



## **DELIVERY AND COLLECTION OF CHILDREN POLICY 2018**

**Mandatory – Quality Area 2**

### **Authorisation**

This policy was adopted by the Approved Provider of Holy Trinity Kindergarten on 28/09/2018

**Next Review date:** SEPTEMBER 2020

### **PURPOSE**

This policy will provide clear guidelines to ensure the safe delivery and collection of children attending Holy Trinity Kindergarten (HTK).

### **POLICY STATEMENT**

#### **1. VALUES**

HTK is committed to:

- ensuring the safe delivery and collection of children being educated and cared for at HTK
- meeting its duty of care obligations under the law.

#### **2. SCOPE**

This policy applies to the Approved Provider, Persons with Management or Control, Nominated Supervisor, Persons in Day-to-Day Charge, educators, staff, students on placement, volunteers, families, parents/guardians, children and others attending the programs and activities of HTK.

#### **3. BACKGROUND AND LEGISLATION**

##### **Background**

A duty of care exists at all times the child is attending a children's service. In addition, the service has a duty of care to a child while he/she is on the service's premises even if he/she hasn't yet been signed into the service or has been signed out of the service and is legally under the care and supervision of the parent/guardian (refer to Supervision of Children Policy).

The child may only leave the service in the care of a parent/guardian, authorised nominee or a person authorised by one of these parties to collect the child. An exception is made in the event of medical or other emergencies (refer to Incident, Injury, Trauma and Illness Policy and Emergency and Evacuation Policy) and for excursions (refer to Excursions and Service Events Policy). An authorised person does not include a parent who is prohibited by a court order from having contact with the child.

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.

HTK requires that all authorised nominees are over the age of 18. However, in exceptional circumstances, HTK may allow an authorised nominee to be under the age of 18 if prior written authority is provided by the parent/guardian and permission is granted by the Approved Provider and Nominated Supervisor.



## Legislation and standards

Relevant legislation and standards include but are not limited to:

- *Children, Youth and Families Act 2005* (Vic)
- *Education and Care Services National Law Act 2010*: Sections 167, 170
- *Education and Care Services National Regulations 2011*: Regulations 99, 168(2)(f)
- *Family Law Act 1975* (Cth)
- *National Quality Standard*, Quality Area 2: Children's Health and Safety

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law today: <http://www.legislation.vic.gov.au>
- Commonwealth Legislation – ComLaw: <http://www.comlaw.gov.au/>

## 4. DEFINITIONS

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the General Definitions section of this manual.

**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. HTK requires that all authorised nominees are over the age of 18. However, in exceptional circumstances, HTK may allow an authorised nominee to be under the age of 18 if prior written authority is provided by the parent/guardian and permission is granted by the Approved Provider and Nominated Supervisor.

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 safety, health 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)).

**Incident, Injury, Trauma and Illness Record:** Contains details of any incident, injury, trauma or illness that occurs while the child is being educated and cared for by the service. Any incident, injury, trauma or illness must be recorded as soon as is practicable but not later than 24 hours after the occurrence. Details required include the:

- name and age of the child
- circumstances leading to the incident, injury, trauma or illness (including any symptoms)
- time and date



- details of action taken by the service including any medication administered, first aid provided or medical personnel contacted
- details of any witnesses
- names of any person the service notified or attempted to notify, and the time and date of this
- signature of the person making the entry, and time and date of this.

These details must be kept for the period of time specified in Regulation 183. A sample *Incident, Injury, Trauma and Illness Record* is available on the ACECQA website.

**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, the manner of administration, name and signature of the person administering the medication and of the person checking the medication if required (Regulation 92). A sample medication record is available on the ACECQA website.

**Serious incident:** A serious incident (regulation 12) is defined as any of the following:

- the death of a child while being educated or cared for at the service or following an incident at the service
- any incident involving serious injury or trauma while the child is being educated and cared for, which
  - a reasonable person would consider required urgent medical attention from a registered medical practitioner; or
  - the child attended or ought reasonably to have attended a hospital, for example a broken limb\*
- any incident involving serious illness of a child while that child is being educated and cared for by a service for which the child attended, or ought reasonably to have attended, a hospital, for example severe asthma attack, seizure or anaphylaxis\*
  - \*NOTE: In some cases (for example rural and remote locations) a General Practitioner conducts consultation from the hospital site. Only treatment related to serious injury or illness or trauma are required to be notified, not other health matters
- any emergency for which emergency services attended. NOTE: This means an incident, situation or event where there is an imminent or severe risk to the health, safety or wellbeing of a person/s at an education and care service. It does not mean an incident where emergency services attended as a precaution
- a child appears to be missing or cannot be accounted for at the service
- a child appears to have been taken or removed from the service in a manner that contravenes the National Regulations
- a child was mistakenly locked in or out of the service premises or any part of the premises.

Examples of serious incidents include amputation (for example, removal of fingers), anaphylactic reaction requiring hospitalisation, asthma requiring hospitalisation, broken bone/fractures, bronchiolitis, burns, diarrhoea requiring hospitalisation, epileptic seizures, head injuries, measles, meningococcal infection, sexual assault, witnessing violence or a frightening event.

If the Approved Provider is not aware that the incident was serious until sometime after the incident, they must notify the regulatory authority within 24 hours of becoming aware that the incident was serious.

Notifications of serious incidents should be made through the NQA IT System portal ([www.acecqa.gov.au](http://www.acecqa.gov.au)). If this is not practicable, the notification can be made initially in whatever way is best in the circumstances.

**Unauthorised person:** (in relation to this policy) is any person who has not been listed as an authorised nominee on the child's enrolment form.



## 5. SOURCES AND RELATED POLICIES

### Sources

- Australian Children's Education and Care Quality Authority (ACECQA): [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Department of Education and Training (DET): <https://www.education.vic.gov.au/Pages/default.aspx>

### Service policies

- *Acceptance and Refusal of Authorisations Policy*
- *Child Safe Environment Policy*
- *Dealing with Medical Conditions Policy*
- *Emergency and Evacuation Policy*
- *Enrolment and Orientation Policy*
- *Excursions and Service Events Policy*
- *Fees Policy*
- *Incident, Injury, Trauma and Illness Policy*
- *Privacy and Confidentiality Policy*
- *Road Safety and Safe Transport Policy*
- *Supervision of Children Policy*

## PROCEDURES

### The Approved Provider and Persons with Management or Control are responsible for:

- ensuring parents/guardians have completed the authorised nominee (refer to *Definitions*) section of their child's enrolment form and that the form is signed and dated (refer to *Enrolment and Orientation Policy*)
- providing an attendance record (refer to *Definitions*) that meets the requirements of Regulation 158(1) and is signed by the parent/guardian or authorised nominee on delivery and collection of their child from HTK every day
- ensuring a child does not leave HTK except with a parent/guardian or authorised nominee, or with the written authorisation of one of these (refer to Attachment 2 – Authorisation Form) or in the case of a medical or other emergency (Regulation 99) (refer to *Acceptance and Refusal of Authorisations Policy*, *Dealing with Medical Conditions Policy*, *Incident, Injury Trauma and Illness Policy* and *Child Safe Environment Policy*)
- ensuring a child is not taken outside the HTK premises on an excursion except with the written authorisation of a parent/guardian or authorised nominee (refer to *Excursions and Service Events Policy*)
- ensuring authorisation procedures are in place for excursions and other service events (refer to *Excursions and Service Events Policy*)
- ensuring that there are procedures in place when a child is given into the care of another person, such as for a medical or other emergency (refer to *Emergency and Evacuation Policy* and *Incident, Injury, Trauma and Illness Policy*)
- ensuring that there are procedures in place when a parent/guardian or authorised nominee telephones HTK to advise that a person not listed on their child's enrolment form will be collecting their child (refer to Attachment 1 – Authorisation procedures)
- ensuring that parents/guardians or authorised nominees are contacted in the event that an unauthorised person arrives to collect a child from HTK, and that appropriate procedures are followed (refer to Attachment 1 – Authorisation procedures)



- ensuring that there are procedures in place if an inappropriate person (refer to *Definitions*) attempts to collect a child from HTK (refer to Attachment 3 – Procedures to ensure the safe collection of children)
- keeping a written record of all visitors to HTK, including time of arrival and departure
- ensuring procedures are in place for the care of a child who has not been collected from HTK on time (refer to Attachment 4 – Procedures for the late collection of children)
- ensuring that the educator-to-child ratios are maintained at all times children are in attendance at HTK (including when children are collected late from HTK) according to the requirements of Regulations 123 and 360 (refer also to *Supervision of Children Policy*)
- notifying DET in writing within 24 hours, and the parents as soon as is practicable, in the event of a serious incident (refer to *Definitions*), including when a child has left HTK unattended by an adult or with an unauthorised person (Regulations 12, 86, 176)
- providing parents/guardians with information regarding procedures for delivery and collection of children prior to their child's commencement at HTK
- ensuring that educators and staff comply with HTK's *Road Safety and Safe Transport Policy*
- encouraging parents/guardians to comply with HTK's *Road Safety and Safe Transport Policy*.

**The Nominated Supervisor and Persons in Day-to Day Charge are responsible for:**

- ensuring a child does not leave HTK except with a parent/guardian or authorised nominee, or with the written authorisation of one of these (refer to Attachment 2 – Authorisation Form) or in the case of a medical or other emergency (refer to *Acceptance and Refusal of Authorisations Policy*, *Dealing with Medical Conditions Policy*, *Incident, Injury Trauma and Illness Policy* and *Child Safe Environment Policy*)
- ensuring a child is not taken outside HTK premises on an excursion except with the written authorisation of a parent/guardian or authorised nominee (refer to *Excursions and Service Events Policy*)
- ensuring that educator-to-child ratios are maintained at all times children are in attendance at HTK (including when children are collected late from HTK) according to the requirements of Regulations 123 and 360 (refer also to *Supervision of Children Policy*)
- ensuring children are adequately supervised at all times (refer to *Supervision of Children Policy*)
- following the authorisation procedures listed in Attachment 1
- following the procedures to ensure the safe collection of children (refer to Attachment 3 – Procedures to ensure the safe collection of children)
- following the procedures for late collection of children (refer to Attachment 4 – Procedures for the late collection of children)
- ensuring that educators and staff comply with HTK's *Road Safety and Safe Transport Policy*
- encouraging parents/guardians to comply with HTK's *Road Safety and Safe Transport Policy*.

**All other staff are responsible for:**

- ensuring the attendance record is signed by the parent/guardian, authorised nominee, Nominated Supervisor or an educator, detailing the child's time of arrival and departure from HTK (Regulation 158(1))
- developing safety procedures for the mass arrival and departure of children from HTK
- refusing to allow a child to depart from HTK with a person who is not the parent/guardian or authorised nominee or where there is not written authorisation of one of these (refer to Attachment 2 – Authorisation Form) (refer also to *Acceptance and Refusal of Authorisations Policy*)



- implementing the authorisation procedures outlined in Attachment 1 in the event that a parent/guardian or authorised nominee telephones HTK to advise that a person not listed on their child's enrolment form will be collecting their child
- following the authorisation procedures (Attachment 1) and contacting the parents/guardians or authorised nominees if an unauthorised person arrives to collect a child from HTK
- following procedures in the event that an inappropriate person (refer to *Definitions*) attempts to collect a child from HTK (refer to Attachment 3 – Procedures to ensure the safe collection of children)
- informing the Approved Provider as soon as is practicable, but within 24 hours, if a child has left HTK unattended by an adult or with an unauthorised person (refer to *Definitions*)
- following procedures for the late collection of children (refer to Attachment 4 – Procedures for the late collection of children)
- maintaining educator-to-child ratios at all times children are in attendance at HTK (including when children are collected late from HTK)
- ensuring the entry/exit doors and gates are kept closed during program hours
- displaying an up-to-date list of the telephone numbers of the Approved Provider, DET, Child FIRST, DHHS Child Protection Service and the local police station
- complying with HTK's *Road Safety and Safe Transport Policy*.

**Parents/guardians are responsible for:**

- completing and signing the authorised nominee section of their child's enrolment form before their child attends HTK
- signing and dating permission forms for excursions
- signing the attendance record as their child arrives at and departs from HTK
- ensuring educators are aware that their child has arrived at/been collected from HTK
- collecting their child on time at the end of each session/day
- alerting educators if they are likely to be late collecting their child
- providing written authorisation where children require medication to be administered by educators/staff and signing and dating it for inclusion in the child's medication record (refer to *Definitions*)
- supervising their own child before signing them into the program and after they have signed them out of the program
- familiarising themselves with HTK's *Road Safety and Safe Transport Policy*
- supervising other children in their care, including siblings, while attending or assisting at HTK
- paying a late-collection fee as stated in HTK's *Fees Policy*.

**Volunteers and students, while at HTK, are responsible for following this policy and its procedures.**

**EVALUATION**

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of HTK's policy review cycle, or as required



- notify parents/guardians at least 14 days before making any changes to this policy or its procedures.

## **ATTACHMENTS**

- Attachment 1: Authorisation procedures
- Attachment 2: Authorisation Form
- Attachment 3: Procedures to ensure the safe collection of children
- Attachment 4: Procedures for the late collection of children



## **ATTACHMENT 1**

### **Authorisation procedures**

These procedures are to be followed when a child is collected by an unauthorised person, including where a parent/guardian or authorised nominee telephones HTK to notify that such a person will be collecting their child.

The Nominated Supervisor will:

1. request that the parent/guardian or authorised nominee email or fax the authorisation if it is possible to do so, detailing the name, address and telephone number of the person who will be collecting the child
2. accept a verbal authorisation
3. if it is not possible for the parent/guardian or authorised nominee to provide authorisation via email or fax, provided the following procedure is followed:
  - a) all details of the person collecting the child, including the name, address and telephone number of the person must be obtained
  - b) two educators take the verbal authorisation message (recommended by DET)
  - c) the verbal authorisation is documented and stored with the child's enrolment record for follow-up
  - d) photo identification is obtained to confirm the person's identity on arrival at HTK
  - e) ensure that parents/guardians or authorised nominees follow up a verbal authorisation by completing an Authorisation Form (Attachment 2) when next at HTK, or by adding details of the new authorised nominee to the child's enrolment form
4. ensure that fax or email authorisation is stored with the child's enrolment record
5. ensure the attendance record is completed prior to child leaving HTK
6. refuse to release a child where authorisation is not/cannot be provided by the parent/guardian or authorised nominee
7. contact police if the safety of the child or HTK staff is threatened
8. implement late collection procedures (refer to Attachment 4) if required
9. notify the Approved Provider in the event that written authorisation is not provided for further follow-up.



## ATTACHMENT 2

### Authorisation Form

#### Authorisation form

To be used as a follow-up to a verbal/email/fax authorisation when the parent/guardian or authorised nominee is next at HTK

I \_\_\_\_\_ authorised by telephone/email/fax (please circle)  
for my child/ren (write name/s) \_\_\_\_\_ to be  
collected from HTK on [Date] by:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_

This was a one-off occasion and this person is **not** to be included on my child's enrolment form as an authorised nominee to collect my child on an ongoing basis.

Signed: \_\_\_\_\_ (Parent/guardian or authorised nominee)

Date: \_\_\_\_\_

This form will be attached to the child's enrolment form.

\_\_\_\_\_

#### Authorisation form

To be used where the parent/guardian or authorised nominee is able to provide prior written authorisation

I \_\_\_\_\_ authorise

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

to collect my child/ren (write name/s) \_\_\_\_\_

from HTK on [Date].

This will be a one-off occasion and this person is **not** to be included on my child's enrolment form as an authorised nominee to collect my child on an ongoing basis.

Signed: \_\_\_\_\_ (Parent/guardian or authorised nominee)

Date: \_\_\_\_\_

This form will be attached to the child's enrolment form.



### **ATTACHMENT 3**

#### **Procedures to ensure the safe collection of children**

Early childhood professionals have a duty of care not to endanger children at HTK by knowingly placing them in a situation that could reasonably be expected to be dangerous, including releasing a child into the care of an inappropriate person (refer to *Definitions*).

Where an educator believes that the parents/guardians or authorised nominee may be ill, affected by alcohol or drugs, or not able to safely care for the child, the following procedures must be followed.

- Consult with the Nominated Supervisor or the Approved Provider, if possible.
- Advise the person collecting the child of their concerns and suggest contacting an alternative authorised nominee to collect the child.
- If the Nominated Supervisor or the Approved Provider fears for the safety of the child, themselves or other service staff at any time, contact the police immediately.
- Complete the *Incident, Injury, Trauma and Illness Record* and file with the child's enrolment form.
- Inform the Approved Provider as soon as is practicable, and at least within 24 hours of the incident.
- Inform the Regulatory Authority (DET) within 24 hours of a serious incident occurring (refer to *Definitions*).



## ATTACHMENT 4

### Procedures for the late collection of children

#### Scenario 1: HTK has been notified of the late collection

Where a parent/guardian or authorised nominee **has** notified HTK that they will be late collecting their child, the Nominated Supervisor is responsible for:

- ensuring that the educator-to-child ratios are maintained at all times children are in attendance at HTK
- contacting parents/guardians or the authorised nominee if the child has not been collected by the agreed time, and informing the Approved Provider of the situation
- following the steps listed in scenario 3 (below) if parents/guardians or the authorised nominee do not arrive to collect the child and cannot be contacted.

#### Scenario 2: HTK has *not* been notified of the late collection

Where a parent/guardian or authorised nominee is late collecting their child and **has not** notified HTK that they will be late, the Nominated Supervisor is responsible for:

- ensuring that the educator-to-child ratios are maintained at all times children are in attendance at HTK
- contacting parents/guardians or the authorised nominee to request collection
- informing the Approved Provider of the situation
- following the steps listed in scenario 3 (below) if the parents/guardians or authorised nominee cannot be contacted.

#### Scenario 3: The child has not been collected and a parent/guardian/authorised nominee is unable to be contacted for more than 15 minutes

Where the parent/guardian or authorised nominee is more than 15 minutes late collecting their child and has not notified HTK, the Nominated Supervisor is responsible for:

- contacting parents/guardians or the authorised nominee to request collection
- in situations where a parent/guardian or the authorised nominee has not collected their child from HTK within 30 minutes of the end of the session, or when educator-to-child ratios are not met, the Nominated Supervisor will remain on the premises with the child until relieved by the Approved Provider. Two adults will remain on the premises with the child at all times
- the Nominated Supervisor will continue to attempt to contact the parents/guardians or the authorised nominee
- after a period of time determined by the Approved Provider in consultation with the Nominated Supervisor and staff, the Nominated Supervisor will telephone the Child FIRST Bayside agency on 1300 367 441 and follow the advice given
- notifying DET as soon as is practicable and advise of the current situation, advice given and actions taken.

#### Late collection fee

A late collection fee may be charged in accordance with the *Fees Policy* of HTK in all of the above scenarios.