorised verbally or in writing to collect the child, they must be adequately identified by educators before the child is released. See Delivery and Collection of Children Policy for more information.

Source

**Education and Care Services National Law and Regulations
National Quality Standard**

Related Statutory Obligations & Considerations

- **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

Version	Amendment	Short Description
100	Approved provider	Update Approved provider

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.

Date: 15th January 2019

Version: 100

Last Amended By: Veronica Klumper-Peters

Next Review: 15th January 2020

Position: Managing Director/Approved Provider

