



# TASMANIAN GOVERNMENT GAZETTE

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## Notices to Creditors

LANCE JOHN RILEY late of 251 Francistown Road Dover in Tasmania retired mechanical engineer and married deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Lance John Riley who died on the twenty-fifth day of June 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

MIKALA DAVIES, Trust Administrator.

DAVID HECTOR TRIFFETT late of 2 Blair Street Lutana in Tasmania bus driver/labourer and married deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased David Hector Triffett who died on the twenty-fourth day of June 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

JON ELLINGS, Trust Administrator.

ROBYN MAREE CHAMBERLAIN late of Lillian Martin Home Mornington in Tasmania domestic/nursing home carer and partner deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Robyn Maree Chamberlain who died on the eleventh day of June 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

REBECCA SMITH, Trust Administrator.

### Tasmanian Government Gazette

Text copy to be sent to Mercury Walch Pty Ltd.  
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BRUCE IAN JOHANSON late of Elphinwood Gardens Unit 35/35 Landsborough Avenue Newstead in Tasmania retired auditor and single deceased:

Creditors next of kin and others having claims in respect of the property or Estate of the deceased Bruce Ian Johanson who died on the fourth day of July 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

JON ELLINGS, Trust Administrator.

BERYL MARION MUNDY late of 60 Talbot Road South Launceston in Tasmania home duties and widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Beryl Marion Mundy who died on the fifteenth day of July 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

PATRICIA BRYAN, Trust Administration Assistant.

GERALD TAPP late of Aldersgate Nursing Home Kings Meadows in Tasmania retired french polisher/gardener and married deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Gerald Tapp who died on the twenty-ninth day of June 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

PATRICIA BRYAN, Trust Administration Assistant.

JOHN SAINT late of 33 Conway Street Mowbray in Tasmania retired minister of religion and widowed deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased John Saint who died on the fifth day of July 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

REBECCA SMITH, Trust Administrator.

WINSOME BOON late of 6 Jutland Street Mowbray in Tasmania weaver and widowed deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Winsome Boon who died on the eighteenth day of July 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

MIKALA DAVIES, Trust Administrator.

ZOLTAN KOVACS late of Toosey Aged Care Longford in Tasmania retired minor and widowed deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Zoltan Kovacs who died on the eleventh day of July 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

MIKALA DAVIES, Trust Administrator.

MARLENE ANN LIKEMAN late of Aldersgate Nursing Home 3 Tallentire Road Newnham in Tasmania home duties and divorced deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Marlene Ann Likeman who died on the third day of July 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

JON ELLINGS, Trust Administrator.

SEAN LESLIE TRIGG late of 169 Irish Town Road St Marys in Tasmania retired miner single deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Sean Leslie Trigg who died on the twenty-seventh day of June 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

JOHN ROBINSON, Trust Administrator.

PATRICIA NANCY WEST late of 4 Howe Lane Penguin in Tasmania home duties/shop assistant and widow deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Patricia Nancy West who died on the twentieth day of July 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

PATRICIA BRYAN, Trust Administration Assistant.

MAVIS OLIVER late of Tandara Lodge Sheffield in Tasmania home duties and widowed deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Mavis Oliver who died on the first day of July 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

REBECCA SMITH, Trust Administrator.

TIMOTHY GRANT WADE late of 52 Raglan Street Somerset in Tasmania cabinet maker and married deceased: Creditors next of kin and others having claims in respect of the property or Estate of the deceased Timothy Grant Wade who died on the twenty-seventh day of June 2014 are required by the Executor Tasmanian Perpetual Trustees Limited of Level 2/137 Harrington Street Hobart in Tasmania to send particulars to the said Company by the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which it then has notice.

Dated this twenty-fourth day of September 2014.

MIKALA DAVIES, Trust Administrator.

THE Estate of BARBARA JOAN PETTIT of 4 Tunbridge Road Glen Huon Tasmania Helen Sorensen and Timothy Joseph Tierney as personal representatives of the Estate of Barbara Joan Pettit gives notice in accordance with section 25A of the Trustee Act 1898: They intend to distribute the property subject to the Estate among the persons entitled to the Estate. They require any person interested in that Estate to send to Helen Sorensen and Timothy Joseph Tierney care of Tierney Law 8/ 16 Main Street Huonville on or before the twenty-fourth day of October 2014 particulars of the claim in respect of that Estate. They may at any time after that date distribute the Estate having regard only to the claims of persons of which they then have notice and without being liable for the Estate so distributed to any person of whose claim they had no notice at the time of the distribution.

Dated the sixteenth day of September 2014.

HELEN SORENSEN and TIMOTHY JOSEPH TIERNEY as Personal Representatives of the Estate of Barbara Joan Pettit.

IN the Estate of DONALD JOHN BRIDGBORN late of 33 Newstead Crescent Newstead in Tasmania diversional therapist/bachelor who died on the twenty-fifth day of January 2014 at Launceston in Tasmania: Notice is hereby given that all creditors next of kin and other persons having claims in respect of the property or the Estate of the abovenamed deceased are required by the Executor Carolyn Dawn Kendall of 18 Penquite Road Newstead in Tasmania pharmacist/divorced to send particulars in writing to The Registrar Supreme Court of Tasmania Salamanca Place Hobart in Tasmania 7001 on or before the twenty-fourth day of October 2014 after which date the Executor may distribute the assets having regard only to the claims of which she then has notice.

Dated this twenty-fourth day of September 2014.

C. D. KENDALL, Executor.

## Industrial Relations

### INDUSTRIAL RELATIONS ACT 1984

#### *Notice of Variation of an Award*

<i>Name of Award</i>	<i>Award No.</i>	<i>Date Made</i>
Tasmanian Ambulance Service Award.....	3/2014	10/09/2014

Dated this twenty-fourth day of September 2014.

ALLAN MAHONEY, Registrar.

## Administration and Probate

### ADMINISTRATION AND PROBATE ACT 1935

#### *Notice of Intention to Apply for Letters of Administration*

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of JUDITH KAREN CHESTERMAN late of 35 Chapman Avenue Dover in Tasmania married/home duties deceased intestate may be granted to Raymond Alan Chesterman of 35 Chapman Avenue Dover in Tasmania widowed/retired fisherman the husband of the deceased.

Dated this twenty-fourth day of September 2014.

SIMMONS WOLFHAGEN, Solicitors for the Applicant.

### ADMINISTRATION AND PROBATE ACT 1935

#### *Notice of Intention to Apply for Letters of Administration*

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of ALBERT HARDING late of Ingrove 1142 Brown Mountain Road Campania in Tasmania Widower Farmer intestate may be granted to Lillian Maree Ryan of 31 Katoomba Crescent Rosetta in Tasmania married nurse the daughter of the said deceased Merline Joyce Harding single vineyard worker the daughter of the said deceased and Michael John Harding single farmer the son of the said deceased both of "Ingrove" 1142 Brown Mountain Road Campania in Tasmania.

Dated the fifteenth day of September 2014.

OGILVIE JENNINGS.

### ADMINISTRATION AND PROBATE ACT 1935

#### *Notice of Intention to Apply for Letters of Administration*

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of ETHEL ISOBEL WHITE late of 12 Saunders Street Glenorchy in Tasmania married retired nurse intestate may be granted to Ronald Leslie White of 12 Saunders Street Glenorchy in Tasmania married retired the husband of the said Ethel Isobel White.

Dated the fifteenth day of September 2014.

OGILVIE JENNINGS.

### ADMINISTRATION AND PROBATE ACT 1935

#### *Notice of Intention to Apply for Letters of Administration*

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of LORRAINE MARJORIE BRYAN late of 28 Edge Avenue Lenah Valley in Tasmania single supported worker intestate may be granted to John Bryan of 14/32 Acton Crescent Goodwood in Tasmania single disability pensioner the brother of the said deceased Mary Rosalin Browning of 19 Annabelle Street Rokeby in Tasmania married home duties the sister of the said deceased and Dorothy Fay Seymour of 1 Flamenco Circle Glenorchy in Tasmania married retired the sister of the said deceased.

Dated the fifteenth day of September 2014.

OGILVIE JENNINGS.

## ADMINISTRATION AND PROBATE ACT 1935

*Notice of Intention to Apply for Letters of Administration*

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of PENELOPE JOAN DIREEN late of 26 Eclipse Road Austins Ferry in Tasmania single carpenter deceased intestate may be granted to Ross Thomas Direen of 930 Oceana Drive Trammere in Tasmania divorced facilities manager the brother of the said deceased and Colleen Mead of 100 Nowra Road Roches Beach in Tasmania married cleaner the sister of the said deceased and David James Direen of 20 Christina Street Cygnet in Tasmania married truck driver the brother of the said deceased.

Dated the fifteenth day of September 2014.

OGILVIE JENNINGS.

## ADMINISTRATION AND PROBATE ACT 1935

*Notice of Intention to Apply for Letters of Administration*

NOTICE is hereby given that after the expiration of fourteen days from the publication hereof application will be made to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that Letters of Administration of the Estate of ROBERT JOHN STEWARD late of 112 Jones Road Mienna in Tasmania disability pensioner/divorced deceased Intestate may be granted to Judith Ann Jones of 112 Jones Road Mienna in Tasmania pensioner/single the defacto partner of the said deceased.

Dated the twenty-seventh day of August 2014.

JULIE BYRNE LEGAL, Solicitors for the Applicant.

## Mental Health

## MENTAL HEALTH ACT 2013

NOTICE is hereby given that in accordance with section 139 of the *Mental Health Act 2013*, the undermentioned person has been approved as a mental health officer for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on the 11th day of September 2014.

CECILY JOAN SARAH GRAHAM

Dated the 11th day of September 2014.

DR LEONARDS GEORGE JOHN LAMBETH,  
Chief Civil Psychiatrist/Chief Forensic Psychiatrist.

## MENTAL HEALTH ACT 2013

NOTICE is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been appointed as an approved medical practitioner for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on/ the 17th September 2014.

DR ARTHUR GRAF

Dated the 17th day of September 2014.

DR LEONARDS GEORGE JOHN LAMBETH,  
Chief Civil Psychiatrist/Chief Forensic Psychiatrist.

## MENTAL HEALTH ACT 2013

NOTICE is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a nurse for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on the 17th day of September 2014.

ANGELA MARY BROWNING

Dated the 17th day of September 2014.

DR LEONARDS GEORGE JOHN LAMBETH,  
Chief Civil Psychiatrist/Chief Forensic Psychiatrist.

## Living Marine Resources

*LIVING MARINE RESOURCES MANAGEMENT ACT 1995**Fisheries (Abalone) Rules 2009, Rule 9*

PUBLIC NOTICE - DATES OF OPENING OF STATE WATERS IN  
THE AREA OF THE FREYCINET PENINSULA TO THE COMMERCIAL  
ABALONE FISHERY

I, ROBERT GOTT, A/General Manager (Water and Marine Resources), acting under Rule 9 of the *Fisheries (Abalone) Rules 2009*, and delegated authority under Section 20(1) of the *Living Marine Resources Management Act 1995*, hereby:

revoke the notice "**Dates of the closed season for part of the commercial abalone fishery in state waters off the Freycinet Peninsula on the east coast of Tasmania**" signed on 28 May 2014 and published in *Gazette* number 21434 on 4 June 2014; and

determine the date of opening of State waters in the area of the Freycinet Peninsula to the commercial abalone fishery to the activities of the take and possession of blacklip abalone (*Haliotis rubra*) with a shell length greater than 145 mm for commercial purpose to be as follows:

- from 24 September 2014 to 31 December 2014, inclusive;

where "**State waters in the area of the Freycinet Peninsula**" is defined to mean: State waters off the east coast of Tasmania bounded in the north by the line of latitude 41° 47' 20" South, bounded in the west by the line of longitude 148° 08' 34" East, bounded in the east by the line of longitude 148° 35' 44.30" East and bounded in the south by the line of latitude 42° 30' 25.30" South.

For the purpose of this public notice, "**possession**" does not include blacklip abalone on a fishing vessel that is transiting the part of State waters closed to the abalone fishery if the blacklip abalone possessed on the vessel were taken from a part of State waters that is open to the abalone fishery and, while the fishing vessel is transiting the part of State waters closed to the abalone fishery, a person does not dive from, or enter the water from, the fishing vessel or auxiliary vessel used from the fishing vessel.

Dated: 16 September 2014

ROBERT GOTT, A/General Manager  
(Water and Marine Resources)

## INFORMATION

The commercial blacklip abalone fishery in State waters off the Freycinet Peninsula must be fished at a legal minimum length of 145 mm from 24 September 2014 to 31 December 2014, inclusive. The 145 mm size limit area includes sub-blocks 26B (Coles Bay), 26C, 26D, 27A, 27B, 27C, 27D, 27E, 28A and 28B (Maclean Bay) only.

## Land Acquisition

### LAND ACQUISITION ACT 1993

#### NOTICE OF ACQUISITION

(Section 18)

IN PURSUANCE of Section 18 of *Land Acquisition Act 1993* ("the Act"), Tasmanian Irrigation Pty Ltd ACN 133 148384 (being an acquiring authority in accordance with the Act) does hereby declare that the land described in Schedule 1 hereto is taken and vested in Tasmanian Irrigation Pty Ltd absolutely under the Act for the authorised purpose being for the purposes of the Dial Blythe Irrigation District appointed, named and defined under section 176(2) of the *Water Management Act 1999* in the *Gazette* on 19th February 2014.

Given under my hand this 17th day of September, 2014.

For and on behalf of Tasmanian Irrigation Pty Ltd

CHRIS OLDFIELD, Chief Executive Officer for  
Tasmanian Irrigation Pty Ltd,

PO Box 84, Evandale Tas 7212

#### Schedule 1 - Freehold Land

All that 6.2723 hectares or thereabouts of land situate in the Parish of Riana, Land District of Devon being lot 1 and lot 2 on Plan of Survey P168376 in the Office of the Recorder of Titles and being part of lot 1 on Plan 36508 comprised in Folio of the Register Volume 36508 Folio 1 of which Lloyd Ralph Fielding and Lois Dawn Fielding are the registered proprietors.

### LAND ACQUISITION ACT 1993

#### AMENDMENT OF NOTICE OF ACQUISITION

(Section 16)

WHEREAS by Notice of Acquisition dated the 28th day of February 2014 and published in the Tasmanian Government Gazette on the 5th day of March 2014 I did by Notice of Acquisition pursuant to the provisions of the *Land Acquisition Act 1993* declare that the land described in the First Schedule hereto was taken for the purposes of the establishment of, and extension to, public land pursuant to Section 176 of the *Local Government Act 1993*.

AND WHEREAS it is now necessary to amend the Notice of Acquisition NOW THEREFORE I, MATTHEW CHARLES GRIMSEY, Acting General Manager of the Huon Valley Council, an Acquiring Authority for the purposes of the *Land Acquisition Act 1993* do hereby amend the said Notice of Acquisition by deleting therefrom the Schedule being the First Schedule hereto and substituting therefore the Second Schedule hereto.

Given under my hand this 19th day of September 2014.

M GRIMSEY, Acting General Manager,  
Huon Valley Council,  
40 Main Street, Huonville

#### First Schedule

All that 594 square metres of land situate in the Town of Franklin being lot 1 on Plan of Survey P167441 in the Office of the Recorder of Titles being portion of the land comprised in Folio of the Register Volume 139493 Folio 1 of which Peter Neville Crowe and Beryl Crowe are the registered proprietors.

Location – Town of Franklin

Municipal Area – Huon Valley

#### Second Schedule

All that 611 square metres of land situate in the Town of Franklin being lot 1 on Plan of Survey P167441 in the Office of the Recorder of Titles being portion of the land comprised in Folio of the Register Volume 139493 Folio 1 of which Peter Neville Crowe and Beryl Crowe are the registered proprietors.

Location – Town of Franklin

Municipal Area – Huon Valley

## Historic Cultural Heritage



Tasmanian Heritage Council

#### Historic Cultural Heritage Act 1995

#### NOTICE OF PERMANENT ENTRY OF PLACE IN THE TASMANIAN HERITAGE REGISTER

In accordance with sections 21(1)(a) and 26(c) of the *Historic Cultural Heritage Act 1995* (the Act), the Tasmanian Heritage Council has entered the following places in the Tasmanian Heritage Register on a permanent basis:

6 Charles Street, New Norfolk  
10 Howrah Point Court, Howrah  
1707 Gordon River Road, Westerway  
Bridgewater Bridge  
Hallgreen, 59 Montagu Street, New Norfolk  
House (originally an outbuilding), 221-223 Collins Street, Hobart  
Lady Franklin Museum (Ancanthe), 268 Lenah Valley Road  
Motors Garage, Façade adjoining 165-177 Brisbane Street & Façade at cnr Brisbane & Weelington Street, Launceston  
Penitentiary Chapel and Criminal Court Complex, 98A Campbell Street, Hobart  
Richmond Bridge, Bridge Street, Richmond  
Unit 1 & Unit 3, 129 Bathurst Street, Hobart

Any person who lodged an objection or submission may appeal to the Resource Management and Planning Appeal Tribunal against a decision of the Heritage Council under section 27 of the Act. An appeal must be made in writing and lodged with the Appeal Tribunal (GPO Box 2036 Hobart 7001) within 30 days after this notice.

**Dr Dianne Snowden**  
Chair  
24 September 2014

## Nomenclature Board/Survey Co-ordination

### INTENTION TO ASSIGN PLACE NAMES

NOTICE is hereby given pursuant to section 20F of the *Survey Co-ordination Act 1944*, that it is the intention of the Nomenclature Board to assign the following place names in Tasmania.

#### Assignments List No. 514

Reg No.	Name	Municipality	Location	Decision No.
37974C	Deals Road	Break O' Day	Off Tasman Highway, Douglas River	22347
37977Q	Hodges Road	Break O' Day	Off Tasman Highway, Goshen	22348
36839C	Sloop Reef Road	Break O' Day	Off Gardens Road, Binalong Bay	22349
38129B	Andrew Street	Central Coast	Off Castra Road, Sprent	22350
33811T	Anne Street	Central Coast	Off River Avenue, Heybridge	22351
38053T	Bannons Bridge Road	Central Coast	Off Gunns Plains Road, Gunns Plains	22352
38054H	Barrens Road	Central Coast	Off South Riana Road, South Riana	22353
38122J	Bennells Road	Central Coast	Off Thompsons Road, Forth	22354
38156S	Bonneys Lane	Central Coast	Off Bonneys Road, West Pine	22355
38153E	Brookvale Road	Central Coast	Off Castra Road, Ulverstone	22356
36820P	Cookes Road	Central Coast	Off Pine Road, Riana	22357
30609H	Coroneagh Street	Central Coast	Off Preservation Drive, Penguin	22358
36927Q	Froms Road	Central Coast	Off Kimberleys Road, Ulverstone	22359
39052L	Glenburn Crescent	Central Coast	Off Lyle Street, Sulphur Creek	22360
38154R	Golf Club Road	Central Coast	Off Lobster Creek Road, West Ulverstone	22361
35081P	Grove Street	Central Coast	Off Forth Road, Forth	22362
36928E	Gumnut Place	Central Coast	Off Froms Road, Ulverstone	22363
39705X	Hilltop Avenue	Central Coast	Off Top Gawler Road, Gawler	22364
39053A	Lyle Street	Central Coast	Off Preservation Drive, Sulphur Creek	22365
38158T	Lyndale Road	Central Coast	Off South Road, Penguin	22366
39703W	Overall Street	Central Coast	Off Preservation Drive, Sulphur Creek	22367
40379E	Perrys Road	Central Coast	Off Wilmot Road, Forth	22368
40380F	Picnic Point Road	Central Coast	Off Queen Street, West Ulverstone	22369
37845Y	Preston-Castra Road	Central Coast	Off Central Castra Road, Preston	22370
39704J	Shauren Drive	Central Coast	Off Preston Road, Gawler	22371
32859N	Sice Avenue	Central Coast	Off Bass Highway, Heybridge	22372
36889X	Spring Street	Central Coast	Off River Avenue, Heybridge	22373
38994T	Station Road	Central Coast	Off Preston Road, North Motton	22374
38727G	Whelans Road	Central Coast	Off Castra Road, Sprent	22375
34745D	William Street	Central Coast	Off Leith Road, Forth	22376
36929R	Wrights Road	Central Coast	Off Trevor Street, Ulverstone	22377
38052G	Wynwood Road	Central Coast	Off Swamp Road, Sprent	22378
38725F	Couta Rocks Road	Circular Head	Off Temma Road, Couta Rocks	22379
37589Y	Farnhams Creek Road	Circular Head	Off Riseborough Road, Christmas Hills	22380
39381J	Hardys Road	Circular Head	Off Croles Road, Trowutta	22381
38719N	Hogarth Road	Circular Head	Off Montumana Road, Montumana	22382
41318G	Little Harcus Road	Circular Head	Off Harcus River Road, West Montagu	22383
16895Y	Wilsons Road	Circular Head	Off Sleepy Hollow Road, Forest	22384
41828Y	Blandfordia Creek	Derwent Valley	Joining Lakes Seal and Webster, Mount Field	22385
37856F	Fitzgerald Station Road	Derwent Valley	Off Gordon River Road, Fitzgerald	22386
33838W	Jamieson Street	Derwent Valley	Off Cox Avenue, New Norfolk	22387
37200A	Kings Court	Derwent Valley	Off Oakdale Road, New Norfolk	22388
37858G	Marshalls Lane	Derwent Valley	Off Gordon River Road, Macquarie Plains	22389
35237A	Middle Street	Derwent Valley	Off Forest Road, Granton	22390
38998X	Moores Road	Derwent Valley	Off Lachlan Road, Lachlan	22391
31772D	Oakdale Road	Derwent Valley	Off Lyell Highway, New Norfolk	22392
32382N	Rusts Road	Derwent Valley	Off Brooker Highway, Granton	22393
37861J	Shepherds Drive	Derwent Valley	Off Saddle Road, New Norfolk	22394
37870P	Tyenna Road	Derwent Valley	Off Gordon River Road, Tyenna	22395
37869N	Tyenna Station Road	Derwent Valley	Off Gordon River Road, Tyenna	22396
15935K	Williams Road	Derwent Valley	Off Lachlan Road, Lachlan	22397
39127E	Moonbird Street	Flinders	Off Vinegar Hill Drive, Lady Barron	22398
39126Q	Vinegar Hill Drive	Flinders	Off Lady Barron Road, Lady Barron	22399
42196S	Dune Place	George Town	Off Low Head Road, Low Head	22400
42197G	Sandy Court	George Town	Off Dune Place, Low Head	22401
40717C	Fannys Bay Road	George Town	Off Tam O'Shanter Road, Lulworth	22402

Reg No.	Name	Municipality	Location	Decision No.
42218C	Elizabeth Street	Glamorgan–Spring Bay	Off Pontypool Road, Pontypool	22403
42194R	Toxteth Court	Glamorgan–Spring Bay	Off Tasman Highway, Douglas River	22404
37863K	Youngs Road	Glamorgan–Spring Bay	Off Old Coach Road, Cranbrook	22405
23274K	Guddons Road	Huon Valley	Off Forsters Rivulet Road, Lymington	22406
38171Q	Clark Road	Huon Valley	Off Huon Highway, Glendevie	22407
38178H	Archers Road	Kentish	Off Wilmot Road, Lower Wilmot	22408
38179W	Atkins Drive	Kentish	Off James Road, Acacia Hills	22409
38182Y	Blackberry Lane	Kentish	Off Railton Road, Merseylea	22410
38185M	Brands Road	Kentish	Off West Nook Road, Sheffield	22411
38183L	Brumbys Road	Kentish	Off Hardwicks Road, Sunnyside	22412
39653G	Charltons Road	Kentish	Off Wilmot Road, Lower Wilmot	22413
38188C	Cooper Place	Kentish	Off Sheffield Road, Lower Barrington	22414
34858A	Crockers Street	Kentish	Off Foster Street, Railton	22415
38184A	Diprose Road	Kentish	Off West Nook Road, Sheffield	22416
32576M	Dowbiggin Street	Kentish	Off Foster Street, Railton	22417
32950C	Ennis Avenue	Kentish	Off Crockers Street, Railton	22418
30800F	Esplanade	Kentish	Off Foster Street, Railton	22419
33253L	Foster Street	Kentish	Off Latrobe Road, Railton	22420
32474Y	Giblin Street	Kentish	Off Foster Street, Railton	22421
41442T	Hubbards Road	Kentish	Off Lower Beulah Road, Lower Beulah	22422
38186B	Hughes Road	Kentish	Off Sheffield Road, Sheffield	22423
38180X	Karson Court	Kentish	Off James Road, Acacia Hills	22424
38194S	Keens Road	Kentish	Off Nowhere Else Road, Nowhere Else	22425
33917S	King Street	Kentish	Off Latrobe Road, Railton	22426
38193F	Kookaburra Rock Road	Kentish	Off Claude Road, Claude Road	22427
31796X	Latrobe Road	Kentish	Off Railton Road, Railton	22428
34343K	Leake Street	Kentish	Off Foster Street, Railton	22429
38196T	Logg Creek Road	Kentish	Off Paloona Dam Road, Paloona	22430
34189A	Morrison Street	Kentish	Off Foster Street, Railton	22431
41440S	Morses Road	Kentish	Off Paradise Road, Paradise	22432
41511J	Murfetts Road	Kentish	Off Wilmot Road, Wilmot	22433
32325R	Ramsay Road	Kentish	Off New Bed Road, Railton	22434
41454P	Randwick Road	Kentish	Off Nook Road, Nook	22435
38189P	Reeves Road	Kentish	Off Sheffield Road, Lower Barrington	22436
30122D	Shepherds Road	Kentish	Off Native Rock Road, Railton	22437
38198W	Short Cut Road	Kentish	Off Paradise Road, Paradise	22438
38771Y	Stevenson Road	Kentish	Off Sheffield Road, Lower Barrington	22439
38199J	Watts Road	Kentish	Off Old Paradise Road, Paradise	22440
42207T	Wellington Road	Kentish	Off Claude Road, Gowrie Park	22441
40437L	Flowerpot Jetty Road	Kingborough	Off Channel Highway, Flowerpot	22442
40819M	Buttons Road	King Island	Off North Road, Reekara	22443
37572M	Dickers Road	King Island	Off Reekara Road, Reekara	22444
37564T	Houfes Road	King Island	Off Reekara Road, Reekara	22445
41901D	McCuska Road	King Island	Off North Road, Bungaree	22446
37570L	Rifle Range Road	King Island	Off Grassy Road, Currie	22447
38221F	Charles Street	Latrobe	Off Parkers Ford Road, Squeaking Point	22448
38207W	Fleetwood Drive	Latrobe	Off Parkers Ford Road, Port Sorell	22449
38688A	Northdown Lane	Latrobe	Off Port Sorell Road, Northdown	22450
38690N	Piping Lane	Latrobe	Off Port Sorell Road, East Devonport	22451
38682W	Creeleys Road	Latrobe	Off Bass Highway, Sassafra	22452
39646C	Howe C Road	Meander Valley	Off Pool Road, Caveside	22453
37281P	Johns Road	Meander Valley	Off River Road, Reedy Marsh	22454
38027P	Kellys Road	Meander Valley	Off River Road, Reedy Marsh	22455
38836X	Morrison Street	Meander Valley	Off Railton Road, Kimberley	22456
7713C	Gibsons Road	Meander Valley	Off Selbourne Road, Selbourne	22457
31379G	Honeysuckle Banks	Northern Midlands	Park adjacent to Leighlands Road, Evandale	22458
38889G	Back Cam Link Road	Waratah/Wynyard	Off Back Cam Road, Elliott	22459
22141K	Boat Harbour Siding Road	Waratah/Wynyard	Off Bass Highway, Boat Harbour	22460
40270C	Cemetery Road	Waratah/Wynyard	Off Waratah Road, Guildford	22461
21636W	Chromys Road	Waratah/Wynyard	Off Takone Road, Takone	22462
37361L	Cumming Street	Waratah/Wynyard	Off Honeysuckle Avenue, Sisters Beach	22463
40278G	Hoares Road	Waratah/Wynyard	Off Takone Road, Takone	22464
38697F	Wattle Hill Drive	Waratah/Wynyard	Off Deep Creek Road, Wynyard	22465
38700C	Whites Road	Waratah/Wynyard	Off Bass Highway, Sisters Creek	22466
38701P	Wiggs Road	Waratah/Wynyard	Off Murchison Highway, Henrietta	22467
39799W	Kerrisons Road	West Tamar	Off Frankford Road, Glengarry	22468

**INTENTION TO ALTER PLACE NAMES**

NOTICE is hereby given pursuant to section 20F of the *Survey Co-ordination Act 1944*, that it is the intention of the Nomenclature Board to alter the following place names.

**Alterations List No. 515**

Reg No.	Name	Municipality	Location	Decision No.
16973S	Lanes Tor <sup>1</sup>	West Coast	West of Elliotts Track	14882
35762A	Lake Eve <sup>1</sup>	Central Highlands	Walls of Jerusalem	20171
42214A	Five Mile Jim Road <sup>2</sup>	Flinders	Off Palana Road, Wingaroo	22469
21243F	Ritchie Street <sup>3</sup>	Kingborough	Off Jack Dwyer Drive, Alonnah	22470
42219P	Rodbourne Road <sup>4</sup>	Southern Midlands	Off Elderslie Road, Brighton	22471
41617X	Seaton Cove Road <sup>5</sup>	Break O'Day	Off Gardens Road, Binalong Bay	22472

<sup>1</sup> Correction of position, incorrectly gazetted previously.

<sup>2</sup> Previously Five Mile Road; 17049C

<sup>3</sup> Previously gazetted as Ritchie Road.

<sup>4</sup> Previously Rodbourn Road; 20838B

<sup>5</sup> Previously Seaton Road; 23108C

**Objections**

**Any objections to the proposed assignments or alterations** of the gazetted place names must be lodged with the Secretary of the Nomenclature Board, **GPO Box 44, Hobart 7001**, or via e-mail to **Nomenclature.Office@dpipwe.tas.gov.au**, within one calendar month from the date of this publication, in accordance with Section 20G of the Act. Any objection shall be in writing, setting out the grounds of the objection. Likewise, written **expressions of support** are also invited.

Please note: any information that you provide may be subject to disclosure under the *Right to Information Act 2009* or as otherwise required by law. If you wish for your objection to be treated as confidential please mark it clearly as 'confidential' and provide reasons why you consider the information should remain such. The Board will endeavour to deal with the objection accordingly but this does not make it automatically exempt from disclosure.

These features are represented in the LIST and available for viewing at <http://maps.thelist.tas.gov.au/listmap/app/list/map>

**RESCISSION OF PLACE NAMES**

NOTICE is hereby given pursuant to section 20D of the *Survey Co-ordination Act 1944*, that the Nomenclature Board has resolved to rescind the following place names.

**Rescission Notice No. 114**

Reg No.	Name	Municipality	Location	Decision No.
17049C	Five Mile Road	Flinders	Now Five Mile Jim Road, Memana	14961
23108C	Seaton Road	Break O'Day	Now Seaton Cove Road, Binalong Bay	19477
20838B	Rodbourn Road	Southern Midlands	Now Rodbourne Road, Brighton	17417

**Confirmations Notice No. 115**

NOTICE is hereby given, pursuant to section 20J of the *Survey Co-ordination Act 1944*, that all those names proposed to be assigned or altered and publicly gazetted in Lists No. 512 and 513 on 23<sup>rd</sup> day of July 2014 are assigned or altered by the Nomenclature Board effective from the 24<sup>th</sup> day of August 2014.

This notice along with recent past notices are available from the Nomenclature Board's Web Page at [www.dpipwe.tas.gov.au/gazettal](http://www.dpipwe.tas.gov.au/gazettal). If you would like to be notified by e-mail each time there is a notice, please send an E-mail message with the title **E-mail Alert** to **Nomenclature.Office@dpipwe.tas.gov.au**



**Tasmanian Licensing Standards**

**Tasmanian  
Licensing Standards  
for  
Centre Based Child Care,  
Class 4**

October 2014

# Acknowledgements

The initial version of these Standards is the result of several years of consultations and discussions between the Education and Care Unit and management and staff from a number of Tasmanian Community Houses.

Thanks are given to all those personnel involved in the development of the drafts of the Standards, and to those who were willing to participate in the pilot of the Standards.

## Preface

### **Centre Based Care Class 4**

Centre Based Care Class 4 is the short term<sup>1</sup> care of children and is provided in conjunction with a meeting, function, or activity endorsed by the management of the service that involves the parent(s) of the children, or a person who would otherwise have care of the child/ren during the period that child care occurs and who are not on site for part or all of the period that child care occurs.

The Centre Based Care Class 4 Licensing Standards focus on children's safety and well-being.

<sup>1</sup> The expression 'short term' may refer to either the length of time per session, or to the total number of times the child will be in care dependent on the nature of the meeting/function/activity the parent is involved in, e.g. an irregular arrangement such as the participation of the parent in a first aid course that is held for 6 hours a day across two days.

Each organisation may set its own policy around the preferred maximum length of sessions.

### **Scope of the Licensing Standards for Centre Based Care Class 4**

The Standards are applicable to all *Centre Based Care Class 4* child care services that are required to be licensed under the provisions of the *Child Care Act 2001*, Section 11.

The Standards are minimum standards. The *Child Care Act 2001*, Section 6, states 'The interests of children are to be regarded as the paramount consideration in the interpretation, enforcement and administration of this Act, the regulations and the Standards'.

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# I FIT AND PROPER

## STANDARD

**The child care service provider and all persons who have regular contact with the children who are placed in the service's care are to be fit and proper persons.**

### Rationale

A duty of care is owed to all children in a child care service, and the standard of care required in relation to these children is high. In order to ensure that the safety of children is maximised and their developmental needs are addressed, a child care service provider must ensure that all persons including those who care for children directly, other staff, and those persons who have regular contact with children at that service, are fit and proper persons. This includes persons (visitors, members of the service operator/management committee, contractors, volunteers and students) who are in the presence of the children in care on a regular basis, or in a capacity that would indicate to children that this person is a 'friend' and not a stranger. This excludes parents who are visiting or collecting their children, are assisting in the program as 'parent help' and are not conducting other business at the service or fulfilling a functional/management role.

A child care service/provider must inform carers regarding their duty of care. A carer has a common law duty to take reasonable measures to prevent a child in care from suffering harm from foreseeable risks, i.e. the standard of care is not affected by whether or not a parent is in the building; or whether the child care program is licensed or not. In an action about negligence, a court would determine on a case by case basis whether a carer met the relevant standards as required at common law.

The level of duty of care of, for example, a child carer employed to be responsible for the supervision of the occasional care program is higher than the baseline level of duty of care of a volunteer carer.

**Note:** Refer to Schedule for definitions of terms.

### I.1 Fit and Proper

The licence applicant/holder and other persons connected with the child care service are to meet the following criteria in order to be assessed as a fit and proper person, in conjunction with the provisions of the *Child Care Act 2001*.

All personnel<sup>1</sup> who have contact with the children in the Centre Based Care Class 4 program are to:

- i) satisfactorily meet all requirements of the 'Fitness and Propriety' check conducted by the licensing authority;
- ii) maintain a current Tasmanian Working with Children Check or a valid safety screening clearance issued by the Department of Education.

### I.2 Confidentiality, privacy provisions and duty of care

All personnel<sup>1</sup> who have contact with the children in the Centre Based Care Class 4 program are to:

- a) understand the need for, and maintain, the confidentiality of client and staff information; and
- b) demonstrate an understanding of duty of care towards children in care, and undertake to ensure that they will meet their duty of care at all times.

<sup>1</sup> All personnel includes:

- the licence applicant/holder/licensee representatives
- all members of the service operator who are directly involved in the management of the child care service

- person(s) in charge
- responsible person(s)
- staff members
- persons 18 years and older who are volunteers, students, or regular visitors.

**Note:** Persons under 18 years who are volunteers, students or regular visitors do not need to provide a current Tasmanian Working with Children Check or a valid safety screening clearance, unless requested by the service.

## **SCHEDULE: FITNESS AND PROPRIETY DEFINITIONS**

### **For CENTRE BASED CARE OCCASIONAL CARE CLASS 4**

The following definitions apply to roles and terms as they relate to the *Child Care Act 2001* and/or to the Licensing Standards.

**Licence applicant** is the individual or body that is applying to hold a licence to operate or provide a child care service. The service operator may choose to hold the licence or may authorise an individual employee to hold the licence.

**Licensee** or **licence holder** is the individual or body to whom a licence to operate or provide a child care service has been issued.

**Licensee representative** is a person nominated by the service operator to represent all members of the service operator on licensing matters where the service operator holds the licence. This person is expected to have a higher level of understanding about the operation of the child care service and its adherence to the Licensing Standards. This person may either hold a specific position on the executive of the committee or be a general member.

Where the licensee is a body (e.g. a community based management committee/Board), the Education and Care Unit requires this body to nominate at least two licensee representatives for licensing purposes.

**Person in charge** of a child care service under a centre based licence is a person who:

- is physically at the centre/facility/premises where children are provided with child care by that service; and
- is in charge of the day-to-day running and supervision of that service/centre/facility/premises.

**Responsible person** role under the *Child Care Act 2001* is:

- An individual, other than the person in charge of the child care service, to whom is assigned by the licensee, the general responsibility for, and supervision of the child care service under the licence; or
- Any other body or individual, other than the person-in-charge of the child care service, who has the authority to give directions and make decisions in respect of the management of that child care service.

People fulfilling this role include, for example, co-ordinators who have responsibility across a number of services, third party managers, franchisees/franchisors.

This role **does not** apply to those people who are licensees, persons in charge, those in a second-in-charge role or those acting in person in charge roles.

This role also differs to that defined under the *Education and Care Services National Law (Tasmania) 2011*.

**Service operator** is the name of the organisation/management body that provides the service from the child care centre. It may be a community based management committee or incorporated body, a company, registered business, a partnership, a government agency or an individual who owns the service. The service operator may choose to hold the licence or may authorise an individual employee to hold the licence.

**Staff member** of a child care service under a centre based care licence means an individual employed by the service operator and:

- a) is likely to have contact with children in care at the service; or
- b) operates in a capacity that would indicate to children that this person is a 'friend' and not a stranger of whom to beware, for example, ancillary staff.

**Volunteer** is a person who undertakes duties authorised by the service, as a voluntary worker, and who receives no remuneration or compensation in money or other consideration, e.g. parents who participate in fundraising activities or working bees, or committee members.

**Proof of current Tasmanian Working with Children Check includes:**

- Licensee sighting and maintaining a record of the identifying number and expiry date of a current Tasmanian Working with Children Check;
- individuals maintaining a current Working with Children Check.

**Proof of current a valid safety screening clearance includes:**

- Licensee sighting and maintaining a copy of the valid safety screening clearance;
- individuals maintaining a valid safety screening clearance.

## 2 CARER QUALIFICATIONS

### STANDARD

**Carers are to possess appropriate knowledge, skills and experience.**

#### Rationale

Research demonstrates that the most significant variable which influences the quality of care provided is the level of related training which carers have undertaken.

Appropriate training and a sound understanding of child development, facilitate the carer's ability to recognise and provide for children's needs, and to competently manage groups of children.

#### 2.1 Qualified Staff

The program must be supervised by a qualified carer who holds a minimum of a Certificate III in Children's Services, or equivalent.

#### 2.2 Knowledge, skills and experience

All carers are to have:

- a) an understanding of their duty of care in relation to children;
- b) experience in caring for children, or the ability to acquire the skills to care for children;
- c) an understanding that the environment provided for children needs to be safe:
  - i) physically;
  - ii) emotionally; and
  - iii) socially;
- d) a basic knowledge of ages and stages of development; and
- e) a basic knowledge of children's health, hygiene, nutritional and safety needs.

#### 2.3 First aid qualifications

- a) There must be at least one staff member on the premises at all times who holds:
  - i) a current approved first aid qualification; and
  - ii) current approved emergency asthma management qualification; and
  - iii) current approved anaphylaxis management qualification; and
  - iv) current approved CPR qualification (which must include child CPR and be updated annually).
- b) This person is to be immediately available in an emergency situation.

**Note 1:** First Aid qualifications must comply with the First Aid qualifications as set out from time to time and published on the Education and Care Unit's website.



### 3 RATIO OF CARERS TO CHILDREN

#### STANDARD

**There must be sufficient numbers of carers to children in care at all times.**

#### Rationale

A major determinant of quality care is the number of children cared for by each carer. In the implementation of carer:child ratios, the interests of the child are paramount.

Smaller group sizes facilitate children's engagement in play, ensure lower levels of distress in children, and enhance more positive, nurturing behaviour from carers.

The ratios below are minimum ratios only. There may be circumstances where higher ratios may be required in order to ensure quality of care is maintained. Such circumstances may include certain types of activities and excursions, and to appropriately provide for the needs of individual children.

#### 3.1 Qualified person in charge

To ensure a service meets its duty of care in relation to children in care, the program must be supervised by a qualified person.

#### 3.2 Carer:child ratio

The minimum carer to children ratio is:

Age of child	Carer:child ratio
Under three years	1:5 (or part thereof)
Three to five years inclusive	1:10 (or part thereof)

#### 3.3 Number of staff in the program

- Where there is one carer only with the group, there is to be other identified adults on the premises available to assist immediately as necessary.
- Where there is a baby under 12 months of age, there is to be a second carer, even if there are fewer children than per the required ratio.

#### 3.4 Carer:child ratios are to be maintained at all times

Carer:child ratios are to be maintained at all times, including lunch breaks and children's sleep/rest times.

#### 3.5 Qualified staff:children ratio

- The ratio of qualified carers:children is 1:15.
- This ratio is to be maintained at all times, except over lunch periods, and in short term emergency situations.

#### 3.6 Under 18 year olds

Persons under the age of 18 years shall **not** be included in the carer:child ratio.

## 4 EXCURSIONS

### STANDARD

**Where planned excursions provide children opportunities to explore their physical and social environment away from the licensed premises, their safety and wellbeing must be maintained during the excursion.**

#### Rationale

Children clearly benefit from excursions that provide them with opportunities to experience a broad range of environments and to explore their local community.

Excursions create fun, recreational experiences, providing children with an appropriate level of challenge. Excursions can allow children considerable freedom within predetermined limits, and provide opportunities for children to learn about their community and valuable life skills.

At the same time, well planned excursions incorporate the management of any possible risks in familiar or unfamiliar environments.

The service must assess whether any additional staffing is required for the proposed venue and activities, and to meet their duty of care.

#### 4.1 Parental permission for excursions

- a) No child is to leave the premises without a parent(s)' written authorisation; and
- b) Where a service offers routine excursions:
  - i) written information must be provided to a child's parent(s) when the child enters care detailing the nature of these routine excursions; and
  - ii) written authorisation for a child to participate must be obtained from the parent(s) when the child enters care, as a record that the parent(s) acknowledge the nature of these routine excursions.

#### 4.2 Hazard identification and management

The service is to:

- a) develop a written procedure in order to identify, assess and manage any hazards associated with an excursion;
- b) implement the procedure prior to and during each excursion; and
- c) adjust adult to child ratios and take any other action required to manage identified risk.

#### 4.3 Safety of children on excursions

For any excursion, there must be:

- a) appropriate supervision by staff at all times;
- b) one carer with current First Aid qualifications as per Standard 2.3;
- c) a well equipped first aid kit, including any emergency medication suitable for the excursion, readily accessible at all times;
- d) a list of all children and adults participating in the excursion;
- e) emergency information, including emergency contacts for all children, names and details of children with allergic reactions;
- f) a mobile phone or means of contact with emergency services readily accessible.

#### 4.4 Use of volunteers/parents on excursions

Volunteers over 18 years of age, parents, and close family relatives, e.g. grandparents, may be used to increase the number of adults to children to effectively manage increased risks on the excursion, on the condition that:

- a) the **minimum carer** to child ratio is maintained;
- b) volunteers and regular visitors are always under the direct supervision of a carer; and
- c) volunteers and regular visitors (other than parents and close family relatives) hold a current Tasmanian Working with children Check or a valid safety screening clearance issued by the Department of Education.

## 5 PROGRAMMING

### STANDARD

**Programs that support and maximise each individual child's development, and allow for age-appropriate learning experiences and activities, are to be provided in a safe and supportive environment.**

#### Rationale

A supportive learning environment, rich with opportunities for imaginative play, self-expression and creative thought, is fundamental to the development of young children. The provision of sufficient and varied opportunities for play enhances each child's growth and individuality. Such opportunities must be culturally appropriate, culturally diverse and offer experiences that facilitate each child's individual development.

Planning, continual evaluation of programs and keeping written records will assist in monitoring each child's development, and in maintaining consistency with the centre's philosophy and goals, and will inform parents of experiences offered to their children.

To assist services in the development of their program consideration may be given to the *Early Years Learning Framework* or *My Time, Our Place Framework for school aged care in Australia*.

#### 5.1 Programming

- a) Programs are to take into account:
  - i) the developmental needs of individual children;
  - ii) group size and composition;
  - iii) children with additional needs;
  - iv) expectations of children's parents; and
  - v) the cultural diversity of all families using the service.
- b) Programs are to encourage appropriate social interaction, and positive and responsible behaviour.
- c) Programs are to take into account:
  - i) the weather and the physical environment;
  - ii) suitable materials, toys and equipment required to support the program; and
  - iii) quiet/active times and settings.
- d) The program must promote the dignity and rights of each child at all times. This includes:
  - i) guidance towards acceptable behaviour, with encouragement freely given;
  - ii) positive child management techniques, i.e. shall not include physical, verbal or emotional punishment that could humiliate, frighten or threaten the child; and
  - iii) respect for the values of the child's family;

## 6 PLAY AND SLEEP SPACE

### STANDARD

**An environment must be provided that is spacious enough to prevent overcrowding, and supports a range of daily activities and routines while minimising the risk of accidents and health risks.**

#### Rationale

The physical environment affects the behaviour and interactions of children and adults. Sufficient physical space is essential to ensure a safe environment which allows children the opportunity to explore their world, while moving freely and energetically. The amount, arrangement and use of space, both indoors and outdoors, must facilitate children's physical, intellectual, social and emotional development.

As sleep is essential to healthy development, a service must have sleeping facilities which enable a significant number of children to sleep or rest at any one time, and procedures which allow for children's individual needs. Sleep/rest areas are to be arranged in such a way as to promote restful sleep.

The amount of space required in addition to the children's play spaces is dependent upon the nature of the service and the length of time that children are present at the service.

#### 6.1 Licensed Capacity

The licensee is to ensure that the licensed capacity, as noted on the licence, is not exceeded.

#### 6.2 Indoor play space

- a) Indoor play space is to allow clear unencumbered play space of at least 3.25m<sup>2</sup> for each child cared for in the room or area.
- b) Where this is not possible, the organisation will need to develop a management plan<sup>1</sup> which demonstrates how it will ensure the safety of the children.
- c) Play space assessed to determine the number of licensed places in each area is to be maintained as unencumbered indoor play space.

#### 6.3 Outdoor play space

- a) Outdoor play space is to be a minimum of 7m<sup>2</sup> of unencumbered space per child cared for in the centre.
- b) Where this is not possible, the organisation will need to develop a management plan<sup>1</sup> which demonstrates how it will ensure the safety of the children.
- c) Play space is to be maintained as unencumbered outdoor play space.

#### 6.4 Sleep space for children aged from birth to two years

- a) Sufficient sleep space is to be provided for the total number of children under 12 months and for half the number of children aged 1 to 2 years.
- b) Where this is not possible, the organisation will need to develop a management plan<sup>1</sup> which demonstrates how it will ensure that the children's needs for rest are met.

#### 6.5 Supervision of sleep room

Where the sleep space is not directly adjacent to the playroom in use, or where visibility cannot be easily maintained, the organisation must demonstrate how it will manage supervision of sleeping children.

<sup>1</sup> Management plans may consider the following:

- Negotiation for access to further space
- Balance between indoor/outdoor activities
- Management of the program during inclement weather, e.g. when children must stay indoors
- Use of excursions
- Maintaining a safe environment

If the Education and Care Unit assesses that the service's proposed management plan cannot guarantee quality outcomes or a safe environment for the children, the Education and Care Unit will initiate discussions with the service to resolve the situation.

## **7 FURNITURE, EQUIPMENT AND BEDDING**

### **STANDARD**

**Age-appropriate furniture, equipment and bedding must be provided and maintained in good order.**

#### **Rationale**

Age-appropriate furniture and equipment, in sound repair, assists in maintaining children's safety and wellbeing, and supports their development.

While the sleeping requirements for children who are three years and over are less than those of infants, it must be assumed that all children under the age of five years may need to sleep/rest during the course of a day. Cots are recommended as the most appropriate bedding for children up to 18 months.

#### **7.1 Furniture and equipment**

Where applicable, furniture and other equipment must comply with and be maintained so that it continues to meet relevant Australian Standards.

#### **7.2 Children's toys and equipment**

Toys and equipment are to be:

- a) developmentally appropriate;
- b) safe and in good repair; and
- c) well cleaned.

#### **7.3 Sleep/rest facilities**

- a) The service must use or provide for use, cots which meet Australian Standard 2172: 1995 (Household Cots) as the minimum, or, where the licensing authority agrees, Australian Standard 2195 (Porta-cots).
- b) There must be appropriate facilities in a suitable area that can be easily supervised, for children who are unwell.
- c) Cots, beds, linen, mattresses and large cushions must be cleaned, aired and stored appropriately.
- d) There must be sufficient bed linen to ensure that children do not share the bed linen prior to laundering the bed linen.

## 8 GENERAL FACILITIES

### STANDARD

**In addition to children's play space, the service must have sufficient space, equipment and facilities to ensure a healthy, safe and comfortable environment for children, staff and parents.**

#### Rationale

It is important for services to have sufficient space, equipment and facilities to ensure that the health and safety needs of children, staff and parents are met.

When the organisation and structure of the physical environment is inviting and comfortable, it encourages a free flow during daily routines of eating, toileting, resting and playing and allows for positive interactions between children, staff and parents.

A balance of natural and artificial lighting, good ventilation and fresh air promotes the wellbeing of children and adults.

Provision needs to be made for privacy for parent/staff consultations and administrative procedures, and also for staff respite.

Where a centre caters for children with additional needs and/or developmental delays, facilities, where possible, are to be consistent with and sensitive to the requirements of these children.

#### 8.1 Toilets and handbasins

- a) There is to be 1 toilet and 1 handbasin for every 15 children.
- b) Where the toilet is an adult toilet, a firm, non-slip step and a junior seat are to be provided, if required.
- c) Where the handbasin rim is higher than 600mm, appropriate facilities to assist children to access the handbasin are to be provided, if required.
- d) The service must ensure that there is sufficient soap and hand-drying equipment.

#### 8.2 Nappy changing facilities

- a) Where children under 3 years are cared for, hygienic nappy change facilities are to be provided with:
  - i) a change bench with change mat;
  - ii) hot and cold water supply to all fittings;
  - iii) a handbasin;
  - iv) a baby bath;
  - v) suitable facilities for the hygienic disposal of waste materials;
  - vi) fixed or retractable steps for toddlers to climb up onto the change bench;
  - vii) viewing back into the play area; and
  - viii) appropriate ventilation.
- b) Where the service is unable to meet the requirements in 8.2a), the organisation is to demonstrate through appropriate policy and procedures, that the nappy change facilities provided ensure a healthy, safe and comfortable environment for children and carers.



### 8.3 Laundry facilities

The service must have facilities for sanitary storage of soiled clothes, nappies and linen pending laundering or disposal which are hygienic and inaccessible to children.

### 8.4 Floor surfaces

- a) The service is to ensure that in all areas, floors surfaces are suitable for the activities/routines conducted; and
- b) Toilets and wet areas must be maintained so that the likelihood of accidents is reduced.

### 8.5 Hot water

Hot water which is accessible to children must be tempered, and continue to meet requirements of the Tasmanian Plumbing Code.

### 8.6 Food preparation facilities

Food preparation areas are to have appropriate equipment, including:

- a) hot and cold water supply;
- b) a refrigerator;
- c) stove/microwave (where it is required for heating food and babies' bottles).

### 8.7 Storage

- a) There must be adequate storage for:
  - i) children's personal belongings,
  - ii) play equipment;
  - iii) resources and materials;
  - iv) confidential information and records;
  - v) cleaning equipment; and
  - vi) other equipment and materials.
- b) Children under three years must not have unsupervised access to bags.

### 8.8 Telephone

The service is to have an operating telephone on the premises readily accessible at all times.

### 8.9 Lighting

Fluorescent lighting is to have diffusers or be guarded.

### 8.10 Heating/cooling

- a) Heating and cooling is to be at a safe and comfortable temperature, when children are in care; and
- b) Where heating/cooling units and fans are used, they are to be safely situated or adequately guarded to prevent access and injury to children.

### 8.11 Viewing to outdoors

The children's view to the outside is to be optimised.

## 9 FENCES AND BARRIERS

### STANDARD

**There must be fencing around the perimeter of the licensed outdoor play area, and any identified hazards must be isolated by fences or barriers and gates.**

#### Rationale

Appropriate fencing, whether around the perimeter of licensed outdoor play areas, or isolating an identified hazard, is necessary to ensure that children cannot leave the service unaccompanied, nor access dangerous areas and hazards. Appropriate barriers considerably reduce the risks associated with children's accidents, drownings and falls.

**Note 1:** 'Barriers' may include balustrades, railings, doors and windows.

#### 9.1 Child safety

The service must:

- a) ensure that fencing, gates, balustrades, retaining walls and barriers have nothing near them that will enable children to scale that fence, gate, balustrade, retaining wall or barrier;
- b) ensure that the effective height of the fencing and gates is maintained;
- c) ensure that gates are kept closed when not in use; and
- d) ensure adequate supervision so that children cannot exit unaccompanied from the licensed play area.

#### 9.2 Fencing and gates

Fencing and gates around a licensed outdoor play area are to:

- a) comply with Australian Standard 1926 for pool fencing and gates; or
- b) provide an effective barrier, be at least 1200mm high and have no entrapment hazards.

#### 9.3 Fencing and gates where there is a significant hazard adjacent to/within the premises

Fencing and gates around a licensed outdoor play area are to:

- a) comply with Australian Standard 1926 for pool fencing and gates; or
- b) provide an effective barrier, be at least 1500mm high and have no entrapment hazards.

#### 9.4 Decking, patios and landings/steps, stairs and ramps

Where there is access to a drop of 600mm or more, there must be an effective barrier installed, which is designed to prevent entrapment and children climbing over it.

#### 9.5 Doors and windows

- a) If a door opens onto an unlicensed area, children are not to be able to open the door;
- b) If a door is a required exit (i.e. a fire exit) the exit path and doorway must remain clear of obstacles;
- c) Where there is a drop of 600mm or more from a window, or it opens onto an unlicensed area, there must be a lock, secured screen or other device.
- d) Windows, when opened, must not create a hazard to children.

## 10 WATER SAFETY

### STANDARD

**Children's safety must be maintained in and around water.**

#### Rationale

Because of the attraction water holds for children it is essential to maintain high standards in relation to water safety and children's access to water hazards. Carers must take every precaution to identify the risks, and document and implement hazard management strategies that protect children from drowning.

#### 10.1 Understanding of the dangers of water

- a) The service provider must demonstrate an understanding of the dangers of water for children; and
- b) Carers must at all times directly supervise children's access to any water hazards (e.g. baths, sinks, puddles, containers, water play activities and equipment).

#### 10.2 Water play

Water play equipment (including wading/ paddling pools) may only be used while children are in care if the water play equipment:

- a) can be easily emptied by one person;
- b) is emptied immediately after each use;
- c) is stored safely, and in such a way as to prevent water collection; and
- d) is age-appropriate and presents no danger to children.

#### 10.3 Swimming pool prohibition

- a) The service provider must ensure that there is no swimming pool <sup>(1)</sup> on the service's licensed premises.

<sup>(1)</sup> **'Pool'** refers to pools and other bodies of water which require fencing and gates to meet Australian Standards 1926 and 2820, e.g. spa or jacuzzi.

#### 10.4 Existing pools <sup>(1)</sup> adjacent to, or near the licensed premises

- a) The service provider must treat the pool <sup>(1)</sup> as a major hazard and prevent children's unsupervised access to that pool <sup>(1)</sup> by having in place fencing and gates that meet the Australian Standards 1926 and 2820, and/or securely locked doors and windows.

<sup>(1)</sup> **'Pool'** refers to pools and other bodies of water which require fencing and gates to meet Australian Standards 1926 and 2820, e.g. spa or jacuzzi.

#### 10.5 Creeks/dams/rivers/sea and other bodies of water on, or near, the licensed premises

The outdoor play area is to be isolated from that hazard by fencing that meets Standard 9: *Fencing and gates where there is a significant hazard adjacent to/within the premises.*

## II SAFE ENVIRONMENT

### STANDARD

**Children's overall development must be nurtured within a safe, well-maintained indoor and outdoor environment.**

#### Rationale

Children require challenges and exposure to a wide variety of experiences in order that their development can be nurtured, within an environment that is safe, creative and stimulating.

The provision of a child-safe environment, where children are protected from known dangers and identified hazards, fosters independent creative play with reduced need for adult intervention. Such an environment requires careful planning and appropriate organisation.

Keeping the premises clean, well maintained and in good repair assists in protecting children from potential hazards and health risks.

Plants, birds and animals enrich a child's environment. However, while encouraging positive contact with animals, birds and plants, staff must ensure that children are protected from identified hazards.

#### II.1 Maintaining a safe environment

The service is to:

- a) have in place preventive measures to ensure a safe environment for children;
- b) maintain a hazard identification and management checklist, and complete this daily before the children access the indoor and outdoor areas; and
- c) ensure that children are supported in following appropriate safety practices.

#### II.2 First aid equipment

There must be a fully equipped first aid kit that:

- a) is labelled;
- b) is locked, and/or inaccessible to children;
- c) is readily available to all staff; and
- d) contains no out-of-date items.

#### II.3 Storage – medication

- a) Medicines are to remain in the original, labelled containers.
- b) Emergency medication needs to be accessible to staff, whilst inaccessible to children.
- c) Other medication, including medication for self-administration, is to be stored safely, at the temperature stated on the container, in a labelled, lockable or child-resistant container.
- d) Narcotic substances must be stored apart from other goods in an enclosure (e.g. a cupboard) that is securely locked and the key must be retained either on a person entitled to administer the substance or stored in a place not readily accessible to others. All other medications must be securely stored away from narcotics.

#### II.4 Storage – poisons and other dangerous substances

To guard against the accidental poisoning of children through ingestion, inhalation or skin contact, all poisonous or dangerous substances must be:

- a) stored in an area which is clearly labelled, and secured;
- b) inaccessible to children; and
- c) stored separately from food.

**11.5 Storage – dangerous items**

All objects and materials which present a hazard are to be inaccessible to children.

**11.6 Building and grounds - cleanliness, repair and safety**

The building, all equipment and furnishings are to be maintained so that at all times they are safe, clean and in good repair.

**11.7 Plants**

Plants known to be toxic/dangerous to humans must be removed, or made inaccessible to children.

**11.8 Animals and birds**

- a) Any animal, bird or livestock on the premises is:
  - i) to be maintained in a clean and healthy condition; and
  - ii) not to be a source of danger, infection or cause of an allergic response.
- b) Carers are to directly supervise contact between animals and the children.
- c) Any animal or bird is to be kept in a separate area such as a cage or enclosure.

**11.9 Burns, scalds, and electric shocks**

- a) All fans, heating and cooling units (including external units), must be safely situated and/or adequately guarded (rigid fire guards to be used whenever heaters with hot external surfaces are in use).
- b) Children's access to and use of stoves/hotplates/cooking appliances/barbeques must always be under direct supervision.

**11.10 Fire safety**

The organisation must have:

- a) evidence of current Tasmanian Fire Services approval of the evacuation plan (required every 5 years).
- b) appropriate equipment with certification provided e.g. smoke alarms and fire extinguishers;
- c) appropriate practices, e.g. exits kept clear, all personnel familiar with evacuation procedures.

**11.11 Glazing in areas accessible to children (including glazed doors and side panels, other panels such as windows identified as hazards to children)**

- a) All glazed internal and external doors and side panels and any other window glazing that is accessible to children and identified as a hazard to children must:

**either:** be professionally treated (i.e. safety glazed or treated with safety film appropriate to the thickness of the glazing);

**or:** be effectively guarded by barrier(s) to prevent a child striking or falling against the glass.
- b) A certificate stating that the quality and the installation of the safety glazing materials comply with the relevant Australian Standards must be provided by the installer.
- c) In all services, when glass in an area identified as a hazard to children is replaced, glazing materials which comply with the relevant Australian Standards must be used.

**11.12 Other glass**

Items of furniture or equipment with a glass component, such as mirrors, must not present a danger to children.

**11.13 Compliance with *Building Regulations July 2004 (Tasmania)***

Under the *Building Regulations July 2004 Tasmania*, the owner/occupier must comply with requirements of Schedule 4 of the *Building Regulations July 2004* regarding the maintenance of essential safety and health features and measures.

## 12 HEALTH, HYGIENE AND INFECTION CONTROL

### STANDARD

**The health of children and staff is to be maintained through the application of appropriate health and hygiene practices.**

#### Rationale

It is important that child carers role-model positive health practices, that children are supervised, assisted and encouraged in their daily health and hygiene routines, and that the service takes appropriate measures to protect the health of children and staff.

#### 12.1 General hygiene and infection control practices

The service is to implement policies and/or procedures which reflect current community standards and guidelines, to ensure that:

- a) staff observe appropriate health and hygiene practices; and
- b) children are encouraged to follow appropriate health and hygiene practices.

#### 12.2 Infectious diseases

- a) The service is to implement a policy and/or procedures on infectious diseases which outline immunisation, exclusion and notification practices in line with health authority requirements or recommendations.
- b) The service is to ensure that staff and families are promptly informed about the occurrence of infectious diseases, in a manner that respects the rights of individual children or staff.
- c) The service is to keep records of cases of infectious diseases which require either exclusion or notification to relevant health authorities (refer to Standard 15.4 i)).

#### 12.3 Sun protection

The service is to implement policies and/or procedures which reflect current community standards and health guidelines, to ensure that staff or any other person involved in the care of the children and children observe appropriate sun protection practices.

#### 12.4 Alcohol and drugs

The service is to implement policies and or procedures to ensure that:

- a) no person who is adversely affected by drugs or alcohol shall care for children; and
- b) no person consumes alcohol or drugs (except those required for medical reasons) during the hours that children are in the care of the service.

**Note:** The Education and Care Unit expects that service policies about alcohol and drugs include all persons in contact with the children in care; visitors, volunteers, students and ancillary workers.

#### 12.5 Smoking

The service is to implement policies and/or procedures to ensure that:

- a) the premises provide a smoke-free environment both indoor and outdoor.  
**Note:** 'Smoke free environment' includes when children are not present in the service.
- b) no staff member or other person involved in the care of the children is to smoke on excursions, or in vehicles used for transporting children.

## 13 FOOD AND NUTRITION

### STANDARD

**Food provided by the service must be nutritious, appetising, and culturally and developmentally appropriate.**

#### Rationale

The early childhood years are vital in the establishment of lifelong eating habits and food attitudes. Sound nutrition practices are necessary for normal development, good health and the prevention of illness.

Where the service elects to provide food, it is responsible for providing nutritious foods in a safe and positive learning environment.

#### 13.1 Food and nutrition policy

The service must implement a food and nutrition policy and/or procedures which outline the service's approach to:

- a) promoting appropriate nutrition to meet children's developmental needs;
- b) documenting appropriately, individual children's dietary needs in relation to children's culture, religion, health and allergies; and
- c) food handling and storage practices, consistent with the *Food Act 2003* and the Australia New Zealand Food Standards Code (the Food Standards Code).

#### 13.2 Food and drink provision

- a) Safe drinking water is to be available at all times for children.
- b) Staff members are to be familiar with individual children's allergy needs and know how to respond.

#### 13.3 Food handling and hygiene

- a) All services must comply with legislated food safety requirements (*Food Act 2003* and the Australia New Zealand Food Standards Code (the Food Standards Code)); and
- b) Food is to be prepared, handled and stored:
  - i) in a safe and hygienic manner consistent with the Food Standards Code; and
  - ii) appropriately, to prevent children with allergies having contact with known allergens.
- c) Individual drinking containers are to be provided for all children.



## **I 4 OUTDOOR PLAY ENVIRONMENT AND EQUIPMENT**

### **STANDARD**

**Outdoor play environments and equipment are to be organised and maintained to maximise challenge and variety for children, within safe parameters.**

#### **Rationale**

Outdoor play and physical exercise are important for the health, development and general wellbeing of children. The outdoor play environment is to present challenge, variety and excitement, while being suitable to the child's age and ability.

Ideally, each age group will have direct access to the outdoor play area. A play area must be designed to be easily supervised.

To ensure that shade is maximised, priority needs to be given to areas where children play for extended periods, such as water play.

Care needs to be taken to ensure that equipment is developmentally appropriate and of a safe construction. Supervision of the highest standard is necessary to ensure that children remain safe in playgrounds that present challenge and excitement for their age and ability.

#### **14.1 The outdoor play environment**

- a) The outdoor play environment must:
  - i) be easily supervised;
  - ii) have adequate shade for passive play areas, including sandpits.
- b) A hazard identification and management checklist is to be completed daily, before children access the outdoor play area.
- c) The service provider must maintain all equipment, surfaces and vegetation in the outdoor play area in good repair to prevent any hazards for children due to lack of appropriate softfall, trip hazards, protrusions, entrapment hazards.

#### **14.2 Outdoor play equipment**

- a) Outdoor play equipment (both fixed and non-fixed equipment), and the surfaces under and around the equipment, must comply with, and be maintained so that they continue to meet relevant Australian Standards.
- b) The outdoor play equipment must be:
  - i) appropriate to the age and ability level of the children;
  - ii) maintained in a good state of repair;
  - iii) positioned safely; and
  - iv) stored safely, as appropriate.
- c) Sandpits must be:
  - i) shaded;
  - ii) securely covered when not in use; and
  - iii) maintained in a clean condition.
- d) Bikes and other mobile play equipment must be:
  - i) appropriate to the age and ability level of the children; and
  - ii) used in areas away from potential hazards such as swings and slides.
- e) Staff must directly supervise children at all times outdoor equipment is in use;

- f) Children are to be made aware of guidelines for use of equipment, such as only one child at a time to use the equipment;
- g) Equipment is to be fitted with relevant safety items when in use, for example, a trampette must have safety pads to cover all springs;
- h) Where equipment is used inside, there must be sufficient protection suitable for the fall height, e.g. portable mats which meet the relevant Australian Standards, underneath the equipment;
- i) Swings for the baby/toddler age group (outdoors or indoors) must:
  - i) have an appropriate harness; and
  - ii) be used in areas away from potential hazards.
- j) As a general practice, trampolines must not be used.

## 15 ADMINISTRATION AND RECORDS

### STANDARD

**The service must develop administrative practices which support and inform families and staff, ensure that the duty of care is met, and that records are appropriately maintained.**

#### Rationale

Clear communication, accurate record keeping, and efficient and effective management strategies are important determinants of quality care. Access to information about the organisation allows parents to make informed decisions about the appropriateness of the child care service in relation to their individual family needs.

The service must develop practices to ensure confidentiality of the service's records and information obtained about the children, their families, and staff. The service must comply with relevant privacy principles when drawing up forms which obtain personal information about children, their families, staff and students.

Where a service keeps records in electronic/scanned format, consideration must be given to appropriate procedures to ensure the records are legible for the required period of time, and whether the technology for long-term storage will be suitable and adequate for the required period of time.

#### 15.1 Access to information

- a) The following items must be prominently displayed:
  - i) current licence(s);
  - ii) evacuation plan;
  - iii) telephone number, address and other relevant information of the licensing authority.
- b) The following items are to be readily available:
  - i) the *Child Care Act 2001* and the licensing standards for Centre Based Care, Class 4.

#### 15.2 Insurance

The service must maintain the following insurances:

- i) current public liability;
- ii) workers compensation;
- iii) volunteers; and
- iv) other insurance policies as required by law.

#### 15.3 General certificates and documentation

- a) The service must retain certificates/documentation to confirm:
  - i) that glazing materials and installation meet the relevant Australian Standard (refer to Standard 11.11);
  - ii) that hot water is tempered, if applicable (refer to Standard 8.5);
  - iii) approval of the fire evacuation plan by the Tasmania Fire Service (refer to Standard 11.10 & 17.5);
  - iv) inspection of fire protection equipment (refer to Standard 11.10);
  - v) the centre's emergency/evacuation practices - to be kept for five years (refer to Standard 17.5);
  - vi) that cots meet relevant Australian Standard/replacement plan for cots (refer to Standard 7.3);

- vii) where applicable, furniture and any other equipment meet relevant Australian Standards (refer to Standard 7.1);
  - viii) that impact absorbing surfacing materials meet the relevant Australian Standards (refer to Standard 14.2);
  - ix) that the installation of impact absorbing materials meets the relevant Australian Standards (refer to Standard 14.2);
  - x) that outdoor equipment meets the relevant Australian Standards (refer to Standard 14.2); and
  - xi) that pool fencing and gates meet relevant Australian Standards, where such fencing and gates are required (refer to Standard 9.2 & 9.3).
- b) The service must have available the following documentation:
- i) information for parents about excursions (refer to Standard 4); and
  - ii) hazard identification checklist and maintenance schedules – to be kept for two years. (refer to Standards 14 and 11).

**Note:** Where a hazard has caused an injury to a child/member of the public, then these records must be retained until that child/person turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.

## 15.4 Records

### a) Enrolment and contact information

- i) The following details about each child must be recorded prior to commencement of care:
  - a. name, date of birth and gender of child;
  - b. child's residential address;
  - c. name, address, contact telephone numbers of parent(s);
  - d. name, address and contact telephone numbers of any person<sup>1</sup> authorised by the parent(s) to collect the child;
  - e. name, address and contact telephone numbers of any person who may be contacted in an emergency if the child's parent(s) are not available; and
  - f. name, address and telephone number for the child's medical practitioner.
- ii) The service must retain these records for at least six years.
 

<sup>1</sup> **Note:** A sibling may, with written parental authorisation, collect the child.

### b) Child information

- i) In addition to the enrolment information, the service must maintain the following information about each child:
  - a. details of allergies;
  - b. other relevant medical history or detail including emergency action plans for children with asthma, anaphylaxis or similar conditions;
  - c. immunisation;
  - d. special requirements notified by a parent(s) regarding culture, religion or special needs;
  - e. primary language spoken by child, or if child has not learned to speak, the child's parent(s); and
  - f. copy of any court order pertaining to a family or child.

- ii) The service must retain child information records for at least six years, unless an incident occurs in relation to any of the matters listed above, in which case all of the child's enrolment and information records must be retained until that child turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.

**c) Attendance register**

- i) There must be an attendance register which details:
  - a. name of child;
  - b. time of arrival;
  - c. time of departure;
  - d. signature of person leaving the child; and
  - e. signature of authorised person collecting the child.
- ii) Any special arrangements for collection of a child must be authorised by the parent(s), and documented.
- iii) The service must retain attendance records for at least six years.

**d) Parent permissions**

- i) The service must keep a record of parental permission for:
  - a. emergency medical, hospital and ambulance services;
  - b. application of 'non-scheduled' (i.e. not covered under the Poisons Regulations) treatments, such as nappy cream ointments, insect bite creams, antiseptic creams; and
  - c. child to be taken on routine excursions or escorted to or from a specified place (refer to Standard 4).
- ii) The service must retain parent permissions for at least six years.

**e) Authorisation and administration of medication**

- i) The service must maintain a record of a parent(s)' written authorisation of medication to be administered to their child while the child is in care, including:
  - a. the name of the child;
  - b. the name of the medication, the date(s) and the time the dosage is to be administered;
  - c. any doctor's/pharmacist's <sup>1</sup> instructions relating to the dosage and its administration;
  - d. the time the medication was last administered; and
  - e. the parent(s)' signature.

<sup>1</sup> Under the *Poisons Regulations 2008*, medication may also be prescribed by dentists, authorised optometrists, optometrists and authorised nurse practitioners.

**Note:** Where the service does not have the written authorisation of the parent(s), e.g. in an emergency, the service may elect to obtain verbal authorization, in which case documentation must be retained as per e) ii) iii) and iv).

- ii) The service must maintain a record of the administration of medication, including:
  - a. the name of the child;
  - b. the name of the medication, the date and the time the dosage was administered;
  - c. whether the parent's authorisation is consistent with instructions on the medication label;
  - d. the dosage administered;

- e. the name and signature of the person who measured and administered the dosage;
  - f. the name and signature of the person who witnessed the measurement and the administration of the dosage; and
  - g. written acknowledgement of the record of administration of the medication by the person collecting the child.
- iii) If an incident occurs as the result of the administration of medication, then those records must be kept until that child turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.
  - iv) Other than iii), records of the authorisation and administration of medication must be retained for at least six years.

**f) Child accident and injury report form**

- i) The following information is to be recorded on a report form:
  - a. full name and age of child;
  - b. date, time and circumstances of the accident or injury;
  - c. location where the accident or injury occurred;
  - d. nature of any injury sustained;
  - e. names of witnesses;
  - f. action taken, including administration of first aid;
  - g. name and signature of the person making the report, and date;
  - h. time of child's departure from the service and name of person collecting the child;
  - i. record of persons notified and by whom; and
  - j. signature of parent(s) and date, as acknowledgement that they have been notified of the child's accident or injury.
- ii) If a child has a serious accident at the service resulting in the child requiring significant medical treatment/hospitalisation, the service must keep a record that the Secretary, Department of Education has been:
  - a. notified no later than the next working day of the circumstances of the injury; and
  - b. provided with a written report within three working days.
- iii) The service is to retain a child's accident or injury report forms until that child turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.

**g) Register of accidents and injuries**

- i) The service must keep a register of accidents and injuries which details:
  - a. full name, and age or date of birth of child;
  - b. location and date of the accident or injury; and
  - c. brief description of the circumstances of the accident, and the nature of the injury.
- ii) The service must retain the register of accidents and injuries until the youngest child recorded in the register turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.
- iii) If the accident and injury report forms are stored together, this may form a register.

**h) Notification of the death of a child**

- i) If a child dies while at the service, or as the result of an accident at the service, the record of the details surrounding the death is to be retained for a period of six years, consistent with the requirements of the *Tasmanian Limitation Act 1974*.
- ii) The service must keep a record that the Secretary, Department of Education, was:
  - a. notified no later than the next working day of the circumstances of the death; and
  - b. provided with a written report within three working days.

**i) Illness and cases of notifiable disease**

- i) The service must keep a record of illness and any case of notifiable disease which occurs at the service or is notified by a child's parent(s) to the service, which details:
  - a. name and age of child;
  - b. the symptoms, and the date and time symptoms were noticed;
  - c. the room/area of service, or whether the service was notified by the parent; and
  - d. any action taken.
- ii) The service must retain records of illness and notifiable disease for at least six years.

**j) Personnel management**

- i) The service must keep the following for each staff member:
  - a. evidence of current Tasmanian Working with Children Checks or valid safety screening clearances (refer to Standard 1.1);
  - b. current first aid qualifications (refer to Standard 2.3);
  - c. approved qualifications, if applicable (refer to Standard 2.1);
- ii) The service must retain these records while staff are employed, or for five years, whichever is the greater.
- iii) The service must keep a copy of staff rosters for two years.
- iv) The service must keep evidence of the current Tasmanian Working with Children Check or valid safety screening clearance of persons 18 years and older who are volunteers, students, or regular visitors for five years (refer to Standard 1.1).

**15.5 Maintenance of records**

- a) Records are to be kept up to date, and in a safe and secure area.
- b) Records must remain confidential to those who have a right to access them (refer to Standard 1.2 & 8.7).

## 16 POLICIES AND PROCEDURES

### STANDARD

**The service is to develop appropriate policies to ensure staff and families are well informed, duty of care is met, and clear practices and procedures are maintained.**

#### Rationale

Written documentation is essential for effective and consistent communication within organisations. The provision of clear, written policies and procedures which reflect current professional practice and community expectations, assists in quality assurance and service accountability.

Written policies and procedures provide tangible evidence of intended practices which are consistent with the philosophy of the centre, and must be regularly reviewed, evaluated and updated.

**Note:** Standard 16 provides a list of policies/procedures required under all the standards –where it is appropriate, a reference to the relevant Standard is made in order to provide information about the **content** to be included in the policy/procedure.

#### 16.1 Policies

The service must implement written policies and/or written procedures for each of the following areas:

**a) Emergency situations and evacuation/invacuation:**

- i) emergency evacuation plan, as approved by the Tasmania Fire Service (Standard 17.5);
- ii) emergency invacuation plan
- iii) accidents and injuries (Standard 17.4);
- iv) death of a child (Standard 17.4);
- v) lost child; and
- vi) abandoned child.

**b) Health, hygiene and safety:**

- i) medication, including
  - person administering medication is authorised by the person in charge;
  - paracetamol;
  - the administration of medication in emergencies (Standard 15.4 e), 17.3);
  - storage (Standard 11.3) and disposal of medication.
- ii) infectious diseases and exclusion practices (Standard 12.2);
- iii) immunisation (Standard 12.2);
- iv) child protection, consistent with the relevant Act;
- v) alcohol, drugs and smoking (Standard 12.4 and 12.5);
- vi) food and nutrition, including allergies (Standard 13.1);
- vii) hygiene, including handwashing, and laundry (Standard 12.1);
- viii) general cleaning and maintenance (Standard 11);
- ix) excursions (Standard 4);
- x) sun protection (Standard 12.3); and
- xi) plants and vegetation (Standard 11.7).



**c) Administration:**

- i) exchange of information with parents;
- ii) confidentiality and privacy (Standard 1.2);
- iii) parent access to child;
- iv) complaints/grievance procedures for parents and staff; and
- v) parents are notified that care through the CBC4 program is only available for programs endorsed by the management of the service at the licensed premises.

**d) General**

- i) staff/child interactions (Standard 5);
- ii) behaviour guidance;
- iii) supervision;
- iv) diversity and inclusion (Standard 5); and
- v) equity and anti-bias issues.

**e) Programming**

Programming policies are to:

- i) support the individual development of each child;
- ii) outline mechanisms for parent participation.

**16.2 Maintenance of policies**

The service must have procedures to review and update policies and procedures.

## **17 EMERGENCY PROCEDURES, FIRST AID AND ADMINISTRATION OF MEDICATION**

### **STANDARD**

**In the event of an emergency, or a child becoming ill or having an accident, the staff must take appropriate action.**

### **Rationale**

In order to respond appropriately and quickly in emergencies, including accidents and illness, staff must have current qualifications in first aid, CPR (including child CPR), anaphylaxis and emergency asthma management, and well-practised emergency procedures.

### **17.1 Records**

For all emergencies, the service must maintain records in accordance with Standard 15: Administration and Records:

- a) parental authorisation for emergency medical/hospital/ambulance services (refer to Standard 15.4 d));
- b) accident and injury (refer to Standard 15.4 f));
- c) authorisation and administration of medication (refer to Standard 15.4 e)); and
- d) illness/cases of any notifiable disease (refer to Standard 15.4 i)).

### **17.2 Medical/emergency treatment**

- a) If a child has an accident/injury or becomes ill while attending the service, the child must be kept under adult supervision until the child's parent(s), or a person nominated by the parent(s), or emergency services personnel take responsibility for the child.
- b) If a child requires immediate medical aid, the service must take all necessary steps to secure that attention.
- c) If emergency treatment/medical aid is sought, the child's parent(s) must be notified as soon as possible.
- d) If medical treatment is sought off the premises, relevant information must be taken with the child.
- e) In an emergency where the child requires medication and the service does not have the parent(s') prior authorisation, every attempt must be made to secure the parent(s') authorisation, or the authorisation of a registered medical practitioner previously nominated by the parent(s).

### **17.3 Medication**

- a) The service must:
  - i) store all medications safely (refer to Standard 11.3);
  - ii) develop appropriate policy and procedures (refer to Standard 16.1(b)(i));
  - iii) administer medication in line with policy and procedures; and
  - iv) keep records as per Standard 15.4 e).
- b) Medication for self-administration is to be stored safely;
- c) Where a child self-administers medicine there must be written instructions from a medical practitioner, including the expected level of supervision.

#### 17.4 Notification of serious accident or death

If a child has a serious accident at the service resulting in the child's hospitalisation or death, the service must:

- a) notify the Secretary, Department of Education no later than the next working day of the circumstances of the injury or death; and
- b) provide the Secretary, Department of Education with a written report within three working days.

#### 17.5 Emergency and evacuation procedures

- a) For safety in the event of fire, the service must ensure that:
  - i) there is evidence of current Tasmanian Fire Services approval of the evacuation plan (required every 5 years).
  - ii) the evacuation plan is prominently displayed in each functional area of the service.  
**Note:** The **Quick Action Plan**, i.e. the crucial, emergency steps to evacuation must be displayed in each functional area of the service – it is not necessary to display the complete evacuation plan.
  - iii) there is appropriate equipment, e.g. smoke alarms and fire extinguishers;
  - iv) all staff and children are familiar with the evacuation plan and emergency procedures and ensure that appropriate practices remain in place, e.g. exits kept clear.
  - v) a record of the practices is retained at the service for five years.
- b) For all emergencies, the service must ensure that:
  - i) telephone numbers for emergency services are prominently displayed at each landline/fixed telephone and/or stored within any mobile/cordless telephone;
  - ii) there are documented emergency procedures (refer to Standard 16.1).

## GLOSSARY

**‘ancillary staff’** means persons employed by a child care service provider or in respect of a child care service otherwise than child carers;

**‘applicant’** means a person who has applied for a licence under section 13;

**‘approved premises’** means premises approved by the Secretary, or premises of a class approved by the Secretary, under subsection (2);

**‘approved registration body’** means a person who holds a registration body approval licence;

**‘approved registration body licence’** means a licence granted under section 16 that authorises one or more of the activities specified in section 10;

**‘authorised officer’** means a person appointed as an authorised officer under section 72;

**‘carer’** is taken to mean the same as **‘child carer’**;

**‘centre based child care licence’**, means a centre-based child care licence granted under section 16 that authorises the activity specified in section 11;

**‘child’** means a person who has not attained the age of 13 years;

**‘child care’** has the meaning given by section 4;

**‘child care centre’** means premises, other than a person’s primary residence or approved premises or the primary or other residence of the child, at which a child may be provided with child care;

**‘child care service’** means –

- a) the operation by an approved registration body of any business that involves one or more of the activities authorised by the licence; and
- b) the operation by the holder of a centre-based child care licence of any business that involves one or more of the activities authorised by the licence; and
- c) the operation by the holder of a home-based child care licence of any business that involves one or more of the activities authorised by the licence;
- d) the provision of child care by a registered carer;

**‘child care service provider’** means –

- a) an approved registration body; and
- b) a holder of a centre-based child care licence; and
- c) a holder of a home-based child care licence;
- d) a registered carer;

**‘child carer’**, in respect of a child who is being provided with child care, means a person who, for fee or other material benefit, cares for the child –

- a) in that person’s own primary residence; or
- b) in that person’s approved premises; or
- c) in the child’s primary or other residence; or
- d) in premises in which child care is provided under a centre-based child care licence;

**‘close relative’**, in relation to a person, means –

- a) another person who resides with that person; and
- b) another person who is a guardian of that person; and
- c) another person who, in the opinion of the Secretary, may have frequent or extended contact with a child for whom that person is operating or providing or may operate or provide a child care service;

**'director'**, in relation to a body corporate –

- a) if the body corporate is a corporation within the meaning of the *Corporations Act*, has the meaning as in the *Corporations Act*; and
- b) if the body corporate is not a corporation within the meaning of the *Corporations Act*, means a person holding a position in the body corporate that is equivalent to or substantially the same as the position of director in a corporation, within the meaning of the *Corporations Act*;

**'employ'** means employ for payment or other reward and includes engage the services of, whether as an employee or an independent contractor or otherwise;

**'extended family'** has the same meaning as in the Children, Young Persons and Their Families Act 1997;

**'guardian'** has the same meaning as in the Children, Young Persons and Their Families Act 1997;

**'home-based child care'** means the provision of child care -

- a) in the child's primary or other residence; or
- b) in the child carer's primary residence; or
- c) in the approved premises of the child carer;

**'home-based child care licence'** means a licence granted under section 16 that authorises one or more of the activities specified in section 12;

**'licence'** means –

- a) an approved registration body licence; and
- b) a centre-based child care licence; and
- c) a home-based child care licence;

**'licence applicant'** means the individual or body that is applying to hold a licence to operate or provide a child care service;

**'licensee or licence holder'** means the individual or body to whom a licence to operate or provide a child care service has been issued;

**'licensee representative'** means the person nominated by the service operator to represent all members of the service operator on licensing matters where the service operator holds the licence. This person is expected to have a higher level of understanding about the operation of the child care service and its adherence to the Licensing Standards;

**'licensing authority'** means the Department of Education as the Department responsible for administering the *Child Care Act 2001*;

**'may'** indicates that the power may be exercised or not exercised; with discretion;

**'must'** indicates that the power is required to be exercised;

**'parent'** includes a stepmother, stepfather and guardian;

**'person in charge'** –

- a) in relation to the child care service operated or provided by an approved registration body, the person who is directly in charge of the day-to-day coordination of the child care service; and
- b) in relation to a child care service operated or provided by the holder of a centre-based child care licence or a home-based child care licence, the person who –
  - i) is physically at the centre, residence or other facility or premises where children are provided with child care by that service; and

- ii) is in charge of the day-to-day running and supervision of that service or centre, residence or other facility or premises,

whether the person referred to in paragraph (a) or (b) is the holder of the licence under which the child care service operates or is provided, or an individual employed by that holder;

**‘potential child carer’** means a person who is desirous of obtaining employment as a child carer;

**‘premises’ includes –**

- a) a vehicle, vessel and other means of transport; and
- b) a part of premises;

**‘registered carer’** means a person who has been registered as a child carer by an approved registration body;

**‘registration’** means registration of a person as a child carer by an approved registration body in accordance with the relevant Standards;

**‘regulations’** means the regulations made and in force under this Act;

**‘responsible person’** means the individual to whom is assigned by an incorporated or unincorporated body the general responsibility for, and supervision of the operations of, the provision of child care under a licence held by that body;

**‘safety screening clearance’** is a crucial component in assessing whether a person is a fit and proper person. The process enabled the Conduct and Investigations Unit, Department of Education, to request information from the Police, and other government departments, e.g. Child Protection etc. It remained in place until 1 October 2014 when it was replaced by the requirement to hold a Working with Children Check under the *Registration to Work with Vulnerable People Act 2013*.

The *Registration to Work with Vulnerable People Regulations 2014* specify the dates from when individuals holding a safety screening clearance are required to hold a Working with Children Check. Therefore the safety screening clearance is only considered valid until these specified dates are reached, even though the original letter regarding the safety screening clearance from the Department of Education may state a later expiry date;

**‘staff member’** of a child care service under a centre based care licence means an individual employed by the service operator and:

- a) is likely to have contact with children in care at the service; or
- b) operates in a capacity that would indicate to children that this person is a ‘friend’ and not a stranger of whom to beware, for example, ancillary staff.

**‘service operator’** is the name of the organisation/management body that provides the service from the child care centre. It may be a community based management committee or incorporated body, a company, registered business, a partnership, a government agency or an individual who owns the service. The service operator may choose to hold the licence or may authorise an individual employee to hold the licence.

**‘spouse’**, in relation to a person, includes a person who, although not legally married to that person –

- a) is generally recognised as the de facto husband or wife of that person; or
- b) has a relationship with that person that is of a marital nature;

**‘Standards’** means the Child Care Standards issued under section 47, as amended or substituted from time to time;

**‘unencumbered space’** means useable, clear space which is always available for children’s use. This excludes areas such as passageways, thoroughfares, (including door swings), toilet and hygiene facilities, any area permanently set aside for storage or administration or any other space that is not suitable for children.

**‘volunteer’** means a person who undertakes duties authorised by the service, as a voluntary worker, and who receives no remuneration or compensation in money or other consideration, e.g. parents who participate in fundraising activities or working bees, or committee members.

**‘Working with Children Check’** means a registration to work with children in the regulated activity of child care services under the *Registration to Work with Vulnerable People Act 2013*.

**Tasmanian  
Licensing Standards  
For  
Centre Based Child Care,  
Class 5 (0 – 12 years)**

**October 2014**



## PREFACE

### Tasmanian Licensing Standards for Centre Based Child Care, Class 5 (0-12 years)

A draft of the *Tasmanian Licensing Standards for Centre Based Child Care Standards, Class 5* were reviewed and modified in December 2011 and again in September 2014. This version became effective from 1 October 2014.

### Scope of the Licensing Standards for Centre Based Care, Class 5

The standards are applicable to all Centre Based Care, Class 5 services that are required to be licensed under the provisions of the *Child Care Act 2001*, Section 11. These services are defined\* to include Occasional Care services and some other services excluded from the scope of the National Quality Framework. This currently (October 2014) includes the Australian Government Budget Based funding program.

The standards are minimum standards. *The Child Care Act 2001*, Section 6 states 'The interests of children are to be regarded as the paramount consideration in the interpretation, enforcement and administration of this Act, the regulations and the standards'.

#### \*Definitions

**Occasional Care** comprises services providing education and care for 0-12 year olds on a sessional basis for short periods, that is, less than 8 hours a day, 5 days a week, 48 weeks a year.

**Note:** They may enable parents to attend appointments, take care of personal matters, undertake casual or part-time employment, study or have temporary respite from full time parenting. These services may be provided by community based or private providers and may be funded by the Australian or State Governments or operate without funding.

## Development of the Centre Based Care, Class 5 Standards

### Background to the development of the Standards

The National Quality Framework for education and care commenced on 1 January 2012. The National Quality Framework (NQF) for education and care services does not include all child care services. In Tasmania, the services not included in the NQF are called Centre Based Care, Class 5 and are specifically stated in the *Education and Care National Regulations* as being excluded from the definition of an education and care service. These services continue to be licensed under the *Tasmanian Child Care Act 2001*.

The Tasmanian Standards for Centre Based Care, Class 5 (0 – 12 years), have been modified to be a concise combination of the previous Tasmanian Licensing Standards Centre Based Care, Class 1 (CBC1) and Centre Based Care, Class 2 (CBC2).

As the terms CBC1 and CBC2 will no longer be required, to distinguish between specific age groups, the following terms and definitions have been applied:

'under school age care setting' previously known as CBC1;

'school age care setting' previously known as CBC2;

**Note:** Where a 4 year old is in a school age care setting, they will be included as school age, unless otherwise specified. However, due consideration should be given to whether higher ratios, alterations to the care environment or review of the program to specifically cater for four years olds may also be required to support a safe and suitable care environment for all children.

### **Changes in relation to the formatting of the Standards**

In 2014, the Explanatory Notes were separated from the Licensing Standards document to form a separate Licensing Operational Guide (LOG). The purpose of the LOG is to assist services in the interpretation of the Standard, inform services regarding the practices of the Education and Care Unit in assessing the Standard, and provide details of where services may obtain further information.

### **Changes in relation to references to the Building Code of Australia (BCA)**

The Tasmanian Licensing Standards for Centre Based Care prior to 2012 referenced the BCA and/or BCA Tasmanian-Appendix requirements in a number of the Standards that related to the physical premises.

Within the Tasmanian Centre Based Care Standards, Class 5, these direct references to the BCA and BCA Tasmanian-Appendix have been removed, as the requirement to meet these is contained in the relevant building legislation. As with any relevant legislation, services are required to ensure they comply.

The references to building matters in these Standards now refer more to functionality and procedural requirements than building requirements.

**Note:** The Building Code of Australia (BCA) and/or BCA Tasmanian-Appendix requirements apply to new buildings and new building works, such as major renovations. Under the *Building Act 2000*, section 117(6), the re-use of a building for which a new registration, licensing or approval is required by a function control authority (of which the Education and Care Unit is one) is taken to be a change of use of the building. Section 117 specifies further requirements around the change of a use of a building, including the need for an Occupancy Permit or Building Permit (as relevant). This may mean that the BCA and/or BCA Tasmanian-Appendix may also apply in these situations, not just new buildings/new building work.

### **Implementation of Working with Children Check**

The commencement of the *Registration to Work with Vulnerable People Act 2013* requires those involved in child-related work in Tasmania to hold a Working with Children Check. Working with Children Checks are being implemented in Tasmania through a transitional process that commenced 1 July 2014.

For further information regarding the requirements for a Tasmanian Working with Children Check see [www.justice.tas.gov.au/workingwithchildren](http://www.justice.tas.gov.au/workingwithchildren) or [www.education.tas.gov.au](http://www.education.tas.gov.au)

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## I FIT AND PROPER

### STANDARD

**The child care service provider and all persons who have regular contact with the children who are placed in the service's care are to be fit and proper persons.**

#### Rationale

A duty of care is owed to all children in a child care service, and the standard of care required in relation to these children is high. In order to ensure that the safety of children is maximised and their developmental needs are addressed, a child care service provider must ensure that all persons who care for children directly, other staff, and those who have regular contact with children at that service, are fit and proper persons. This includes persons who are in the presence of the children in care on a regular basis, (for example, visitors, members of the service operator/management committee, contractors, volunteers and students) or in a capacity that would indicate to children that this person is a 'friend' and not a stranger of whom to beware. This excludes parents who are visiting or collecting their children, are assisting in the program as 'parent help' and are not conducting other business at the service or fulfilling a functional/management role.

**Note:** Refer to Schedule I for definitions of terms.

#### I.1 Fit and Proper

The licence applicant/holder and other persons connected with the child care service are to meet the following criteria in order to be assessed as a fit and proper person, in conjunction with the provisions of the *Child Care Act 2001*.

- a) **The licence applicant/holder/licensee representatives (where the applicant is a body rather than an individual, at least two representatives must meet the following criteria) are to:**
  - i) satisfactorily meet all requirements of the 'Fitness and Propriety' check conducted by the licensing authority;
  - ii) maintain a current Tasmanian Working with Children Check or a valid safety screening clearance issued by the Department of Education;
  - iii) demonstrate an understanding of their legislative responsibilities under the *Child Care Act 2001*; and
  - iv) implement procedures to ensure that all staff and other persons connected with the service are fit and proper.
  
- b) **All members of the service operator who are directly involved in the management of the child care service are to:**
  - i) satisfactorily meet all requirements of the 'Fitness and Propriety' check conducted by the licensing authority;
  - ii) maintain a current Tasmanian Working with Children Check or a valid safety screening clearance issued by the Department of Education.
  
- c) **Responsible persons are to:**
  - i) satisfactorily meet all requirements of the 'Fitness and Propriety' check conducted by the licensing authority;
  - ii) maintain a current Tasmanian working with Children check or a valid safety screening clearance issued by the Department of Education.

**d) Persons in charge are to:**

- i) satisfactorily meet all requirements of the 'Fitness and Propriety' check conducted by the licensing authority;
- ii) maintain a current Tasmanian Working with Children Check or a valid safety screening clearance issued by the Department of Education.

**e) All staff, including persons under 18 years of age, are to:**

maintain a current Tasmania working with Children Check or a valid safety screening clearance issued by the Department of Education.

**f) Persons 18 years and older who are volunteers, students, or regular visitors, are to:**

maintain a current Tasmanian Working with Children Check or a valid safety screening clearance issued by the Department of Education.

**Note 1:** Persons under 18 years who are volunteers, students or regular visitors do not need to provide a current Tasmanian Working with Children Check or a valid safety screening clearance, unless requested by the service.

## **1.2 Confidentiality and privacy provisions and duty of care**

All persons covered by 1.1 a) – f) are to:

- i) understand the need for, and maintain, the confidentiality of client and staff information; and
- ii) demonstrate an understanding of duty of care towards children in care, and undertake to ensure that they will meet their duty of care at all times.

## SCHEDULE 1: FITNESS AND PROPRIETY DEFINITIONS

### For CENTRE BASED CARE Class 5 (0 – 12 years)

The following definitions apply to roles and terms as they relate to the *Child Care Act 2001* and/or to the Licensing Standards. The meanings may therefore differ from those applied by services to similar terms, i.e. a service may have people considered to be 'responsible' who are not considered to be 'responsible persons' as defined under the Act.

**Carer** (is taken to mean the same as 'child carer') means a person who, for fee or other material benefit, cares for the child:

- a) in that person's own primary residence; or
- b) in that person's approved premises; or
- c) in the child's primary or other residence; or
- d) in premises in which child care is provided under a centre based child care licence;

**Licence applicant** is the individual or body that is applying to hold a licence to operate or provide a child care service.

The service operator may choose to hold the licence or may authorise an individual employee to hold the licence. In most circumstances, the service operator is a body (see the definition below), although it may also be an individual owner/operator. Therefore, an individual licence applicant may be an owner/operator of the service or an employee of the service operator.

**Licensee or licence holder** is the individual or body to whom a licence to operate or provide a child care service has been issued.

**Licensee representative** is a person nominated by the service operator to represent all members of the service operator on licensing matters where the service operator holds the licence. This person is expected to have a higher level of understanding about the operation of the child care service and its adherence to the Licensing Standards.

- For a community based management committee, this person may either hold a specific position on the executive or be a general member;
- For a company, this person may be a director;
- For a partnership, this person may one of the partners; and
- For an individual owner, that person will be the licensee (and therefore automatically fulfilling the role of the licensee representative).

At times, where it is appropriate to the structure of the service, the licensee representative may be a person employed by the service operator e.g. a chief executive officer, or the like.

Where the licensee is a body (e.g. a company, government agency, partnership, registered business or community based management committee/board), the Education and Care Unit requires this body to nominate at least two **licensee representatives** for licensing purposes.

**Person in charge** of a child care service under a centre based licence is a person who:

- is physically at the centre/facility/premises where children are provided with child care by that service; and
- is in charge of the day-to-day running and supervision of that service/centre/facility/premises.

The Licensing Standards require there to be:

- an appointed person in charge, in charge of the service who is responsible for ensuring that the service meets its duty of care in relation the children in care; and
- a nominated person in charge when the appointed person in charge is absent from the premises.

In practice there may be a number of persons nominated to fulfill this person in charge role in the absence of the appointed person to ensure that the service, at all times has someone in charge and taking responsibility. Staff and parents are to be aware who this person is.

Persons in charge (including nominated persons in charge) in an under school age care setting, are required to have an approved qualification.

In relation to 'Fitness and Propriety' requirements, the appointed person in charge, and any persons nominated as person in charge on a regular (e.g. 1 or 2 days a week) or long term basis (for 4 weeks or more), are to satisfactorily meet all requirements of the 'Fitness and Propriety' check conducted by the Education and Care Unit.

**Responsible person** role under the *Child Care Act 2001* is:

- An individual, other than the person in charge of the child care service, to whom is assigned by the licensee, the general responsibility for, and supervision of the child care service under the licence; or
- Any other body or individual, other than the person in charge of the child care service, who has the authority to give directions and make decisions in respect of the management of that child care service.

People fulfilling this role include, for example, co-ordinators who have responsibility across a number of services, third party managers, franchisees/franchisors. This role **does not** apply to those people who are licensees, persons in charge, those in a second in charge role or those acting in person in charge roles.

This role is also different to that defined under the *Education and Care Services National Law (Tasmania)*.

**Staff member** of a child care service under a centre based care licence means an individual employed by the service operator and:

- a) is likely to have contact with children in care at the service; or
- b) operates in a capacity that would indicate to children that this person is a 'friend' and not a stranger of whom to beware, e.g. ancillary staff.

**Service operator** is the name of the organisation/management body that provides the service from the child care centre. It may be a community based management committee or incorporated body, a company, registered business, a partnership, a government agency or an individual who owns the service. The service operator may choose to hold the licence or may authorise an individual employee to hold the licence.

**Volunteer** is a person who undertakes duties authorised by the service as a voluntary worker, and who receives no remuneration or compensation in money or other consideration, e.g. parents who participate in fundraising activities or working bees, or committee members.

**Proof of current Tasmanian Working with Children Check includes:**

- Licensee sighting and maintaining a record of the identifying number and expiry date of a current Tasmanian Working with Children Check;
- individuals maintaining a current Working with Children Check.

**Proof of a current valid safety screening clearance includes:**

- Licensee sighting and maintaining a copy of the valid safety screening clearance;
- individuals maintaining a valid safety screening clearance.



## 2 CARER QUALIFICATIONS

### STANDARD

**Carers are to possess appropriate knowledge, skills and experience.**

#### Rationale

Research demonstrates that the most significant variable which influences the quality of care provided is the level of related training which carers have undertaken. Appropriate training and a sound understanding of child development, facilitate the carer's ability to recognise and provide for children's needs, and to competently manage groups of children.

During school aged years, children begin to look outside the home for guidance and support. Influential adults, including carers, become sources of new information, skills and points of view, and provide different approaches to life's challenges and dilemmas.

Staff with relevant training and/or qualifications can be appropriate role models, and it is also important that staff appreciate children as individuals, respect children, listen to their ideas, plan for their interests and offer choices, and are consistent and reliable.

#### 2.1 Carer in a position not requiring an approved qualification

##### The carer is to have:

- a) an understanding of their duty of care in relation to children;
- b) experience in caring for children, or the ability to acquire the skills to care for children;
- c) an understanding that the environment provided for children needs to be safe:
  - i) physically;
  - ii) emotionally; and
  - iii) socially;
- d) a basic knowledge of ages and stages of development;
- e) a basic knowledge of children's health, hygiene, nutritional and safety needs; and
- f) an understanding that the environment needs to also:
  - i) be challenging, whilst safe;
  - ii) foster children's sense of security; and
  - iii) support children's learning and social development.

#### 2.2 Carer in a position requiring an approved qualification, in an under school age care setting

In addition to meeting the criteria in 2.1, carers in this category are to hold an approved qualification.

**Note:** Refer to Schedule 2 for details of approved qualifications.

#### 2.3 Qualifications of the person in charge, in an under school age care setting

*(i.e. the appointed person in charge who is physically at the premises where children are provided with child care, and in charge of the day-to-day running and supervision of the program).*

In addition to meeting the criteria in 2.1, the person in charge is to hold an approved qualification.

**Note:** Refer to Schedule 2 for details of approved qualifications.

**2.4 First Aid qualifications**

- a) There must be at least one staff member on the premises at all times who holds:
  - i) a current approved first aid qualification; and
  - ii) current approved emergency asthma management qualification; and
  - iii) current approved anaphylaxis management qualification; and
  - iv) current approved CPR qualification (which must include child CPR and be updated annually).
- b) This person is to be immediately available in an emergency situation.

**Note 1:** First Aid qualifications must comply with the First Aid qualifications as set out from time to time and published on the Education and Care Unit's website.

**SCHEDULE 2: QUALIFICATIONS****For CENTRE BASED CARE CLASS 5****(Under school age care setting)****1 Approved qualifications for Centre Based Care, Class 5 (under school age care setting) include:**

A minimum of a two-year full-time or equivalent accredited post-secondary education, or tertiary qualification in child care (early childhood), or education (early childhood).

**Note:** A tertiary qualification in education (primary) is an approved qualification where the person works exclusively with children aged four years or older.

**2 Status of persons with other qualifications approved for licensing purposes prior to 1997****2.1 Other qualifications approved for licensing purposes prior to the July 1997 Tasmanian Centre Based Child Care Licensing Guidelines included:**

- a) Mothercraft Nursing;
- b) NNEB (National Nursery Examination Board, England);
- c) SRN (Nursing); and
- d) other, related, tertiary qualifications (approved as appropriate by the licensing authority).

**2.2 Persons holding a qualification approved for licensing purposes prior to July 1997, and working as a qualified carer prior to July 1997 as per 2.1:**

- a) will maintain their qualified status while they maintain continuity of work/employment (i.e. do not have a break greater than five years) in the child care profession, including home based care; OR
- b) where continuity is not maintained (i.e. where there is a break in their work/employment in the child care profession which is greater than five years), will be required to obtain certification from a registered training organisation (RTO), stating that their competencies meet the required current approved qualification standard.

### 3 RATIO OF CARERS TO CHILDREN

#### STANDARD

**There must be sufficient numbers of carers to children in care at all times.**

#### Rationale

A major determinant of quality care is the number of children cared for by each carer. In the implementation of carer:child ratios, the interests of the child are paramount.

Smaller group sizes facilitate children's engagement in play, ensure lower levels of distress in children, and enhance more positive, nurturing behaviour from carers.

The ratios below are minimum ratios only. There may be circumstances where higher ratios may be required in order to ensure quality of care is maintained. Such circumstances may include certain types of activities and excursions, and to appropriately provide for the needs of individual children.

#### 3.1 Person in charge

- a) To ensure a service meets its duty of care in relation to children in care, it must appoint a person in charge, as defined.
- b) There must be a person on the premises nominated as person in charge when the appointed person in charge is absent from the premises.
- c) If the service wishes to introduce a job share or part-time arrangement for the position of person in charge, then it must demonstrate how it will manage the situation to ensure that duty of care will continue to be met.
- d) In an under school age care setting, the person in charge must hold an approved qualification.

#### 3.2 Carer:child ratio

The minimum carer to children ratio is:

Age of child	Carer:child ratio
Under school age children:	
• Under three years	1:5 (or part thereof)
• Three to five years inclusive	1:10 (or part thereof)
School age children:	1:15 (or part thereof)

#### 3.3 Number of staff on premises

- a) Under school age care setting:
  - i. Where there are children under three years of age, and the number of children exceeds five, there must be at least two carers on duty, one of whom must be qualified.
  - ii. Where the youngest child is three years or older, and the number of children exceeds six, there must be at least two staff on duty, one of whom must be a qualified carer.

**Note:** Refer to Standard 11.1.d) regarding the protocol for single staff.
- b) School age care setting:
  - i. At all times, there must be a minimum of one carer on duty. When there are 13 or more children on the premises, there must be at least two carers on duty.

### 3.4 Carer:child ratios are to be maintained at all times

Carer:child ratios are to be maintained at all times, including lunch breaks and children's sleep/rest times.

### 3.5 Averaging provision in an under school age care setting

The minimum carer:child ratio may be met by applying an averaging provision, under the following conditions:

#### a) Children under three years

- i) Overall, there must be an average of one carer for every five children under the age of three years;
- ii) No less than one carer for every four babies under 12 months;
- iii) No less than one carer for every five children aged between one and two years; and
- iv) No less than one carer for every seven children aged between two and three years.

#### b) Children aged between two and five years inclusive

No less than one carer for each group of seven children, provided that the group does not include more than three children aged between two and three years.

### 3.6 Qualified carer:child ratio – under school age care setting

- a) There will be an even distribution of qualified staff across the service;
- b) The minimum ratios are:
  - i) one qualified carer for every 10 children (or part thereof) under the age of three years;
  - ii) one qualified carer for every 20 children (or part thereof) for children aged three to five years inclusive; and
  - iii) one qualified carer for every 15 children (or part thereof) for combinations of children between birth and five years of age inclusive, provided that the group does not include more than five children under the age of three years;
- c) Qualified carer:child ratios are to be maintained at all times.

Note: There is no qualified ratio referenced within a school age care setting, as qualifications are not required.

### 3.7 Unqualified carers aged under 20 years

- a) Unqualified carers, aged between 18 and 20 years, may be included in the carer:child ratios where it can be demonstrated that:
  - i) adequate supervision by senior staff occurs at all times;
  - ii) the carer aged between 18 and 20 years meets the criteria for filling an unqualified position; (refer to Standard 2.1); and
  - iii) in an under school aged care setting there is no more than one carer aged 18 to 20 years per two senior carers.
- b) Persons under the age of 18 years shall **not** be included in the carer:child ratio without the service having received written permission from the Secretary, Department of Education.

**3.8 Staffing ratios for excursions and transport**

For ratios of carers, staff and other adults, refer to Standard 4: Excursions and Transport.

## 4 EXCURSIONS AND TRANSPORT

### STANDARD

**Children's safety and wellbeing must be maintained during the excursion and any associated travel while in the care of the service.**

#### Rationale

Children clearly benefit from excursions that provide them with opportunities to experience a broad range of environments and to explore their local community.

Excursions are fun, recreational experiences that provide children with an appropriate level of challenge. Excursions can allow children considerable freedom within predetermined limits, and provide opportunities for children to learn about their community and valuable life skills.

At the same time, well planned excursions incorporate the management of any possible risks in familiar or unfamiliar environments.

The service must assess whether any additional staffing is required for the proposed venue and activities, and to meet their duty of care.

**This standard covers excursions, including travelling to/from excursion destinations, and any other travel, including home/school pickup and delivery.**

#### 4.1 Parental permission for excursions

- a) No child is to leave the premises without a parent(s)' written authorisation;
- b) Where a service offers routine excursions:
  - i) written information must be provided to a child's parent(s) when the child enters care detailing the nature of these routine excursions; and
  - ii) written authorisation for a child to participate must be obtained from the parent(s) when the child enters care, as a record that the parent(s) acknowledge the nature of these routine excursions.
- c) Where a service offers non-routine excursions:
  - i) specific information about each non-routine excursion must be given to the parent(s), detailing:
    - a. the date/times;
    - b. the proposed destination;
    - c. the method of transport;
    - d. activities/purpose of the excursion;
    - e. identified risks and risk management strategies;
    - f. carer/adult to child ratios; and
    - g. security arrangements, where applicable (e.g. overnight).
  - ii) written authorisation for a child to participate must be obtained from the parent(s) for each non-routine excursion.

#### 4.2 Hazard identification and management

The service is to:

- a) develop a written procedure in order to identify, assess and manage any hazards associated with an excursion;
- b) implement the procedure prior to and during each excursion; and
- c) adjust adult to child ratios in accordance with Standard 4.4 – 4.5, and take any other action required to manage identified risk.

### 4.3 Safety of children on excursions

For any excursion, there must be:

- a) appropriate supervision by staff at all times;
- b) one carer with current First Aid qualifications as per Standard 2.4, and the knowledge and ability to implement current First Aid procedures;
- c) a well-equipped first aid kit, including any emergency medication suitable for the excursion, readily accessible at all times;
- d) a list of all children and adults participating in the excursion;
- e) emergency information, e.g. emergency contacts for all children, names and details of children with allergic reactions;
- f) a mobile phone or means of contact with emergency services readily accessible; and
- g) carer/adult to child ratios for excursions as per Standard 4.4 – 4.5.

### 4.4 Carer/adult to child ratio on excursions, including travel to and from the destination

#### 4.4.1 Under school age care setting

**a) The minimum requirement on any excursion, including travel to and from the destination:**

The minimum carer:child ratio for the age group must be maintained (Refer to Standard 3.2: *Carer:child ratio*).

**b) Where excursions involve children crossing a major road, the adult:child ratio must be:**

- i) 1:4 (or part thereof) for children under five years; and
- ii) 1:10 (or part thereof) for children aged five years.

**c) Where the service identifies the likelihood that there is a significant hazard within the excursion, the adult:child ratio must be:**

- i) 1:2 (or part thereof) for children under the age of four years; and
- ii) 1:5 (or part thereof) for children aged four years and over.

**d) If the children are to swim, the following conditions apply**

- i) swimming at a pool can occur only where there is at least one adult with the group who holds a current Bronze Medallion (or equivalent) or where a qualified lifeguard, informed of the excursion, is present and available to assist;
- ii) swimming at a beach can occur only where a qualified lifeguard, informed of the excursion, is present and available to assist; and
- iii) the adult:child ratio is 1:1 for children under three years, and 1:2 for children aged three years or older, with the adult to be in the water with the child/ren.

**Note:** The intent of this standard can be met where the service decides that there will be a qualified (Bronze Medallion or equivalent) adult positioned on the poolside. This person must be positioned in order to see the children and carers in the water and be available to assist any of those children and carers immediately if required. This may mean that there is one less adult in the water than the ratio specified above.



- iv) children not in the water must be supervised at all times, and the relevant carer to child ratio for the identified level of risk for that situation must be applied.  
**Note:** The qualified (Bronze Medallion or equivalent) adult is over and above the staffing requirement for supervision of children who are not in the water.
- v) the carer in charge of the excursion must always be present and maintain overall responsibility.
- e) **If the children are to paddle (but not to swim):**
  - i) The service is to assess the level of risk and adjust ratios accordingly.
  - ii) The carer(s) and any other adults present must be able to see the children at all times and be able to assist children immediately if required.

#### 4.4.2 School age care setting

- a) **The minimum requirement on any excursion, including travel to and from the destination:**
  - i) The minimum **carer:child** ratio of 1:15 (or part thereof); and, in addition.
  - ii) the minimum ratio of 1 **adult**:10 children (or part thereof) must be maintained while on an excursion.  
**Note:** If this adult is a volunteer, they must be under direct supervision of a carer – please refer to Standard 4.6.
  - iii) Where the service is on a school site and regularly uses another unlicensed part of the school on a routine excursion basis, the service is to advise the licensing authority of the need to continue to operate with a minimum **carer:child** ratio of 1:15 (or part thereof), or 1:12 if it is a single staff service.

#### EXCEPT WHERE:

##### b) **Significant hazard**

Where the service identifies the likelihood that there is a **significant hazard** within the excursion, the adult:child ratio is 1:5 (or part thereof)

##### c) **If the children are to swim:**

- i) Swimming at a pool can occur only where there is at least one adult with the group who holds a current Bronze Medallion (or equivalent), or where a qualified lifeguard, informed of the excursion, is present and available to assist;
- ii) Swimming at a beach can occur only where a qualified lifeguard, informed of the excursion, is present and available to assist;
- iii) The adult:child ratio is 1:5 for children, with the adult to be in the water with the children;  
**Note:** Where the service includes 4 year olds, the adult:child ratio of 1:2 must be applied.  
**Note:** The intent of this standard can be met where the service decides that there will be a qualified (Bronze Medallion or equivalent) adult positioned on the poolside. This person must be positioned in order to see the children and carers in the water and be available to assist any of those children and carers immediately if required. This

may mean that there is one less adult in the water than the ratio specified above.

- iv) Children not in the water must be supervised at all times, and the relevant adult:child ratio for the identified level of risk for that situation must be applied; and
- v) The carer in charge of the excursion must always be present and maintain overall responsibility.

**Note:** The qualified (Bronze Medallion or equivalent) adult is over and above the staffing requirement for supervision of children who are not in the water.

**d) If the children are to paddle**

- i) The service is to assess the level of risk and adjust ratios accordingly.
- ii) The carer(s) and any other adults present must be able to see the children at all times and be able to assist children immediately if required.

## 4.5 Overnight Care

### 4.5.1 An overnight care environment, e.g. a camp, away from the licensed premises

- i) The service must ensure that:
  - a) a minimum of two senior staff (one of whom must hold an appropriate child care qualification, in an under school age care setting) are present at all times;
  - b) two staff members with current First Aid qualifications as per Standard 2.4, and the knowledge and ability to implement safety procedures are present at all times;
  - c) the minimum adult:child ratio of 1:8 (or part thereof) is maintained for a school age care setting;
  - d) the minimum adult:child ratio of 1:2 (or part thereof) for children under 3 years of age and 1:4 (or part thereof) for children 3 – 5 years of age, is maintained.
- ii) The service must, in advance of an overnight excursion/camp, assess the proposed facilities, using the 'Service self-assessment for safety and suitability of overnight excursion/camps' (See Appendix 1), which covers:
  - a) Maintaining a safe environment.
  - b) Sleeping arrangements.
  - c) Food arrangements.
  - d) Personal hygiene arrangements.

The completed form(s) must be available to the licensing authority on request.

### Notes

1. The minimum **carer**:child ratio (or part thereof) applies.
2. Staff and adults, when undertaking ancillary roles, e.g. cooking, are **NOT** included in the adult:child ratio.
3. A single staff service may meet the intent of a) and b) with:
  - one carer who holds a current Tasmanian Working with Children Check or valid safety screening clearance, an appropriate child care

qualification and current First Aid qualifications (refer to Standard 2.4), plus

- one adult with a current Tasmanian Working with Children Check or valid safety screening clearance and current First Aid qualifications (refer to Standard 2.4).
4. The licensing authority will **NOT** be involved in inspecting or licensing the sites used for excursion/camps with overnight care.

#### 4.6 Use of volunteers/parents on excursions

The minimum **carer:child** ratio must always be maintained while on an excursion. However, volunteers 18 years of age and older, parents, and close family relatives, e.g. grandparents, may be used to make up the additional **adult:child** ratio required, on the condition that:

- a) volunteers and regular visitors are always under the direct supervision of a carer;
- b) volunteers and regular visitors (other than parents and close family relatives) hold a current Tasmanian Working with Children Check or valid safety screening clearance\*; and
- c) **for overnight excursions**, all volunteers and regular visitors **including** parents and close family relatives hold a current Tasmanian Working with Children Check or valid safety screening clearance\*.

#### 4.7 All vehicles

All vehicles used for transporting children must comply with the appropriate transport regulations, including

- a)
  - i) valid vehicle registration certification;
  - ii) seating for each child; and
  - iii) appropriate child restraints, correctly installed, where required.
- b) Children must be directly supervised and never left unattended when in or around a motor vehicle.
- c) There must be at least one staff member available at all times, including in an emergency, who holds current First Aid qualifications in line with Standard 2.4.
- d) The driver must:
  - i) hold a valid driving licence for the vehicle;
  - ii) no longer be required to display provisional licence plates;
  - iii) have a zero blood alcohol content; and
  - iv) not be adversely affected by drugs or medication.
- e) Loose objects, such as luggage, are to be safely stored and secured.
- f) The service must have a written policy/procedure in the event of an emergency/accident.

#### 4.8 Service's vehicle

In addition to meeting 4.7 a) – f), where the service operates its own vehicle to transport children in care:

- a) the vehicle must be roadworthy and regularly serviced; and
- b) the driver must hold a current Tasmanian Working with Children Check or valid safety screening clearance\* **and** meets the requirements of 4.7d).

**Note 1:** The driver may be considered within the minimum carer:child ratios and, if so, must meet the requirements of Standard 2.1.

**Note 2:** Whilst children are in a vehicle owned by the service they are in the care of and remain the legal responsibility of the service.

#### 4.9 Collection and delivery of children in a school age care setting

The service is to assess the risk and adjust ratios accordingly.

As a minimum:

- a) Walking – the minimum **carer**:child ratio of 1:15 must be maintained;
- b) Service vehicle – the minimum **adult**:child ratio of 1:10 must be maintained;  
and
- c) Other vehicles – the minimum **adult**:child ratio of 1:10 must be maintained.

**Note 1:** Under the *Child Care Act 2001*, the term 'premises' is defined to include a vehicle; however, due to the potential risks to children, the above ratios apply.

**Note 2:** For an under school age care setting, refer to Standard 3.2.

\* For further information regarding the requirements for a Tasmanian Working with Children Check or valid safety screening clearance refer to Standard 1.

## 5 PROGRAMMING

### STANDARD

**Programs that support and maximise each individual child's development, and allow for age-appropriate learning experiences, leisure and recreational activities, are to be provided in a safe, stimulating and supportive environment.**

#### Rationale

A supportive learning environment, rich with opportunities for imaginative play, self-expression and creative thought, is fundamental to the development of children. The provision of sufficient and varied opportunities for play enhances each child's growth and individuality. Such opportunities must be culturally appropriate and diverse, offering experiences that facilitate each child's individual development.

Programming in a school-age care setting is to include informal recreation and leisure activities, that will enhance and facilitate children's development. The program is to be flexible, immediately responsive to children's emerging interests, and provide varied opportunities for play. Programs must also provide some measure of physical activity, on a regular basis, particularly outdoor physical activity.

School age programs need to balance 'challenge' (a necessary daily component of the program, extending the child/ren's interests) with 'risk' (which, because it may potentially involve danger, must be planned for). A 'risk' is generally obvious to a school aged child, and they can decide whether or not to take that risk. Programs therefore must be planned in consultation with the children at the service, and assist them to understand an appropriate level of risk for their age/skill levels, and involve them in risk management.

Living with 'risk' is essential to the development of life skills – consequently, programs which are overprotective of children may in fact prevent children from becoming *appropriate* and competent risk takers.

Planning, continual evaluation of programs and keeping written records will assist in monitoring each child's development, and in maintaining consistency with the centre's philosophy and goals, and will inform parents of experiences offered to their children.

The *Early Years Learning Framework* and/or the *Framework for School Age Care* may assist services in the development of their program.

#### 5.1 Programming

- a) Programs are to be:
  - i) child-centred;
  - ii) reflect the philosophy and goals of the service;
  - iii) documented;
- b) Programs are to:
  - i) be inclusive of the cultural diversity of all families using the service; and
  - ii) support children to explore a range of cultural experiences in an environment free from prejudice.
- c) Programs are to take into account:
  - i) the developmental needs of individual children;
  - ii) group size and composition;
  - iii) children with additional needs; and
  - iv) expectations of children's parents.

- d) Programs are to encourage appropriate social interaction, and positive and responsible behaviour.
- e) Programs are to take into account:
  - i) the weather and the physical environment;
  - ii) suitable materials, toys and equipment, required to support the program; and
  - iii) quiet/active times and settings.
- f) Programs are to offer all children the opportunity to:
  - i) explore a variety of experiences, both indoor and outdoor;
  - ii) pursue their own interests, including opportunities to return to and complete 'long-term' projects;
  - iii) be spontaneous;
  - iv) freely choose activities (including a balance of new and/or challenging experiences), solve problems, and have access to learning experiences;
  - v) practise autonomy and independence and, as appropriate, leadership;
  - vi) learn and practise life and social skills;
  - vii) be involved in an appropriate level of physical activity, which reflects current health guidelines for the age group;
- g) All programs must promote the dignity and rights of each child at all times. This includes:
  - i) guidance towards acceptable behaviour, with encouragement freely given;
  - ii) positive child management techniques, (i.e. must not include physical, verbal or emotional punishment that could humiliate, frighten or threaten the child);
  - iii) respect for the values of the child's family; and
  - iv) flexible routines to ensure the needs of individual children are met.
- h) In addition, programs in a school age care setting must:
  - i) be appropriate to the program offered, (i.e. holiday, before or after school);
  - ii) be planned with significant input from the children, written, displayed and evaluated regularly, allowing children the opportunity to contribute meaningfully to the development and evaluation of the program.

## 5.2 Program Records

The service provider is to maintain and display a record of the program, which describes the experiences that will be provided. This is to be readily available to all parents, including those who do not regularly attend the service venue.

## 6 PLAY AND SLEEP SPACE

### STANDARD

**A safe and clean environment must be provided that is spacious enough to prevent overcrowding, and supports a range of daily activities and routines while minimising the risk of accidents and health risks.**

#### Rationale

The physical environment affects the behaviour and interactions of children and adults. Sufficient physical space is essential to ensure a safe environment which allows children the opportunity to explore their world, while moving freely and energetically. The amount, arrangement and use of space, both indoors and outdoors, must facilitate children's physical, intellectual, social and emotional development.

As sleep is essential to healthy development for children under school age, a service must have sleeping facilities for this age group, which enables a significant number of children to sleep or rest at any one time, and procedures which allow for children's individual needs. Sleep/rest areas must be arranged in such a way as to promote restful sleep. (*Requirements for overnight care are covered in Standard 18: Overnight Care at the Licensed Premises*).

The amount of space required in addition to the children's play spaces is dependent upon the nature of the service and the length of time that children are present at the service.

#### 6.1 Licensed Capacity

The licensee is to ensure that the licensed capacity, as noted on the licence, is not exceeded.

#### 6.2 Indoor play space

Indoor play space is to be maintained as 3.25m<sup>2</sup> of unencumbered play space per child.

#### 6.3 Outdoor play space

Outdoor play space is to be maintained as 7m<sup>2</sup> of unencumbered play space per child.

#### 6.4 Sleep space for children aged from birth to two years

- a) Sleep space, in addition to the required play space, is to be maintained in accordance with the following:

Each required sleep room/area, must:

- i) **for children up to the age of 12 months**, provide 2m<sup>2</sup> of sleep space for the total number of children under 12 months present at any one time; and
  - ii) **for children aged one year**, provide 2m<sup>2</sup> of sleep space for at least half the number of children present at any one time.
- b) Cots/age-appropriate bedding are to be arranged to ensure:
- i) direct access to each child;
  - ii) adequate space between cots; and
  - iii) accessibility to the exit at all times (refer to Standard 11.11: Fire Safety).

**6.5 Supervision of sleep room**

Where the sleep space is not directly adjacent to the playroom in use, or where visibility cannot be easily maintained, then:

- i) a supervision policy must be in place; and
- ii) where the carer does not remain in the room, there must be an operating baby monitor.



## 7 FURNITURE, EQUIPMENT AND BEDDING

### STANDARD

**Age-appropriate furniture, equipment and bedding must be provided and maintained in good order.**

#### Rationale

Age-appropriate furniture, equipment and bedding in sound repair, assists in maintaining children's safety and wellbeing, and supports their development.

Under school age children must have individual access to a bed to promote undisturbed sleep. While the sleeping requirements for children who are three years and over are less than those of infants, it must be assumed that all children under the age of five years may need to sleep/rest during the course of a day. Cots are recommended as the most appropriate bedding for children up to 18 months.

*(For overnight care requirements, refer to Standard 18: Overnight Care at the Licensed Premises).*

#### 7.1 Furniture and equipment

Where applicable, furniture and other equipment must comply with and be maintained so that it continues to meet relevant Australian Standards.

#### 7.2 Children's toys, equipment and furniture

- a) There must be adequate, appropriate toys and equipment available to meet the age/developmental stages of the children in care.
- b) Toys, equipment and furniture must be maintained in a good state of repair, and if damaged or unsafe, must be inaccessible to children.
- c) Toys, equipment and furniture must not be hazardous to children.
- d) Toys and equipment must be regularly cleaned.

#### 7.3 Nursery equipment

- a) **Cots**
  - i) The service must use or provide for use cots which meet Australian Standard 2172: 1995 (Household Cots) as the minimum, or, where the licensing authority agrees, Australian Standard 2195 (Porta-cots).
  - ii) Cots must be:
    - a. safely positioned;
    - b. free of transfers, and any string, ribbon, ties or beading; and
    - c. free of all types of cot bumpers (padding tied to the cot).
- b) **Bunks and cradles**
  - i) Bunks and cradles must not be used in an under school age care setting.
  - ii) If bunks are used in a school age care setting:
    - a. the bunks must meet the relevant Australian Standard; and
    - b. school age children under six years of age are to sleep on the lowest bunk.
- c) **High/low chairs (chairs with a tray)**
  - i) Children must be supervised when in a high or low chair.

- ii) An age-appropriate, safety harness must be used to protect a child sitting in a high chair.
  - d) **Prams and strollers**
    - i) children must be supervised at all times when in the pram or stroller;
    - ii) the pram/stroller must not be overloaded;
    - iii) an age-appropriate safety harness must be fitted and adjusted to each child; and
    - iv) as a general rule, prams and strollers must not be used for children to sleep in. However, if a child does fall asleep in a pram or stroller, carers must continue to supervise the child.
  - e) **Walkers and jolly jumpers**  
Walkers and jolly jumpers must not be used.
- 7.4 a) Cots/beds where the service operates continuously for more than 4 hours per day**
- i) **For children up to the age of 12 months:** there must be one cot or age-appropriate bed for each child present at any one time.
  - ii) **For children aged 1 year:** there must be one cot or age-appropriate bed/mattress for each child present at any one time.
  - iii) **For children aged two and three years:** there must be a minimum of one age-appropriate bed/mattress for every two children present at any one time.
  - iv) **For children aged four years:** there must be a written management plan to ensure that children aged from four to five years are able to rest if required.
- b) Cots/beds where a session is provided for a maximum of four hours**
- i) **For children up to the age of 12 months:** there must be one cot/age-appropriate bed for each child present at any one time.
  - ii) **For children aged 1 and 2 years:** there must be a minimum of one age-appropriate bed/mattress for every two children present at any one time.
  - iii) **For children aged three and four years:** there must be a written management plan to ensure that children aged from three to five years are able to rest if required.
- c) For all children** there must be appropriate facilities located in a suitable area to cater for situations such as a child being unwell or where a child/children can rest.
- 7.5 Storage of beds/mattresses**  
After use, beds and mattresses must be:
- a) cleaned;
  - b) aired; and
  - c) stored appropriately.
- 7.6 Bed linen**
- a) There must be sufficient bed linen (e.g. sheets/duonas/blankets/pillowcases; and impervious mattress covers, where required) to ensure that children do not share the bed linen prior to laundering the bed linen.
  - b) After each use, the bed linen must be:
    - i) laundered; or

- ii) each child's linen stored separately.

**7.7 Soft furnishings**

Large cushions and soft furnishings must be regularly cleaned.

## 8 GENERAL FACILITIES

### STANDARD

**In addition to children's play space, the service must have sufficient space, equipment and facilities to ensure a healthy, safe and comfortable environment for children, staff and parents.**

#### Rationale

It is important for services to have sufficient space, equipment and facilities to ensure that the health and safety needs of children, staff and parents are met.

The organisation and structure of the physical environment must be inviting and comfortable, to encourage a free flow during daily routines of eating, toileting, resting and playing and allow for positive interactions between children, staff and parents.

A balance of natural and artificial lighting, good ventilation and fresh air promotes the wellbeing of children and adults.

Provision needs to be made for privacy for parent/staff consultations and administrative procedures, secure storage of confidential records and also for staff respite.

Where a centre caters for children with additional needs and/or developmental delays, facilities must, where possible, be consistent with and sensitive to the requirements of these children.

#### 8.1 Toilets and handbasins

The service is to ensure that there is:

- a) one toilet for every 15 children (or part thereof);
- b) one washbasin for every 15 children (or part thereof);
- c) sufficient soap and hand drying equipment;
- d) safe and suitable access to toilet facilities; and
- e) toilet facilities that afford privacy for children, while maintaining appropriate supervision.

#### 8.2 Nappy changing facilities in an under school age care setting

Where children under the age of three years are cared for, hygienic nappy changing facilities are to be provided:

- a) a nappy change bench, able to accommodate the installation and storage of steps; (where steps are not required under the BCA, there is an appropriate procedure);
- b) one change mat for every 10 children (or part thereof) that has an impervious, washable surface, and is maintained in good repair;
- c) a bench type baby bath; (where not required under the BCA, there is an appropriate procedure);
- d) an appropriate water supply;
- e) in a location that enables a staff member changing a nappy to have visibility of the play area at all times; (where not required under the BCA, there is an appropriate procedure);
- f) adult handwashing facilities; (where not required under the BCA, there is an appropriate procedure); and
- g) suitable facilities for the hygienic disposal of waste materials.

#### 8.3 Laundry facilities

- a) The service is to have appropriate laundering arrangements either on or off the premises.

- b) The service must have facilities for sanitary storage of soiled clothes, nappies and linen, pending laundering or disposal which are hygienic and inaccessible to children.

#### 8.4 Floor surfaces

- a) The service is to ensure that in all areas, floor surfaces are suitable for the activities/routines conducted.
- b) Toilet and wet areas must be maintained so that the likelihood of accidents (e.g. due to slippery surfaces) is reduced.

#### 8.5 Hot water

Hot water which is accessible to children must be tempered; or in an existing school age care setting, which is not required to comply with the Tasmanian Plumbing Code:

- hot water taps must be guarded or disabled; or
- appropriate supervision must be in place.

#### 8.6 Food preparation facilities

- a) The service's food preparation facilities are required to be safe and hygienic for the preparation and storage of food and drink. Appropriate equipment may include:
- i) a refrigerator;
  - ii) a stove/microwave (not required where care is provided for four hours or less, unless this incorporates a meal period);
  - iii) a sink with hot and cold running water;
  - iv) a facility for heating babies' bottles and food, that is adjacent to or part of the babies/toddlers area; and
  - v) where these facilities are not immediately available, a service must ensure safe and hygienic conditions are maintained.
- b) In an under school age care setting, the food preparation facilities are to be protected by a door or gate, including childproof latches, that prevents access to the facilities by children. Where this is not a requirement under the BCA, children must be supervised at all times, and must not be able to access hazards in these areas.
- c) In a school age care setting, where there are hazards in the food preparation facilities or where the food preparation facilities are not immediately adjacent to the program's main area, a management plan is required.

#### 8.7 Reception and administration areas

Where the service operates continuously for more than four hours per day, a space for:

- a) administration; and
  - b) private consultations with parents;
- is to be provided.

#### 8.8 Storage

- a) The licensee must ensure that there is secure storage for:
- i) confidential information, records and other documents, including any confidential records/information taken off site;
  - ii) other equipment and materials.
- b) There must be secure, **labelled** storage for items including cleaning materials, flammable, poisonous or other dangerous substances so that these items are inaccessible to children.

- c) Children under three years of age must not have unsupervised access to bags.

### 8.9 Telephone

- a) The service is to have an operating telephone on the premises readily accessible at all times.
- b) Where the service operates with a single staff person, there must be a portable, operating telephone with that person when that person cannot access the primary telephone.

### 8.10 Lighting

- a) Every room used by the children must be effectively and safely lit, using natural light as much as possible. Where natural lighting is limited, the children's program must be planned to ensure children experience a balance of indoor/outdoor time.
- b) In an under school age care setting, fluorescent lighting is to have diffusers or be guarded.
- c) In a school age care setting, where there is active play which may result in damage to lighting, any fluorescent lighting is to be guarded.

### 8.11 Ventilation

Every room used by the children must be effectively and safely ventilated.

### 8.12 Heating/cooling

- a) Heating and cooling is to be provided at a safe and comfortable temperature, when children are in care;
- b) Where heating/cooling units and fans are used, they are to be safely situated, or adequately shielded, to prevent access and injury to children.

### 8.13 Windows

- a) The service is to ensure that children's view to the outside is optimized.
- b) Where a window gives access to a pool or significant hazard:
  - i) a key lock is to be fitted;
  - ii) the window is to be locked whenever children are in care; and
  - iii) keys are to be kept out of the reach of children.
- c) Windows, when opened, must not create a hazard to children, e.g. a significant drop, or running into an open window frame.
- d) In an under school age care setting, if a window faces onto a drop of 600mm or more, or onto any other significant hazard, or leads to an unlicensed area, a lock which limits the extent of the opening to a maximum of 125mm, or a secure screen, or other device, is to be fitted to the window.

**Note:** For glazing requirements see Standard 11: Safe Environment

## 9 FENCES AND BARRIERS

### STANDARD

In an under school age care setting there must be fencing around the perimeter of the licensed outdoor play area, and any identified hazards must be isolated by fences or barriers and gates.

In a school age care setting, safe, secure, clear outdoor boundaries must be established and access to any identified significant hazards must be prevented/restricted by an agreed, appropriate barrier or safety management plan.

### Rationale

In an under school age care setting, appropriate fencing, whether around the perimeter of licensed outdoor play areas, or isolating an identified hazard, is necessary to ensure that children cannot leave the service unaccompanied, nor access dangerous areas and hazards. Appropriate barriers considerably reduce the risks associated with children's accidents, drownings and falls. In a school age care setting, outdoor boundaries need to be established to prevent children's unsupervised access to any significant hazards that have been identified. A barrier or safety management plan will reduce the risk of children running impulsively into hazards, e.g. traffic, water hazards or significant drops.

**Note:** 'Barriers' may include balustrades, railings, doors and windows, as required.

### 9.1 Child safety

#### 9.1.1 Under school age care setting

The service must:

- a) maintain fencing, barriers and gates to meet requirements as outlined in 9.2 – 9.8;
- b) place signs requesting closure of gates/barriers on gates and barriers giving primary access/exit to the premises;
- c) ensure that fencing, gates, balustrades, retaining walls and barriers have nothing near them that will enable children to scale that fence, gate, balustrade, retaining wall or barrier;
- d) ensure that the effective height of the fencing and gates is maintained;
- e) ensure that gates are kept closed when not in use; and
- f) ensure adequate supervision so that children cannot exit unaccompanied from the licensed play area.

#### 9.1.2 School age care setting

The service must ensure that:

- a) All staff and children are familiar with the identified outdoor boundaries;
- b) Children's access to any significant hazard is restricted by a barrier and/or a safety management plan; and
- c) All staff and children are to be familiar with any safety management plan.

### 9.2 Fencing and gates in an under school age care setting

- a) Fencing and gates around a licensed outdoor play area are to provide an effective barrier to young children, be at least 1200mm high, and be designed, installed and maintained to prevent entrapment hazards; and

- b) Gates are to have self-fastening, childproof mechanisms, or are to be kept locked, and keys are to be:
  - i) kept out of the reach of children; and
  - ii) readily accessible by the staff in case of emergency.

### 9.3 Fencing and gates where there is a significant hazard adjacent to/within the premises

- a) Where there is a pool <sup>(1)</sup>, spa, or jacuzzi adjacent to or within the premises, fencing and gates are to be designed, installed and maintained in accordance with the Australian Standards 1926 and 2820;
- b) Where there is an approved pool gate, the self-closing mechanism and latch must be maintained in good operational order;
- c) In an under school age care setting:
  - i) Where there is any other significant hazard adjacent to or within the premises. fencing and gates are to be designed, installed and maintained in accordance with the Australian Standards 1926 and 2820.
  - ii) Where there is any significant hazard adjacent to or within the premises and a risk assessment identifies a need to keep gates locked, the gates are to be kept locked, and keys are to be:
    - a. kept out of the reach of children; and
    - b. readily accessible by the staff in case of emergency.

**Note:** Existing fencing/gates which do not meet the Australian Standards, but are 1500mm high are suitable. However, when the fencing/gates need to be replaced, the replacement fence/gates must comply with Australian Standard 1926 and 2820;

<sup>(1)</sup> 'Pool' refers to pools and other bodies of water which require fencing and gates to meet Australian Standards 1926 and 2820, e.g. spa or jacuzzi.

### 9.4 Vehicular gates in an under school age care setting

The service must ensure:

- a) vehicular gates to the play area are locked whenever children are able to access the outdoor play area;
- b) the key is:
  - i) kept out of the reach of children; and
  - ii) readily accessible by the staff in case of emergency.

### 9.5 Decking, patios and landings

- a) Where there is access to decks, patios and landings and where there is a drop of 600mm or more, there must be an effective barrier of 1000mm in height, which is designed, installed and maintained to prevent entrapment.

### 9.6 Steps, stairs and ramps

- a) Where there is access to steps, stairs and ramps, and where there is a drop of more than 600mm, there shall be an effective barrier at least 865mm in height from the nosing of the stair tread/floor of a ramp, which is designed, installed and maintained to prevent entrapment; and
- b) Access to stairs for children under the age of two years is to be directly supervised.



**9.7 Drops and barriers in an under school age care setting**

- a) Where there is a difference of 600mm or less in height levels within a play area or between adjacent play areas, consideration must be given to providing an effective barrier at the highest point; and
- b) Where a difference in height exceeds 600mm, the barrier must be designed, installed and maintained to prevent children climbing the barrier.

**9.8 Doors**

- a) If a door is a required exit (i.e. a fire exit) the exit path and doorway must remain clear of obstacles;
- b) Doors which give access to a pool or significant hazard must not be required exits, are to be securely locked whenever children are in care, and the key is to be:
  - i) kept out of children's reach, and
  - ii) readily accessible by the staff in case of emergency;
- c) In an under school age care setting, if a door opens onto an unlicensed area, children are not to be able to open the door.

## 10 WATER SAFETY

### STANDARD

#### Children's safety must be maintained in and around water.

##### Rationale

Because of the attraction water holds for children it is essential to maintain a high level of vigilance in relation to water safety and children's access to water hazards. Carers must take every precaution to identify the risks, and document and implement hazard management strategies that protect children from drowning and water related accidents.

**Note:** For information about excursions to public pools, beaches or bodies of water, please refer to Standard 4: Excursions and Transport.

##### 10.1 Understanding of the dangers of water

- a) The service provider must demonstrate an understanding of the dangers of water for children; and
- b) Carers must at all times directly supervise children's access to any body of water (e.g. baths, sinks, puddles, containers, water play activities and equipment).

##### 10.2 Water play in an under school age care setting

Water play equipment (including wading/ paddling pools) may only be used while children are in care if the water play equipment:

- a) can be easily emptied by one person;
- b) is emptied immediately after each use;
- c) is stored safely, and in such a way as to prevent water collection; and
- d) is age-appropriate and presents no danger to children.

##### 10.3 Swimming pool prohibition

- a) The licensee must ensure that there is no swimming pool<sup>(1)</sup> on the service's licensed premises.

<sup>(1)</sup> **'Pool'** refers to pools and other bodies of water which require fencing and gates to meet Australian Standards 1926 and 2820, e.g. spa or jacuzzi.

##### 10.4 Existing pools <sup>(1)</sup> adjacent to, or near the licensed premises

- a) The service provider must treat the pool <sup>(1)</sup> as a major hazard and prevent children's unsupervised access to that pool <sup>(1)</sup> by having in place fencing and gates that meet the Australian Standards 1926 and 2820, and/or securely locked doors and windows.
- b) The service provider must ensure that:
  - i) children do not have access to pool filters or any other component of pool systems;
  - ii) spa jets are not operated when children are in care; and
  - iii) the plant room is locked when children are in care.

<sup>(1)</sup> **'Pool'** refers to pools and other bodies of water which require fencing and gates to meet Australian Standards 1926 and 2820, e.g. spa or jacuzzi.

**Note:** If a pool<sup>(1)</sup> is utilised as part of an excursion, the provisions of Standard 4 apply.

**10.5 Water features, including ornamental ponds**

- a) The service provider must seek approval from the licensing authority prior to the commencement of construction of a water feature/pond;
- b) In an under school age care setting, with permanent water features used for children's play, there must be no ponding or pooling of water, and water must drain away when the water source stops.
- c) An ornamental water feature or pond that allows ponding or pooling, which can be accessed from a licensed play area, must be:
  - either:** covered with a rigid material which will prevent submersion of a young child and which cannot be removed by a child;
  - or:** treated as a significant hazard and enclosed as for pools (see Standard 9.3: *Fencing and gates where there is a significant hazard adjacent to/within the premises*).

**10.6 Creeks/dams/rivers/sea and other bodies of water on, or near, the licensed premises**

- a) In an under school age care setting, the outdoor play area is to be isolated from that hazard by fencing that meets Standard 9.3: *Fencing and gates where there is a significant hazard adjacent to/within the premises*;
- b) In a school age care setting, the licensee must ensure that children are prevented from gaining unsupervised access to these hazards by installing appropriate barrier(s), and/or having in place appropriate policies and procedures.

**10.7 Excursions to bodies of water, e.g. to public pools, beaches**

Refer to Standard 4: Excursions and Transport.

## II SAFE ENVIRONMENT

### STANDARD

**Children's overall development must be nurtured within a safe, well-maintained indoor and outdoor environment.**

#### Rationale

Children require challenges and exposure to a wide variety of experiences in order that their development can be nurtured, within an environment that is safe, creative and stimulating.

The provision of a child-safe environment, where children are protected from known dangers and identified hazards, fosters independent creative play with reduced need for adult intervention. Such an environment requires careful planning and appropriate organisation.

Keeping the premises clean, well maintained and in good repair assists in protecting children from potential hazards and health risks.

Plants, birds and animals enrich a child's environment. However, while encouraging positive contact with animals, birds and plants, staff must ensure that children are protected from identified hazards.

#### II.1 Maintaining a safe environment

The service is to:

- a) demonstrate an understanding of supervision and have in place preventive measures to ensure a safe environment for children;
- b) maintain a hazard identification and management checklist, and complete this daily before the children access the indoor and outdoor areas;
- c) ensure that children are supported in following appropriate safety practices; and
- d) develop and maintain, if applicable, a Protocol to cover situations where one staff member is on duty.

#### II.2 First aid equipment

There must be a fully equipped first aid kit that:

- a) is labelled;
- b) is readily available to all staff;
- c) contains no out-of-date items; and
- d) in an under school age care setting, is locked, and/or inaccessible to children.

#### II.3 Storage – medication

- a) Medicines are to remain in the original, labelled containers.
- b) All medication must be stored at the temperature stated on the container, in a labelled, lockable or child-resistant container.
- c) Emergency medication needs to be accessible to staff, whilst inaccessible to children in an under school age care setting.
- d) Medication for self-administration in a school age care setting must be stored safely and accessed by children according to written instructions from a medical practitioner or the parent(s).
- e) Narcotic substances must be stored apart from other goods in an enclosure (e.g. a cupboard) that is securely locked and the key must be retained either on a person

entitled to administer the substance or stored in a place not readily accessible to others. All other medications must be securely stored away from narcotics.

#### **11.4 Storage – poisons and other dangerous substances**

To guard against the accidental poisoning of children through ingestion, inhalation or skin contact, all poisonous or dangerous substances must be:

- a) stored in an area which is clearly labelled, and secured;
- b) inaccessible to children; and
- c) stored separately from food.

#### **11.5 Storage – dangerous items**

All objects and materials which present a hazard are to be inaccessible to children; unless in a school age care setting, where children are to be directly supervised by a staff member.

#### **11.6 Storage and use of equipment and tools in an under school age care setting**

- a) Each power tool, petrol or fuel-driven machine, mechanical device, tool or implement is to be inaccessible to children.
- b) Children are not to have access to any area where hazardous activities are being undertaken, for example, mowing lawns, using power tools.

#### **11.7 Building and grounds - cleanliness, repair and safety**

- a) The building, grounds, all equipment and furnishings are to be maintained so that at all times they are safe, clean and in good repair.
- b) Rubbish is to be inaccessible to children and is to be stored appropriately until collection.
- c) There must be measures in place which ensure vermin control.
- d) The grounds and buildings are to be maintained, so that at all times there is no hazard for children because of inadequate surfacing under or around equipment, sharp or rough edges and surfaces, projections, and trip hazards.
- e) Gates, doors, design features, fencing and outdoor equipment must present no entrapment hazards for children.

#### **11.8 Plants**

- a) In an under school age care setting, plants known to be toxic/dangerous to humans must be removed, or made inaccessible to children.
- b) In a school age care setting, children must be educated about the dangers of any toxic plants in the local environment.

#### **11.9 Animals and birds**

- a) Any animal, bird or livestock on the premises is:
  - i) to be maintained in a clean and healthy condition; and
  - ii) not to be a source of danger, infection or cause of an allergic reaction.
- b) In an under school age care setting:
  - i) Carers are to directly supervise contact between animals and the children.
  - ii) Any animal or bird is to be kept in a separate area such as a cage or enclosure.

### 11.10 Burns, scalds, and electric shocks

- a) In an under school age care setting:
  - i) Children's access to and use of stoves/hotplates/cooking appliances/barbeques must always be under direct supervision.
  - ii) Power point covers are to be placed in all open power points.
  - iii) Electrical cords are to be maintained in good condition, and kept secured or out of the reach of children.
  - iv) Electrical items must be positioned safely.
  - v) Staff must exercise caution when handling hot liquids and food.
  - vi) Burners (oil/incense) must be safely positioned and inaccessible to children.
- b) In a school age care setting, the service must have a management plan to prevent the occurrence of any burns, scalds or electric shocks.

### 11.11 Fire safety

- a) A service must provide, in accordance with the requirements of the BCA, a smoke alarm system, required exits, installed and portable fire protection equipment.
- b) Under the *General Fire Regulations 2010*, schools, child care centres, early childhood centres and school age care facilities are classified as 'specified buildings' requiring the service to prepare and maintain an evacuation plan approved by the Chief Officer, Tasmanian Fire Service [refer to Standard 17.6a)].
- c) In addition to the above, the service must also ensure that:
  - i) electrical outlets, cords and appliances are not covered by soft furnishings, carpets or other items which may create a fire hazard;
  - ii) flammable items are kept away from heat sources such as heaters or stoves; and
  - iii) access to fire protection equipment remains clear at all times.

**Note:** Standard 11.11 must be read in conjunction with Standard 17.6 Emergency and Evacuation Procedures.

### 11.12 Glazing in areas accessible to children (including glazed doors and side panels, other panels such as windows identified as hazards to children)

- a) All glazed internal and external door and side panels, and any glazing that is accessible to children and identified as a hazard must be safety glazed.
- b) For new, replaced or repaired glazing in an area identified as a hazard to children, a certificate stating that the quality and installation of the safety glazing materials comply with relevant Australian Standards is to be provided by the installer.
- c) In an under school age care setting, any glazing that is not required to meet the BCA and is accessible to children and identified as a hazard to children is:
 

**either:** professionally treated (i.e. safety glazed or treated with safety film appropriate to the thickness of the glazing);

**or:** effectively guarded by barrier(s) to prevent a child striking or falling against the glass.
- d) In a school age care setting, glazing is to either comply with the BCA or, where not required to comply with the BCA; the service is to have a policy/procedure for the identification and management of risk, including immediate replacement of glass if necessary, in any area where glass accessible to adults/children presents a hazard.

**11.13 Other glass**

Items of furniture or equipment with a glass component, such as mirrors, must not present a danger to children.

**11.14 Compliance with Building Regulations July 2004 (Tasmania)**

Under the *Building Regulations July 2004 Tasmania*, the owner/occupier must comply with requirements of Schedule 4 of the *Building Regulations July 2004*, regarding the annual maintenance of essential safety and health features and measures.

## 12 HEALTH, HYGIENE AND INFECTION CONTROL

### STANDARD

**The health of children and staff is to be maintained through the application of appropriate health and hygiene practices.**

#### Rationale

It is important that staff role-model positive health practices, that children are supervised, assisted and encouraged in their daily health and hygiene routines, and that the service takes appropriate measures to protect the health of children and staff.

#### 12.1 General hygiene and infection control practices

The service is to implement policies and/or procedures which reflect current community standards and guidelines, to ensure that:

- a) staff observe appropriate health and hygiene practices; and
- b) children are encouraged to follow appropriate health and hygiene practices.

#### 12.2 Infectious diseases

- a) The service is to implement a policy and/or procedures on infectious diseases which outline immunisation, exclusion and notification practices in line with health authority requirements or recommendations.
- b) The service is to ensure that staff and families are promptly informed about the occurrence of infectious diseases, in a manner that respects the rights of individual children or staff.
- c) The service is to keep records of cases of infectious diseases which require either exclusion or notification to relevant health authorities (refer to Standard 15.4 i)).

#### 12.3 Sun protection

The service is to implement policies and/or procedures which reflect current community standards and health guidelines, to ensure that staff or any other person involved in the care of the children and children observe appropriate sun protection practices.

#### 12.4 Staff health

- a) The service is to implement policies and/or procedures regarding the health of staff.
- b) Staff and others involved with the provision of care are required to maintain a reasonable standard of physical and mental health in order to fulfil their child care duties.
- c) The licensee must maintain their duty of care in relation to staff health and safety.
- d) Where there is concern that, for reasons of health, a person employed or involved in the service with the provision of care cannot perform their duties competently, the Secretary, Department of Education, may require that person to submit to a medical examination by a medical practitioner approved by the Secretary, Department of Education.

#### 12.5 Alcohol and drugs

The service is to implement policies and/or procedures to ensure that:

- a) no person who is adversely affected by drugs or alcohol can care for children; and
- b) no person will consume alcohol or drugs (except those required for medical reasons) during the hours that children are in the care of the service.



**Note:** The Education and Care Unit expects that service policies about alcohol and drugs include all persons in contact with the children in care; visitors, volunteers, students and ancillary workers.

## 12.6 Smoking

The service is to implement policies and/or procedures to ensure that:

- a) the premises provide a smoke-free environment both indoor and outdoor.

**Note:** 'Smoke free environment' includes when children are not present in the service.

- b) no staff member or other person involved in the care of the children is to smoke on excursions, or in vehicles used for transporting children.

## 13 FOOD AND NUTRITION

### STANDARD

**Food provided by the service must be nutritious, appetising, and culturally and developmentally appropriate.**

#### Rationale

The childhood years are vital in the establishment of lifelong eating habits and food attitudes. Sound nutrition practices are necessary for normal development, good health and the prevention of illness.

Where the service elects to provide food, it is responsible for providing nutritious foods in a safe and positive learning environment.

#### 13.1 Food and nutrition policy

The service must implement a food and nutrition policy and/or procedures which outline the service's approach to:

- a) promoting appropriate nutrition to meet children's developmental needs;
- b) documenting appropriately individual children's dietary needs in relation to children's culture, religion, health and allergies; and
- c) food handling and storage practices, consistent with the *Food Act 2003* and the Australia New Zealand Food Standards Code (the Food Standards Code).

#### 13.2 Food and drink provision

- a) Safe drinking water is to be available at all times for children.
- b) Staff members are to be familiar with individual children's allergy needs and know how to respond.
- c) Where the service elects to provide food and drink for children, it is to ensure that:
  - i) meals, snacks and drinks are nutritious, varied, adequate in quantity, culturally appropriate, offered at frequent intervals, and take into account children's individual dietary needs;
  - ii) meal equipment (such as crockery, cutlery and furniture) is appropriate to the children's developmental level and encourages their physical skill development and independence; and
  - iii) a menu which details the food provided daily is to be prominently displayed for children and parents' information.

#### 13.3 Food handling and hygiene

- a) All services must comply with legislated food safety requirements [*Food Act 2003* and the Australia New Zealand Food Standards Code (the Food Standards Code)]; and
- b) Food is to be prepared, handled and stored:
  - i) in a safe and hygienic manner consistent with the Food Standards Code; and
  - ii) appropriately, to prevent children with allergies having contact with known allergens.
- c) Individual drinking containers are to be provided for all children.

- d) Where the service elects to provide food, it must ensure that food handlers have food safety skills and knowledge commensurate with their work activities as required by the Food Standards code.

## **I4 OUTDOOR PLAY ENVIRONMENT AND EQUIPMENT**

### **STANDARD**

**Outdoor play environments and equipment are to be organised and maintained to maximise challenge and variety for children, within safe parameters, in accordance with relevant Australian Standards.**

#### **Rationale**

Outdoor play and physical exercise are important for the health, development and general wellbeing of children. The outdoor play environment must be designed to be suitable to the child's age and ability, allow for ease of supervision, while presenting challenge, variety and excitement for the children.

To ensure that shade is maximised, priority needs to be given to areas where children play for extended periods, such as water play.

Care needs to be taken to ensure that equipment is developmentally appropriate and of a safe construction in accordance with Australian Standards. Supervision of the highest standard is necessary to ensure that children remain safe in playgrounds that present challenge and excitement for their age and ability. It is known that supervision reduces the risk of injury while children are at play.

#### **I4.1 The outdoor play environment**

- a) The outdoor play environment must:
  - i) be easily supervised;
  - ii) provide a variety of areas, such as open spaces/quiet areas/active areas to allow for differing types of play opportunities and interests;
  - iii) comprise a range of surface types.

In an under school age care setting, the outdoor play environment must:

- iv) have adequate shade for the number of children and activities undertaken, including passive play (i.e. sandpits);
  - v) be accessible from the licensed indoor play area;
- b) A hazard identification and management checklist is to be completed daily, before children access the outdoor play area.
- c) The service provider must maintain all equipment, surfaces and vegetation in the outdoor play area in good repair to prevent any hazards for children due to lack of appropriate softfall, trip hazards, protrusions, entrapment hazards.
- d) In a school age care setting, the service must ensure there is a procedure in place to notify the service provider/school regarding any required maintenance of the outdoor play environment and equipment.

#### **I4.2 Outdoor play equipment**

- a) Outdoor play equipment (both fixed and non-fixed equipment), and the surfaces under and around the equipment, must comply with, and be maintained so that they continue to meet relevant Australian Standards.
- b) The outdoor play equipment must be:
  - i) appropriate to the age and ability level of the children;
  - ii) maintained in a good state of repair;
  - iii) positioned safely; and

- iv) stored safely, as appropriate.
- c) Sandpits must be:
  - i) shaded;
  - ii) maintained in a safe and clean condition; and
  - iii) in an under school age care setting, securely covered when not in use.
- d) Bikes and other mobile play equipment must be:
  - i) appropriate to the age and ability level of the children;
  - ii) used in areas away from potential hazards such as swings and slides; and
  - iii) in a school age care setting, when riding bikes and using other mobile play equipment, children are to wear appropriate safety equipment (i.e. safety helmets).
- e) In an under school age care setting, staff must directly supervise children at all times outdoor equipment is in use;
- f) In a school age care setting, staff must closely supervise children at all times outdoor equipment is in use;
- g) Children are to be made aware of guidelines for use of equipment, such as only one child at a time to use the equipment;
- h) Equipment is to be fitted with relevant safety items when in use;
- i) Swings for the baby/toddler age group must:
  - i) have an appropriate harness; and
  - ii) be used in areas away from potential hazards.
- j) In a school age care setting, trampolines must:
  - i) comply with the provisions set out in AS 4989 - 2006;
  - ii) be installed on certified under-surfacing; and
  - iii) be used with appropriate safety measures in place.

**Note:** As a general practice, trampolines must not be used in an under school age care setting.

## 15 ADMINISTRATION AND RECORDS

### STANDARD

**The service must develop administrative practices which support and inform families and staff, ensure that the duty of care is met, and that records are appropriately maintained.**

#### Rationale

Clear communication, accurate record keeping, and efficient and effective management strategies are important determinants of quality care. Access to information about the organisation allows parents to make informed decisions about the appropriateness of the child care service in relation to their individual family needs.

The service must develop practices to ensure confidentiality of the service's records and information obtained about the children, their families, and staff. The service must comply with relevant privacy principles when drawing up forms which obtain personal information about children, their families, staff and students.

Where information/records are taken off-site from the service, the service must have procedures in place to ensure that these are dealt with in a secure and confidential manner.

Where a service keeps records in electronic/scanned format, consideration must be given to appropriate procedures to ensure the records are legible for the required period of time, and whether the technology for long-term storage will be suitable and adequate for the required period of time.

#### 15.1 Access to information

- a) The following items must be prominently displayed:
  - i) current licence;
  - ii) evacuation plan;
  - iii) telephone numbers for emergency services, at each telephone;
  - iv) emergency numbers whenever there is one staff member only on the premises, including the name and telephone number of a nominated person who is on call and available when the service is operating [refer to Standard 11.1 d)]; and
  - v) telephone number, address and other relevant information of the licensing authority.
- b) The following items are to be readily available:
  - i) the service's philosophy;
  - ii) times and days of operation;
  - iii) fees;
  - iv) policies, procedures and practices, with a covering index; and
  - v) the *Child Care Act 2001* and the Centre Based Care Class 5 licensing standards.

#### 15.2 Insurance

The service must maintain current public liability, workers compensation and other insurance policies as required by law.

### 15.3 General certificates and documentation

- a) The service must retain certificates/documentation to confirm:
  - i) that glazing materials and installation meet the relevant Australian Standards;
  - ii) that hot water is tempered, if applicable;
  - iii) approval of the fire evacuation plan by the Tasmania Fire Service;
  - iv) inspection of fire protection equipment;
  - v) the service's emergency/evacuation practices - to be kept for five years;
  - vi) where applicable, cots meet relevant Australian Standard/replacement plan for cots;
  - vii) where applicable, furniture and any other equipment meet relevant Australian Standards;
  - viii) that impact absorbing surfacing materials meet the relevant Australian Standards;
  - ix) that the installation of impact absorbing materials meets the relevant Australian Standards;
  - x) that outdoor equipment meets the relevant Australian Standards; and
  - xi) that pool fencing and gates meet relevant Australian Standards, where such fencing and gates are required.
- b) The service must have available the following documentation:
  - i) Information for parents about excursions; and
  - ii) hazard identification checklist and maintenance schedules – to be kept for two years.

**Note:** Where a hazard has caused an injury to a child/member of the public, then these records must be retained until that child/person turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.

### 15.4 Records

#### a) Enrolment and contact information

- i) The following details about each child must be recorded prior to commencement of care:
  - a. name, date of birth and gender of child;
  - b. child's residential address;
  - c. name, address, contact telephone numbers and place of employment of parent(s);
  - d. name, address and contact telephone numbers of any person<sup>(1)</sup> authorised by the parent(s) to collect the child;
  - e. name, address and contact telephone numbers of any person who may be contacted in an emergency if child's parent(s) are not available; and
  - f. name, address and telephone number for the child's medical practitioner.
- ii) The service must retain these records for at least six years.

<sup>(1)</sup> **Note:** A sibling may, with written parental authorisation, collect the child.

#### b) Child information

- i) In addition to the enrolment information, the service must maintain the following information about each child:
  - a. details of allergies;

- b. other relevant medical history or detail, including wherever possible, emergency action plans for children with asthma, anaphylaxis or similar conditions;
  - c. immunisation;
  - d. special requirements notified by a parent(s) regarding culture, religion or special needs;
  - e. primary language spoken by child, or if child has not learned to speak, the child's parent(s); and
  - f. copy of any court order pertaining to a family or child.
- ii) The service must retain child information records for at least six years, unless an incident occurs in relation to any of the matters listed above, in which case all of the child's enrolment and information records must be retained until that child turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.
- c) Attendance register**
- i) There must be an attendance register which details:
    - a. name of child;
    - b. time of arrival;
    - c. time of departure;
    - d. signature of person leaving the child; and
    - e. signature of authorised person collecting the child.
  - ii) Any special arrangements for collection/departure of a child must be authorised by the parent(s), and documented.
  - iii) The service must retain attendance records for at least six years.
  - iv) The service must have a procedure to immediately advise appropriate persons of a child's absence, when that child's place in the service has been reserved and/or the child is expected by staff.
- d) Parent permissions**
- i) The service must keep a record of parental permission for:
    - a. emergency medical, hospital and ambulance services;
    - b. application of 'non-scheduled' (i.e. not covered under the Poisons Regulations) treatments, such as nappy cream ointments, insect bite creams, antiseptic creams;
    - c. child to be taken on routine and non-routine excursions or escorted to or from a specified place [refer to Standard 4.1 b) and c)]; and
    - d. child to leave the service unaccompanied (in a school age care setting).
  - ii) The service must retain parent permissions for at least six years.
- e) Authorisation and administration of medication**
- i) The service must maintain a record of a parent(s') written authorisation of medication to be administered to their child while the child is in care, including:
    - a. the name of the child;
    - b. the name of the medication, the date(s) and the time the dosage is to be administered;
    - c. a doctor's/pharmacist's<sup>(1)</sup> instructions relating to the dosage and its administration, if applicable;



- d. the time the medication was last administered; and
- e. the parent(s) signature.

(1) Under the *Poisons Regulations 2008*, medication may also be prescribed by dentists, optometrists, authorised optometrists, and authorised nurse practitioners.

**Note:** Where the service does not have the written authorisation of the parent(s), e.g. in an emergency, the service may elect to obtain verbal authorisation, in which case documentation must be retained as per e) ii) iii) and iv) and v).

- ii) The service must maintain a record of the administration of medication, including:
  - a. the name of the child;
  - b. the name of the medication, the date and the time the dosage was administered;
  - c. whether the parent's authorisation is consistent with instructions on the medication label;
  - d. the dosage administered as per doctor's/pharmacist's instructions;
  - e. the name and signature of the person who measured and administered the dosage;
  - f. the name and signature of the person who witnessed the measurement and the administration of the dosage (not required if a single staff service); and
  - g. written acknowledgement of the record of administration of the medication by the person collecting the child.
- iii) In a school age care setting, where a child self-administers medicine, there must be written instructions from a medical practitioner or from the parent(s), including the expected level of supervision.
- iv) If an incident occurs as the result of the administration of medication, then those records must be kept until that child turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.
- v) Other than iv), records of the authorisation and administration of medication must be retained for at least six years.

**f) Child accident and injury report form**

- i) The following information is to be recorded on a report form:
  - a. full name and age of child;
  - b. date, time and circumstances of the accident or injury;
  - c. location where the accident or injury occurred;
  - d. nature of any injury sustained;
  - e. names of witnesses;
  - f. action taken, including administration of first aid;
  - g. name and signature of the person making the report, and date;
  - h. time of child's departure from the service and name of person collecting the child;
  - i. record of persons notified and by whom; and
  - j. signature of parent(s) and date, as acknowledgement that they have been notified of the child's accident or injury.

- ii) If a child has a serious accident at the service resulting in the child requiring significant medical treatment/hospitalisation, the service must keep a record that the Secretary, Department of Education has been:
  - a. notified no later than the next working day of the circumstances of the injury; and
  - b. provided with a written report within three working days.
- iii) The service is to retain a child's accident or injury report forms until that child turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.

**g) Register of accidents and injuries**

- i) The service must keep a register of accidents and injuries which details:
  - a. full name, and age or date of birth of child;
  - b. location and date of the accident or injury; and
  - c. brief description of the circumstances of the accident, and the nature of the injury.
- ii) The service must retain the register of accidents and injuries until the youngest child recorded in the register turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.
- iii) If the accident and injury report forms are stored together, this may form a register.

**h) Notification of the death of a child**

- i) If a child dies while at the service, or as the result of an accident at the service, the record of the details surrounding the death is to be retained for a period of six years, consistent with the requirements of the *Tasmanian Limitation Act 1974*.
- ii) The Secretary, Department of Education, must be:
  - a. notified no later than the next working day of the circumstances of the injury or death; and
  - b. provided with a written report within three working days.
- iii) The service must keep a record that the Secretary, Department of Education, was:
  - a. notified no later than the next working day of the circumstances of the injury or death; and
  - b. provided with a written report within three working days.

**i) Illness and cases of notifiable disease**

- i) The service must keep a record of illness and any case of notifiable disease which occurs at the service or is notified by a child's parent(s) to the service, which details:
  - a. name and age of child;
  - b. the symptoms, and the date and time symptoms were noticed;
  - c. the room/area of service, or whether the service was notified by the parent; and
  - d. any action taken.
- ii) The service must retain records of illness and notifiable disease for at least six years.

**j) Personnel management**

- i) The service must keep a copy of the following for each staff member:
  - a. evidence of a current Tasmanian Working with Children Check or valid safety screening clearance\* (refer to Standard 1.1);
  - b. current first aid qualifications (refer to Standard 2.4);
  - c. approved qualifications, if applicable (refer to Standard 2.);
  - d. documentation to validate a staff member's progress towards an approved qualification, if applicable (refer to Standard 2);
  - e. documentation to validate that staff member's qualification meets current qualification requirements, if applicable [refer to Standard 2: Qualifications, Schedule 2)];
  - f. driving licences, if applicable ;and
  - g. copy of approval of the Secretary, Department of Education, to employ a person under 18 years of age where that person is part of the carer to child ratio, if applicable [refer to Standard 3.7 b)].
- ii) The service must retain these records while staff are employed, or for five years, whichever is the greater.
- iii) The service must keep a copy of staff rosters for two years.
- iv) The service must keep a copy of the current Tasmanian Working with Children Check or valid safety screening clearance\* of persons 18 years and older who are volunteers, students, or regular visitors for five years [refer to Standard 1.1 f)].

**15.5 Maintenance of records**

- a) Records are to be kept up to date, and in a safe and secure area.
- b) Records must remain confidential to those who have a right to access them [refer to Standard 1.2.

\* For further information regarding the requirements for a Tasmanian Working with Children Check or valid safety screening clearance refer to Standard 1.

## 16 PHILOSOPHY, POLICIES AND PROCEDURES

### STANDARD

**The service is to develop appropriate policies to ensure staff and families are well informed, duty of care is met, and clear practices and procedures are maintained.**

#### Rationale

Written documentation is essential for effective and consistent communication within organisations. The provision of clear, written policies and procedures which reflect current professional practice and community expectations, assist in service accountability.

Written policies and procedures provide tangible evidence of intended practices which are consistent with the philosophy of the centre, and must be regularly reviewed, evaluated and updated.

**Note:** Standard 16 provides a list of policies/procedures required under all the standards. In some cases, the relevant Standard may provide more specific information about the **content** to be included in these policies/procedures.

#### 16.1 Philosophy

The service's philosophy is to contain the service's values and beliefs about the care and rights of children and any other matters of ethical importance to the service. The philosophy must inform the practices, policies, and directions of the service.

#### 16.2 Policies

The service must implement written policies and/or written procedures for each of the following areas:

**a) Emergency situations and evacuation/invacuation:**

- i) emergency evacuation plan, as approved by the Tasmania Fire Service;
- ii) emergency invacuation plan;
- iii) accidents, injuries and incidents;
- iv) death of a child;
- v) absconded/lost child;
- vi) abandoned child; and
- vii) security arrangements, if applicable, e.g. for overnight care;  
**or** for excursion/camp with overnight care as per Standard 4,  
**or** overnight events.

**b) Health, hygiene and safety:**

- i) single staff protocol;
- ii) medication, including
  - person administering medication is authorised by the person in charge;
  - paracetamol;
  - the administration of medication in emergencies;
  - the storage; and
  - disposal of medication.
- iii) infectious diseases and exclusion practices;

- iv) immunisation;
  - v) child protection, consistent with the relevant Act;
  - vi) staff health;
  - vii) alcohol, drugs and smoking;
  - viii) occupational health and safety;
  - ix) food and nutrition, including allergies;
  - x) hygiene, including handwashing, and laundry;
  - xi) general cleaning and maintenance;
  - xii) excursions and transport, including emergencies;
  - xiii) sun protection;
  - xiv) plants and vegetation; and
  - xv) glass management plan, if applicable.
- c) Administration:**
- i) bookings, cancellations, fees and opening times;
  - ii) delivery and collection of children, including late collection of children (Standard 15) ;
  - iii) access to the service by parents;
  - iv) exchange of information with parents;
  - v) confidentiality and privacy (Standard 1.2);
  - vi) parent access to child; and
  - vii) complaints/grievance procedures for parents and staff.
- d) General**
- i) staff/child interactions;
  - ii) behaviour guidance;
- Note:** where a school age care program operates within a school, the program may attempt to ensure that behaviour management strategies are consistent with those operating within the school.
- iii) supervision;
  - iv) diversity and inclusion (Standard 5); and
  - v) equity and anti-bias issues.
- e) Programming**
- Programming policies are to:
- i) complement the service's philosophy;
  - ii) support the individual development of each child, include planning, implementation and evaluation (Standard 5);
  - iii) outline mechanisms for parent participation;
  - iv) encourage and maximise the social, physical, emotional, recreational and intellectual development of each child; and
  - v) in a school age care setting, encourage child/ren participation.

### 16.3 Maintenance of policies

The service must have procedures to review and update philosophy, policies and procedures.

## **17 EMERGENCY PROCEDURES, FIRST AID AND ADMINISTRATION OF MEDICATION**

### **STANDARD**

**In the event of an emergency, or a child becoming ill or having an accident, the staff must take appropriate action.**

#### **Rationale**

In order to respond appropriately and quickly in emergencies, including accidents and illness, staff must have current qualifications in first aid, CPR (including child CPR), anaphylaxis and emergency asthma management, and well-practised emergency procedures.

#### **17.1 Records**

For all emergencies, the service must maintain records in accordance with Standard 15: Administration and Records:

- a) parental authorisation for emergency medical/hospital/ambulance services (refer to Standard 15.4 d));
- b) accident and injury (refer to Standard 15.4 f) and 15.4 h iii));
- c) authorisation and administration of medication (refer to Standard 15.4 e)); and
- d) illness/cases of any notifiable disease (refer to Standard 15.4 i)).

#### **17.2 First aid equipment and qualified first aiders**

The service must:

- a) have at least one staff member on the premises at all times who holds current, recognised first aid qualifications (refer to Standard 2.4), and is immediately available in an emergency situation; and
- b) maintain a safely located, appropriately equipped first aid kit, readily available to all staff (refer to Standard 11.2).

#### **17.3 Medical/emergency treatment**

- a) If a child has an accident/injury or becomes ill while attending the service, the child must be kept under adult supervision until the child's parent(s), or a person nominated by the parent(s), or emergency services personnel take responsibility for the child.
- b) If a child requires immediate medical aid, the service must take all necessary steps to secure that attention.
- c) If emergency treatment/medical aid is sought, the child's parent(s) must be notified as soon as possible.
- d) If medical treatment is sought off the premises, relevant information must be taken with the child.
- e) In an emergency where the child requires medication and the service does not have the parent(s') prior authorisation, every attempt must be made to secure the parent(s') authorisation, or the authorisation of a registered medical practitioner previously nominated by the parent(s).

#### 17.4 Medication

- a) The service must:
  - i) store all medications safely;
  - ii) develop appropriate policy and procedures (refer to Standard 16.2 b);
  - iii) administer medication in line with policy and procedures; and
  - iv) keep records as per Standard 15.4 e).
 In a school age care setting:
- b)
  - i) medication for self-administration is to be stored safely; and
  - ii) where a child self-administers medicine, there must be written instructions from a medical practitioner or from the parent(s), including the expected level of supervision.

#### 17.5 Notification of serious accident or death

If a child has a serious accident at the service resulting in the child's hospitalisation or death, the service must:

- a) notify the Secretary, Department of Education no later than the next working day of the circumstances of the injury or death; and
- b) provide the Secretary, Department of Education with a written report within three working days.

#### 17.6 Emergency and evacuation procedures

- a) For safety in the event of fire, the service must ensure that the building they occupy complies with the *General Fire Regulations 2010* and that:
  - i) there is a fire evacuation plan, approved in writing by the Chief Officer, Tasmania Fire Service;
  - ii) the evacuation plan is prominently displayed in each functional area of the service.
 

**Note:** The **Quick Action Plan**, i.e. the crucial, emergency steps to evacuation must be displayed in each functional area of the service – it is not necessary to display the complete evacuation plan.
  - iii) all staff and children are familiar with the evacuation plan and emergency procedures;
  - iv) evacuation practices are conducted at least twice a year; and
  - v) a record of the practices is retained at the service for five years.
- b) For all emergencies, the service must ensure that:
  - i) telephone numbers for emergency services are prominently displayed at each landline/fixed telephone and/or stored within any mobile/cordless telephone;
  - ii) there are documented emergency procedures [refer to Standard 16.2 a)].

#### 17.7 Provisions when only one staff member is on the premises

When there is only one staff member on the premises, there must be:

- a) a documented protocol which:
  - i) clearly displays (with the other emergency contacts) the name and telephone number of a nominated person who is on call and available when the service is operating; and

- ii) ensures that the children and staff are familiar with and regularly practise the evacuation plan and other emergency procedures.
- b) an operating mobile telephone OR cordless telephone if the staff member is unable to readily access the fixed telephone.



## 18 OVERNIGHT CARE AT THE LICENSED PREMISES

### STANDARD

**The safety of children must be maintained when in overnight care.**

#### Rationale

The service must demonstrate an understanding of the special needs of children in overnight care, and provide quality care, maintaining a comfortable and safe environment for the children.

Overnight care includes both 'sleepovers' at the licensed premises (e.g. an occasional event as part of a Vacation Care program) and also a regular service for families (e.g. 24 Hour Care).

Staff and adults, when undertaking ancillary roles, e.g. cooking, are **NOT** included in the adult:child ratios.

**Note 1:** In order to be able to provide overnight care as a regular service to families, the service must meet all requirements under Standard 18.1 and be approved to have a Condition of Licence.

#### 18.1 Maintaining a safe overnight care environment (regular, on-going service)

The licensee must ensure that:

- a) the minimum carer to child ratio is maintained at all times;
- b) a minimum of two senior staff (one of whom must hold an approved qualification in an under school age care setting) are on the premises at all times;
 

**Note:** This includes situations where the application of the carer:child ratio would generally allow for only one carer to be present.
- c) in an under school age care setting, staff remain awake throughout their shift.
- d) as a minimum, one staff member directly supervises the children at all times;
- e) at least one staff member holds current first aid qualifications, as per Standard 2.4; and the knowledge and ability to implement safety procedures, is present at all times; and
- f) security arrangements are documented and made available for parents prior to the child being accepted into overnight care.

#### 18.2 Maintaining a safe overnight care environment for a 'sleepover' at a licensed premises

- a) In addition to meeting 18.1 (a) – (f), where a 'sleepover' occurs at the licensed premises, the licensee must ensure that:
  - i) in a school age care setting, the minimum adult:child ratio of 1:10 (or part thereof) is maintained;
  - ii) in an under school age care setting, the minimum adult:child ratio of 1:3 (or part thereof) for children under 3 years of age and 1:6 (or part thereof) for children 3 – 5 years of age, is maintained;

#### 18.3 Sleeping arrangements

- a) Suitable sleeping arrangements must be provided for each child in overnight care.
- b) Each child is to have their own bed/cot.
 

**Note 1:** Mattresses alone are not sufficient for overnight care.

**Note 2:** Standard 7.3 b) applies;
- c) If bunks are used (only permitted in a school age care setting):
  - i) children under six years of age are to sleep on the lowest bunk;

- ii) the bunks must meet the relevant Australian Standard;
- d) In a school age care setting, the sleep space is to be gender-segregated.
- e) Ventilation must be adequate.

#### **18.4 Other facilities**

There must be:

- a) sufficient bed linen (e.g. sheets/duonas/blankets; and impervious mattress covers, where required) to meet the needs of children in overnight care;
- b) a bath and/or shower for the children's use;
- c) sufficient towels and bathroom linen to meet the needs of children in overnight care;
- d) all other facilities as outlined in Standard 8: General Facilities; and
- e) in an under school age care setting, adequate nappy changing/toileting facilities in reasonable proximity to the sleeping area.

#### **18.5 Other matters**

- a) Programs for overnight care, in addition to meeting the criteria for Standard 5, must:
  - i) provide for the needs of the children in overnight care; and
  - ii) be of the same quality and standard as activities and learning experiences offered during the day.
- b) Food and drink available to children in overnight care must meet all criteria of Standard 13.

## APPENDIX I

### Service self-assessment for safety and suitability of overnight excursions/camps

[Reference: CBC 5 Standard 4.5]

**Service Name:** \_\_\_\_\_

**Address where overnight excursion/camp will be held:**  
 \_\_\_\_\_  
 \_\_\_\_\_

**Date(s) of excursion/camp:** \_\_\_\_\_

	N/A	What action must be taken?	Date completed	Signature
<b>MAINTAINING A SAFE ENVIRONMENT</b>				
Site checked. (Look for things like cracked windows; inadequate surfaces under the outdoor play equipment; unsecured vehicles/trailers in the outdoor play area; water hazards; untempered hot water) Following hazards identified: <b>Indoor</b> 1. 2. 3. 4. 5. <b>Outdoor</b> 1. 2. 3. 4. 5.		Management plan for identified hazards – developed, implemented and available:  <b>Indoor</b> 1. 2. 3. 4. 5. <b>Outdoor</b> 1. 2. 3. 4. 5.		
Fire protection equipment (including smoke detectors) in place and/or readily available. Date last tested: _____				
Bushfire emergency operation plan developed, current, available/displayed?		Date(s) emergency practice(s) held with staff and children: _____		
Emergency evacuation plan (as applicable) – developed, current, available/displayed?		Date(s) emergency practice(s) held with staff and children: _____		
A mobile phone or means of contact with emergency services is readily available		Any other strategies service will put in place?		
A list of emergency numbers readily available with the phone (i.e. displayed/entered into phone)?				
<b>Excursion/camp specific:</b>				

<b>SLEEPING ARRANGEMENTS (including bedding)</b>			
Are children required to bring own sleeping bag/pillow/pillow case?		Spare sleeping bags/pillows/pillow cases available.	
There is easy access for each person to a required exit (fire exit).			
If there are bunks: <b>NOTE:</b> In an under school age care setting, children are not permitted to use bunks.		<ul style="list-style-type: none"> <li>▪ Management plan for bunks;</li> <li>▪ Product safety alert 'Bunk Bed Safety' has been referred to;</li> </ul>	
<b>Excursion/camp specific:</b>			
<b>FOOD ARRANGEMENTS</b>			
Facilities available to enable food to be prepared and stored in a safe and hygienic manner.		Management plan required.	
Sufficient water, fit for drinking, is adequately available.		Management plan required.	
Sufficient quantity of drinking containers and utensils available			
Are there children with specific food requirements.		Management plan required.	
<b>Excursion/camp specific:</b>			
<b>PERSONAL HYGIENE ARRANGEMENTS</b>			
Appropriate hand washing and drying arrangements			
Adequate arrangements for showering/bathing.			
Appropriate toileting arrangements in place:			
If required, appropriate nappy change facilities.			
<b>Excursion/camp specific:</b>			

I, on behalf of \_\_\_\_\_ (insert service name) agree to:

1. implement any required actions to ensure the safety of the children;
2. maintain and attach all management plans , as applicable;
3. maintain this completed 'service self-assessment plan' and, as requested, make available to the Education and Care Unit; and
4. provide a copy of the following to the Education and Care Unit on request:
  - a. program
  - b. security arrangements
  - c. the attendance and staff rosters for the overnight excursion/camp.

Name: \_\_\_\_\_  
(Please print)

Position: \_\_\_\_\_

Signature: \_\_\_\_\_

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

## GLOSSARY

**'ancillary staff'** means persons employed by a child care service provider or in respect of a child

**'applicant'** means a person who has applied for a licence under section 13;

**'approved premises'** means premises approved by the Secretary, or premises of a class approved by the Secretary, under subsection (2);

**'approved registration body'** means a person who holds a registration body approval licence;

**'approved registration body licence'** means a licence granted under section 16 that authorises one or more of the activities specified in section 10;

**'Authorised officer'** means a person appointed as an authorised officer under section 72;

**'carer'** see child carer;

**'Centre Based Child Care Licence'**, means a centre-based child care licence granted under section 16 that authorises the activity specified in section 11;

**'Centre Based Care Class 5'** means Occasional Care Services and Services funded through the Australian Government Budget Based funding program.

*Occasional Care* comprises services providing education and care for 0-12 year olds on a sessional basis for short periods, that is, less than 8 hours a day, 5 days a week, 48 weeks a year.

**Note:** They may enable parents to attend appointments, take care of personal matters, undertake casual or part-time employment, study or have temporary respite from full time parenting. These services may be provided by community based or private providers and may be funded by the Australian or State Governments or operate without funding.

*Budget Based Funded (BBF)* early childhood services are funded by the Australian Government.

**Note:** They are funded by the Australian Government where the market would otherwise fail to deliver services. BBF services are predominately in rural, remote and Indigenous communities and are also operationally known as non-mainstream services. They may include long day care centres.

**'child'** means a person who has not attained the age of 13 years;

**'child care'** has the meaning given by section 4;

**'child care centre'** means premises, other than a person's primary residence or approved premises or the primary or other residence of the child, at which a child may be provided with child care;

**'child care service'** means –

- a) the operation by an approved registration body of any business that involves one or more of the activities authorised by the licence; and
- b) the operation by the holder of a centre-based child care licence of any business that involves one or more of the activities authorised by the licence; and
- c) the operation by the holder of a home-based child care licence of any business that involves one or more of the activities authorised by the licence;
- d) the provision of child care by a registered carer;

**'child care service provider'** means –

- a) an approved registration body; and
- b) a holder of a centre-based child care licence; and
- c) a holder of a home-based child care licence;
- d) a registered carer;

**'child carer'**, in respect of a child who is being provided with child care, means a person who, for fee or other material benefit, cares for the child –

- e) in that person's own primary residence; or

- f) in that person's approved premises; or
- g) in the child's primary or other residence; or
- h) in premises in which child care is provided under a centre-based child care licence;

**'close relative'**, in relation to a person, means –

- a) another person who resides with that person; and
- b) another person who is a guardian of that person; and
- c) another person who, in the opinion of the Secretary, may have frequent or extended contact with a child for whom that person is operating or providing or may operate or provide a child care service;

**'director'**, in relation to a body corporate –

- a) if the body corporate is a corporation within the meaning of the *Corporations Act*, has the meaning as in the *Corporations Act*; and
- b) if the body corporate is not a corporation within the meaning of the *Corporations Act*, means a person holding a position in the body corporate that is equivalent to or substantially the same as the position of director in a corporation, within the meaning of the *Corporations Act*;

**'early childhood centre'** means any premises or part thereof providing or intending to provide a centre-based education and care service within the meaning of the *Education and Care Services Law Act 2011 (Tas)* and centre-based services that are licensed or approved under State and Territory children's services law, but excludes education and care primarily provided to school aged children in outside school hours settings and services licensed as *Centre Based Care Class 4* under the *Child Care Act 2001 (Tasmania)*.

**'employ'** means employ for payment or other reward and includes engage the services of, whether as an employee or an independent contractor or otherwise;

**'extended family'** has the same meaning as in the *Children, Young Persons and Their Families Act 1997*;

**'guardian'** has the same meaning as in the *Children, Young Persons and Their Families Act 1997*;

**'home-based child care'** means the provision of child care -

- a) in the child's primary or other residence; or
- b) in the child carer's primary residence; or
- c) in the approved premises of the child carer;

**'home-based child care licence'** means a licence granted under section 16 that authorises one or more of the activities specified in section 12;

**'licence'** means –

- a) an approved registration body licence; and
- b) a centre-based child care licence; and
- c) a home-based child care licence;

**'licence applicant'** means the individual or body that is applying to hold a licence to operate or provide a child care service;

**'licensee or licence holder'** means the individual or body to whom a licence to operate or provide a child care service has been issued;

**'licensee representative'** means the person nominated by the service operator to represent all members of the service operator on licensing matters where the service operator holds the licence. This person is expected to have a higher level of understanding about the operation of the child care service and its adherence to the Licensing Standards;

**'licensing authority'** means the Department of Education as the Department responsible for administering the *Child Care Act 2001*;

**'may'** indicates that the power may be exercised or not exercised; with discretion;

**'must'** indicates that the power is required to be exercised;

**'parent'** includes a stepmother, stepfather and guardian;

**‘person in charge’ –**

- a) in relation to the child care service operated or provided by an approved registration body, the person who is directly in charge of the day-to-day coordination of the child care service; and
- b) in relation to a child care service operated or provided by the holder of a centre-based child care licence or a home-based child care licence, the person who –
  - i) is physically at the centre, residence or other facility or premises where children are provided with child care by that service; and
  - ii) is in charge of the day-to-day running and supervision of that service or centre, residence or other facility or premises,

whether the person referred to in paragraph (a) or (b) is the holder of the licence under which the child care service operates or is provided, or an individual employed by that holder;

**‘potential child carer’** means a person who is desirous of obtaining employment as a child carer;

**‘premises’ includes –**

- a) a vehicle, vessel and other means of transport; and
- b) a part of premises;

**‘registered carer’** means a person who has been registered as a child carer by an approved registration body;

**‘registration’** means registration of a person as a child carer by an approved registration body in accordance with the relevant Standards;

**‘regulations’** means the regulations made and in force under this Act;

**‘responsible person’** means the individual to whom is assigned by an incorporated or unincorporated body the general responsibility for, and supervision of the operations of, the provision of child care under a licence held by that body;

**‘safety screening clearance’** is a crucial component in assessing whether a person is a fit and proper person. The process enabled the Conduct and Investigations Unit, Department of Education, to request information from the Police, and other government departments, e.g. Child Protection etc. It remained in place until 1 October 2014 when it was replaced by the requirement to hold a Working with Children Check under the *Registration to Work with Vulnerable People Act 2013*.

The *Registration to Work with Vulnerable People Regulations 2014* specify the dates from when individuals holding a safety screening clearance are required to hold a Working with Children Check. Therefore the safety screening clearance is only considered valid until these specified dates are reached, even though the original letter regarding the safety screening clearance from the Department of Education may state a later expiry date.

**‘school age child/ren’** means children 5 years and over. Where 4 year olds are in a school aged setting they will be included as school aged, unless otherwise stipulated.

**‘school age care facility’** is a facility providing care for children (primarily) 5 years or older in an outside of school hours setting which is either approved or licensed under the *Education and Care Services National Law Act (Tasmania) 2011* or the *Child Care Act 2001*.

**‘school age care setting’** previously known as CBC2;

**‘service operator’** is the name of the organisation/management body that provides the service from the child care centre. It may be a community based management committee or incorporated body, a company, registered business, a partnership, a government agency or an individual who owns the service. The service operator may choose to hold the licence or may authorise an individual employee to hold the licence;

**‘spouse’**, in relation to a person, includes a person who, although not legally married to that person

- a) is generally recognised as the de facto husband or wife of that person; or
- b) has a relationship with that person that is of a marital nature;

**‘Staff Member’** of a child care service under a Centre Based Care Licence means an individual employed by the service operator and:

- a) is likely to have contact with children in care at the service; or
- b) operates in a capacity that would indicate to children that this person is a ‘friend’ and not a stranger of whom to beware, for example, ancillary staff.

**‘Standards’** means the Child Care Standards issued under section 47, as amended or substituted from time to time;

**‘under school age child/ren’** means child/ren less than 5 years;

**‘under school age care setting’** was previously known as CBCI;

**‘unencumbered space’** means useable, clear space which is always available for children’s use. This excludes areas such as passageways, thoroughfares, (including door swings), toilet and hygiene facilities, any area permanently set aside for storage or administration or any other space that is not suitable for children.

**‘volunteer’** means a person who undertakes duties authorised by the service, as a voluntary worker, and who receives no remuneration or compensation in money or other consideration, e.g. parents who participate in fundraising activities or working bees, or committee members.

**‘Working with Children Check’** means a registration to work with children in the regulated activity of child care services under the *Registration to Work with Vulnerable People Act 2013*.



Tasmanian  
Licensing Standards  
For  
In-Home-Child Care (ARB)

October 2014

## Foreword

Child care and early childhood education are of central importance to our society and a key responsibility for Government. It is imperative that safe and developmentally appropriate children's services are available to promote the health and wellbeing of children and the families.

The *Child Care Act 2001* provides a system for the regulation of child care services that reflects the Government's desire to safeguard children through the effective licensing and registration of child care services. The ability to encompass all forms of child care ensures that the Act remains relevant to future child care provision and responsive to community expectations in a rapidly growing and changing service sector.

An Approved Registration Body (In Home Child Care) is a service which arranges, and places in home carers with children in the primary or other residence of the child, and monitors the care provided in accordance with the relevant Standards.

Section 47 of the Act provides for the issuing of Standards. Standards for Approved Registration Bodies are based on relevant sections of the National Standards for Family Day Care Co-ordination Units, endorsed in November 1999 by State, Territory and Australian Government Ministers responsible for child care.

Tasmania has an excellent record in the field of children's services and I am confident that our legislation and associated Standards will enhance that reputation.



John Smyth  
Secretary

## Acknowledgements

The development of the *In Home Child Care Standards* for Approved Registration Bodies (ARBs) and Carers occurred as the result of concern expressed by the services responsible for the Australian Government approved In-Home Care programs currently offered in Tasmania, that there should be appropriate standards for this type of care.

One of three pilots in Australia, an In-Home Care program was sponsored in 2000 by Mersey-Leven Child Care Services. Based on their success, the Australian Government introduced In-Home Care officially in 2001, and since then programs have been sponsored by Mersey-Leven Child Care Services, Sorell Council Children's Services and Northern Children's Network.

Grateful acknowledgement is given to representatives from these three services for their input, enthusiasm and on-going support to the Education and Care Unit during the development of these Standards.

## Preface

The Department of Education through the Education and Care Unit is responsible for the administration of the *Child Care Act 2001* and the licensing of services.

### Scope of the Standards for In Home Child Care (ARBs)

The *Standards for In Home Child Care (ARBs)* are effective for new ARB (In Home Child Care) licence applications and renewals of licence made after 4 October 2006. The licence held by an operator of an In Home Child Care service is known as an ARB Class 3 licence.

The Standards are applicable to ARB operators of in home child care programs as defined under the provisions of the *Child Care Act 2001*, Section 10. At this stage, the Standards apply to all operators who are approved by the Australian Government to operate an In-Home Care service.

The Standards are to be regarded as providing minimum standards. The *Child Care Act 2001*, Section 6, states:

*The interests of children are to be regarded as the paramount consideration in the interpretation, enforcement and administration of this Act, the regulations and the Standards.*

### Changes in relation to the formatting of the Standards

In 2014, the Explanatory Notes were separated from the Licensing Standards document to form a separate Licensing Operational Guide (LOG). The purpose of the LOG is to assist services in the interpretation of the Standard, inform services regarding the practices of the Education and Care Unit in assessing the Standard, and provide details of where services may obtain further information.

### Relationship to the Standards for In Home Child Care (Carer)

The *Standards for In Home Child Care (Carer)* are complementary to the *In Home Child Care (ARBs)* licensing standards, and consequently both are included in this manual.

The ARB is expected to provide a copy of the *Standards for In Home Child Care (Carer)* to each person interested in registering as an in home child carer prior to assessing that person's application for registration. The ARB must also make a copy of the ARB standards available for that person's information.

If the carer becomes a registered in home child carer, the ARB is to ensure that they have a copy of the standards and also the *Child Care Act 2001*.

These standards are available to download from the Education and Care Unit's website, [www.education.tas.gov.au](http://www.education.tas.gov.au).

### Relationship between an ARB and families using the In Home Child Care service

Whilst entering into a contract with a family, to provide a child care service generally within that family's own home, the ARB is jointly responsible for ensuring that the carer is provided with a safe environment in which to work. This can be achieved initially through a co-operative risk assessment of the family's home prior to the commencement of care, to ensure that all ARB's legislative and service responsibilities are met.

This also provides the ARB with a unique opportunity to provide the family with relevant information about safety products, health and nutrition matters and so on.

It is anticipated that the *Standards for In Home Child Care* and associated documentation will be reviewed from time to time, and ARB (IHCC) services will be invited to participate in any future review.

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## I FIT AND PROPER

### STANDARD

**The Approved Registration Body (ARB) and all persons connected with the ARB who have regular contact with the children must be fit and proper persons.**

#### Rationale

The standard of duty of care required in relation to children in an in home child care program is high. In order to ensure that the safety of these children is maximised and their developmental needs are addressed, the ARB must ensure that all carers registered with it, staff and those who have regular contact with children on behalf of the ARB, are a fit and proper person(s). This includes persons (for example, members of the sponsor body/management committee, volunteers and students) who are in the presence of those children on a regular basis.

#### I.1 Fit and Proper

The licence applicant/holder and other persons connected with the ARB must meet the following criteria in order to be assessed as a fit and proper person, in conjunction with the provisions of the *Child Care Act 2001*:

- a) **The licence applicant/holder (where the applicant is a body, or government agency, rather than an individual, at least two representatives, must meet the following criteria) must:**
  - i) satisfactorily meet all requirements of the 'Fitness and Propriety' check conducted by the licensing authority;
  - ii) maintain a current Tasmanian Working with Children Check or a valid safety screening clearance issued by the Department of Education;
  - iii) demonstrate an understanding of their legislative authority and responsibilities under the *Child Care Act 2001*; and
  - iv) demonstrate an understanding of their duty of care, and undertake to ensure that they will meet their duty of care at all times.
- b) **All staff, including the person in charge (as defined in the Act), and carers registered with the ARB, must:**
  - i) satisfactorily meet all the requirements of the 'Fitness and Propriety' check conducted by the licensing authority (as applicable);
  - ii) maintain a current Tasmanian Working with Children Check or a valid safety screening clearance issued by the Department of Education; and
  - iii) demonstrate an understanding of duty of care towards children in care, and undertake to ensure that they will meet their duty of care at all times.
- c) **Persons who are volunteers, students, or regular visitors 18 years and older, must:**
  - i) maintain a current Tasmanian Working with Children Check or a valid safety screening clearance issued by the Department of Education; and
  - ii) understand the need for, and maintain, the confidentiality of client, carer and staff information.

## 2 QUALIFICATIONS FOR STAFF AND PERSONNEL OF THE ARB

### STANDARD

**ARB staff and personnel must possess appropriate knowledge, skills and experience.**

#### Rationale

Research demonstrates that the most significant variable which influences the quality of care provided is the level of relevant training which carers and child care service personnel have undertaken.

Those who have an advisory role with the in home child carers or contact with children are to have appropriate training and a sound understanding of child development, in order to facilitate carers' abilities to recognise and provide for children's needs.

#### 2.1 Qualifications of the person in charge of the ARB

The person in charge must demonstrate an understanding of:

- a) their legislative responsibilities (refer to Standard 1: Fit & Proper);
- b) their duty of care (refer to Standard 1: Fit & Proper); and
- c) the In Home Child Care standards for ARB and carers, and licensing conditions.

**Note<sup>1</sup>:** It is highly desirable that the person in charge hold an appropriate qualification and/or have relevant experience.

**Note<sup>2</sup>:** If the ARB wishes to have a job-share or part-time arrangement for the position of person in charge, it must demonstrate how it will manage the situation to ensure that duty of care will continue to be met.

#### 2.2 Positions requiring an approved child care qualification

- a) Each person whose primary role is advising registered carers about direct child care provision is to hold an approved qualification (refer to Schedule).
- b) Any staff member who has regular contact with children must hold:
  - i) a current approved first aid qualification; and
  - ii) a current approved emergency asthma management qualification; and
  - iii) a current approved anaphylaxis management qualification; and
  - iv) a current approved CPR qualification, (which must include child CPR and be updated annually).

**Note:** First Aid qualifications must comply with the First Aid qualifications as set out from time to time and published on Education and Care Unit's website.

## SCHEDULE TO STANDARD 2: QUALIFICATIONS

### 1 Approved qualifications include

A minimum of a two-year full-time or equivalent accredited post-secondary education or tertiary qualification in child care (early childhood) or education (early childhood); or, if appropriate, in school-aged care or recreation.

### 2 Other qualifications

2.1 Other qualifications approved for child care licensing purposes prior to July 1997 included:

- a) Mothercraft Nursing;
- b) NNEB (National Nursery Examination Board, England); and
- c) SRN (Nursing).

2.2 Persons holding a qualification approved for licensing purposes prior to July 1997, as per 2.1, will maintain their qualified status:

- a) while they maintain continuity of employment in the child care profession, including home based care, or
- b) where a break from employment in the child care profession is no greater than five years.

2.3 Persons holding a qualification approved for licensing purposes prior to July 1997, as per 2.1, and who have had a break of five or more years in their child care employment, will be required to obtain certification from a recognised competency assessment organisation, stating that their competencies meet the required current approved qualification standard.

### 3. Persons without an approved qualification

The Department of Education may approve a person who does not hold an approved qualification as detailed in **1. Approved Qualifications** to occupy a qualified position under the following conditions:

- a) they undertake training leading to the attainment of an approved qualification (highly desirable); and
- b) the qualification is completed within a time frame agreed with the Education and Care Unit, and reviewed by the Unit, at least every 12 months; and
- c) where relevant, the person participates in a mentorship program approved by the Education and Care Unit.



### 3 ADMINISTRATION AND RECORDS

#### STANDARD

**The ARB (In Home Child Care) must develop administrative practices which support and inform families and in home child carers, ensure that the ARB's duty of care is met, and that records are appropriately maintained.**

#### Rationale

Clear communication, accurate record keeping and efficient and effective management strategies are important determinants of quality care. Access to information about the organisation allows parents to make informed decisions about the appropriateness of the service in relation to their individual family needs.

The ARB is to:

- a) Develop practices to ensure confidentiality of records and information obtained about the children, their families, carers and their families.
- b) Comply with relevant privacy principles when developing forms which obtain personal information about children, families, carers, staff, and students.
- c) Ensure that information regarding families is updated regularly.

#### 3.1 Access to information

- a) The ARB is to prominently display the current licence.
- b) The ARB is to have clearly written:
  - i) organisational structure;
  - ii) office hours; and
  - iii) grievance procedure for staff, in home child carers and parents.
- c) The following must be readily available for parents and in home child carers, at the office of the ARB:
  - i) the philosophy of the ARB;
  - ii) policies, procedures and practices, with a covering index;
  - iii) the *Child Care Act 2001* and the *In Home Child Care Standards (ARB and In Home Child Carers)*; and
  - iv) telephone number and address of the Education and Care Unit.

#### 3.2 Insurance

The ARB is to maintain current public liability, workers' compensation and any other insurance policies required by law.

#### 3.3 Disciplinary action

- a) In accordance with Sections 10 (1) (g) and 47 (3) (g) of the *Child Care Act 2001*, the ARB is authorised to take disciplinary action against an in home child carer registered with that ARB, including one or more of the following:
  - i) the issuing of a letter of censure;
  - ii) the amendment of a registration;
  - iii) the suspension of a registration;
  - iv) the cancellation of a registration.

- b) The ARB may take disciplinary action if satisfied that:  
**either:** the carer registered with that ARB has contravened the *Child Care Act 2001*, the regulations, the *In Home Child Care Standards* or a condition of registration;  
**or:** that carer is no longer a fit and proper person to hold the registration.

### 3.4 Responsibility for records and record keeping

- a) The ARB must have appropriate procedures in place for the storage, retention and disposal of records.
- b) The ARB must advise each registered in home child carer about the carer's responsibility with regard to maintaining records appropriately, including the storage, retention and disposal of records.

### 3.5 Records of carer registration and re-registration

The ARB must:

- a) keep a written record of the registration/re-registration assessment of each carer and all related certification;
- b) issue an assessment report to the carer and an action plan with due dates for completion;
- c) issue an In Home Child Care identification to each carer registered with the ARB;
- d) ensure each carer has a copy of the *Child Care Act 2001*, the *In Home Child Care (Carer) Standards*, and relevant ARB policies;
- e) ensure each carer is issued with relevant proformas and checklists (see Schedule to this standard); and
- f) keep a record of the visits made to the carer.

### 3.6 Registration of families

The ARB must:

- a) assess a premises prior to the commencement of care, using the *In Home Child Care Environment Checklist and Action Plan* <sup>(1)</sup>;

**Note:** The ARB must include written procedures to cover:

1. situations where care is provided in other than the family home, e.g. in a hotel, or in an emergency, i.e. where it is not possible or appropriate for the ARB to conduct a check of the premises prior to care commencing; and
2. situations where the family proposes to renovate, repair or extend their home/premises.

- b) develop an Action Plan around any hazards identified during assessment;
- c) develop a hazard identification and management checklist specific to each care situation, for use by the carer;
- d) advise each family of relevant guidelines for carers;
- e) ensure it updates information about the families registered with it at least every 12 months; and
- f) keep a record of the visits made to each family.

<sup>(1)</sup> The *In Home Child Care Environment Checklist and Action Plan* is an assessment tool developed by the Education and Care Unit for use by an ARB.

### 3.7 Children's records

- a) Enrolment, contact and child information**
- i) The ARB must develop an appropriate enrolment proforma, ensuring that all the criteria specified in the Schedule to this standard (1.1) are included.
  - ii) The ARB must ensure that each carer has a copy of the completed enrolment form and relevant information for each child placed in their care, prior to that child commencing care, according to service policy.
  - iii) The ARB is to ensure that child information records are retained for at least six years, unless an incident occurs as a result of any of the matters listed in the Schedule (1.1), in which case all of the child's enrolment and information records are to be retained until that child is 25 years old, consistent with the requirements of the *Tasmanian Limitation Act, 1974*.
- b) Record of hours of care provided**
- i) The ARB is to develop an appropriate proforma for use by carers, ensuring that all the criteria specified in the Schedule to this standard (1.2) are included.
  - ii) The ARB is to ensure that these records are retained for at least six years.
- c) Parent permissions**
- i) The ARB is to develop an appropriate proforma to enable the carer to maintain, for each child, written parent permission for:
    - a. emergency medical, hospital and ambulance treatment;
    - b. child to be transported in any situation;
    - c. child to be taken on routine and non-routine excursions or escorted to or from a specified place; and
    - d. special arrangements for the transference of a child which have been authorised by the parent(s).
  - ii) The ARB is to ensure that parent permissions are retained for at least six years.
- d) Authorisation and administration of medication**
- i) The ARB is to develop an appropriate proforma to enable the carer to maintain for each child:
    - a. a record of a parent's written authorisation of medication to be administered to their child while the child is in care, using the criteria specified in the Schedule to this standard (1.3); and
    - b. a record of the administration of medication to that child, using the criteria specified in the Schedule to this standard(1.3).
  - ii) If an incident occurs as the result of the administration of medication, then those records must be kept until that child turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*
  - iii) Other than ii), records of the authorisation and administration of medication must be retained for at least six years.
- e) Child accident or injury report form**
- i) The ARB is to develop an appropriate proforma, using the criteria specified in Schedule to this standard (1.4) to maintain, for each child, a record of accident or injury.
  - ii) Where medical attention other than first aid administered by the carer has been given to a child, the ARB is to keep a copy of the carer's report.

- iii) The ARB must ensure that accident and injury report forms are retained until that child turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act, 1974*.

**f) Excursions**

- i) The ARB is to develop an appropriate proforma, using the criteria specified in Schedule to this standard (1.5) to maintain a record of excursions for each child.
- ii) The ARB must ensure that excursion records are retained for at least six years.

**g) Death of a child**

- i) If a child dies while in care, or as the result of an accident while in care, the record of the details surrounding the death is to be retained by the ARB for a period of six years, consistent with the requirements of the *Tasmanian Limitation Act, 1974*.
- ii) The ARB is to ensure that the Secretary, Department of Education, is notified no later than the next working day of the circumstances of the injury or death, and provided with a written report within three working days.

**h) Illness and cases of notifiable disease**

- i) The ARB is to maintain a record of illnesses which have been notified to relevant health authorities.
- ii) The ARB is to retain these records for at least six years.

### 3.8 Personnel Records

- a) The ARB is to keep a copy of the following for each staff member:
  - i) evidence of a current Tasmanian Working with Children Check or valid safety screening clearance\*;
  - ii) approved qualifications/documentation to validate staff member's progress towards an approved qualification, if applicable;
  - iii) first aid qualifications (refer to Standard 2.2), if applicable; and
  - iv) driving licence, if applicable.
- b) The ARB is to keep a copy of the following for each registered in home child carer:
  - i) evidence of a current Tasmanian Working with Children Check or valid safety screening clearance for the carer, and where applicable, family members and/or regular/long stay visitors;
  - ii) first aid qualifications (refer to Standard 2.2);
  - iii) evidence of professional development, as per IHCC Standard 2.2; and
  - iv) driving licence(s) and relevant vehicle certificates and documentation.

### 3.9 Maintenance of records

- a) Records are to be kept up to date, and in a safe and secure area.
- b) Records are to remain confidential.

**SCHEDULE to STANDARD 3: ADMINISTRATION and RECORDS****I.1 Enrolment, contact and child information**

The enrolment, contact and child information proforma is to contain the following information:

- a) name, date of birth and gender of child;
- b) child's residential address;
- c) name, address, contact telephone numbers and place of employment of parent(s);
- d) name, address and contact telephone numbers of any person authorised by the parent(s) to collect or release the child from care;
- e) name, address and contact telephone numbers of any person who may be contacted in an emergency if child's parent(s) are not available;
- f) name, address and contact telephone numbers for the child's medical practitioner;
- g) details of allergies;
- h) other relevant medical history or details including emergency action plans for children with asthma, anaphylaxis or similar conditions;
- i) immunisation status;
- j) special requirements notified by a parent(s) regarding culture, religion or special needs;
- k) primary language spoken by child, or if child has not learned to speak, the child's parent(s); and
- l) instructions relating to any court order pertaining to a family or child.

**I.2 Record of the hours of care provided**

- a) The proforma which records the hours of care provided is to detail:
  - i) full name of child;
  - ii) time of carer's arrival;
  - iii) time of carer's departure; and
  - iv) signature of person transferring the child into and out of the care of the in home carer;
- b) The proforma is also to enable recording of any special arrangements for the transference of a child which are authorised by the parent(s).

**I.3 Authorisation and administration of medication**

- a) The proforma for the authorisation of medication is to detail:
  - i) the name of the child;
  - ii) the name of the medication, the date(s), and the time the dosage is to be administered;
  - iii) a doctor's/pharmacist's <sup>1</sup> instructions relating to the dosage and its administration, as applicable;
  - iv) the time the medication was last administered; and
  - v) the parent(s') signature.

<sup>1</sup> Under the *Poisons Regulations 2008*, medication may also be prescribed by dentists, authorised optometrists, optometrists and authorised nurse practitioners.

- b) The proforma for the carer to record the administration of medication is to detail:
  - i) the name of the child;
  - ii) the name of the medication, the date and the time the dosage was administered;
  - iii) whether the parent's authorisation is consistent with instructions on the medication label;

- iv) the dosage administered as per doctor's/pharmacist's instructions;
- v) the name and signature of the person who measured and administered the dosage; and
- vi) written acknowledgement of the record of the administration of the medication by the person collecting the child.

#### **I.4 Child accident or injury report form**

The accident or injury report proforma is to detail:

- a) full name and age of child;
- b) date, time and circumstances of accident or injury;
- c) location where the accident or injury occurred;
- d) nature of any injury sustained;
- e) number of persons on premises when the accident or injury occurred;
- f) name of witnesses, if applicable;
- g) action taken, including administration of first aid;
- h) signature of the carer and the date;
- i) time of child's departure from the premises and the signature of person transferring the child out of the care of the in home carer;
- j) signature of parent(s) and date, as acknowledgement that they have been notified of the child's accident or injury; and
- k) carer's name and address.

#### **I.5 Excursion (non-routine) permission form**

The non-routine excursion proforma is to detail:

- a) the date/times;
- b) the proposed destination;
- c) the method of transport;
- d) activities/purpose of the excursion; and
- e) any hazards and management of these hazards.
- f) written permission from the parent(s).

#### **I.6 Risk assessment**

The ARB is to develop an appropriate proforma for use of the carer to assess and manage risk.

## 4 PHILOSOPHY, POLICIES AND PROCEDURES

### STANDARD

**The ARB must develop appropriate policies to ensure staff, carers and families are well informed, duty of care is met, and clear practices and procedures are maintained by all parties.**

#### Rationale

The provision of clear, written policies and procedures which reflect current professional practice and community expectations assists in quality assurance and service accountability.

Written policies and procedures provide tangible evidence of intended practices which are consistent with the philosophy of the service, and must be regularly reviewed, evaluated and updated.

#### 4.1 Philosophy

The ARB philosophy is to contain the values and beliefs about the care and rights of children and any other matters of ethical importance to the ARB.

#### 4.2 Policies

The ARB is to implement written policies and/or written procedures for each of the following areas:

- a) **Emergency situations and evacuation/invacuation:**  
Relevant emergencies, including the removal of a child from a care situation in an emergency.
- b) **Registration, support and monitoring of registered in home child carers:**
  - i) recruitment and assessment of carers, and members of carers' families, if appropriate;
  - ii) registration and re-registration in accordance with these *In Home Child Care Standards*;
  - iii) monitoring the quality of care provision and appropriate means to support carers, e.g. through home visits;
  - iv) development of carers' knowledge and skills, including:
    - a. pre-service and in-service training,
    - b. professional development, and
    - c. networking;
  - v) ensuring that the needs of children are met, having regard to
    - a. the development, best interests and wellbeing of the individual child
    - b. the views of the child's parent(s), and
    - c. advice provided by specialist advisers.
- c) **Breaches of the Act, the Regulations, the In Home Child Care Standards, or Conditions of Registration requiring disciplinary action, including suspension or de-registration**
  - i) an outline of situations/circumstances which may result in the ARB taking disciplinary action;
  - ii) notification of disciplinary action to the carer;
  - iii) the nature of the disciplinary action;
  - iv) the steps in the disciplinary process;

- v) appropriate grounds for referring the situation to other authorities, including the Department of Education (Education and Care Unit), or Tasmania Police;
  - vi) grounds for reinstatement of registration, where relevant; and
  - vii) any review process available to the carer.
- d) ARB staff members**
- i) the selection, induction, professional development, and employment conditions of staff; and
  - ii) occupational health and safety.
- e) Administration and General**
- i) effective administration of the ARB;
  - ii) storage, retention and disposal of records;
  - iii) placement of carers with families, including establishment and maintenance of a safe environment for children and carers;
  - iv) appropriate referral procedures in order to meet the needs of children and families;
  - v) liaison with parents, carers, community agencies and government bodies;
  - vi) complaints/grievance procedures for families, staff and registered carers; and
  - vii) confidentiality/privacy.

#### **4.3 Policies and procedures for use by carers registered with the ARB**

In consultation with the registered carers, the ARB is to develop written policies and/or procedures for use by carers, for each of the following areas:

- a) Emergency situations and evacuation**
- i) emergency evacuation plan for the care situation;
  - ii) invacuation;
  - iii) accidents and incidents;
  - iv) death of a child;
  - v) lost child;
  - vi) abandoned child; and
  - vii) arrangements for overnight care (if applicable).
- b) Health, hygiene and safety**
- i) Medication
    - paracetamol;
    - the administration of medication in emergencies;
    - the storage and disposal of medication
    - ARB position on PIC authorising carers to administer medication;
  - ii) infectious diseases and exclusion practices;
  - iii) immunisation;
  - iv) child protection (with reference to relevant legislation);
  - v) carer health;
  - vi) alcohol, drugs and smoking;
  - vii) carers' occupational health and safety;
  - viii) food and nutrition;
  - ix) hygiene, including handwashing, and laundry;
  - x) general cleaning and maintenance;



- xi) storage of poisons, dangerous items and chemicals, etc;
- xii) excursions and transport;
- xiii) weather/sun protection;
- xiv) animals; and
- xv) plants and vegetation.

**c) Administration**

- i) bookings, cancellations, and fees;
- ii) arrangements for the transfer of the child/ren into and out of care, including delays in handover arrangements;
- iii) confidentiality and privacy;
- iv) parent access to child; and
- v) complaints/grievance procedures for parents.

**d) General**

- i) carer/child interactions;
- ii) behaviour guidance;
- iii) supervision;
- iv) diversity and inclusion;
- v) equity and anti-bias issues; and
- vi) planning for children.

**4.4 Maintenance of policies**

The ARB is to have procedures to review and update policies and procedures.

## GLOSSARY

**'ancillary staff'** means persons employed in respect of a child care service otherwise than as child carers;

**'applicant'** means a person who has applied for a licence under section 13;

**'approved premises'** means premises approved by the Secretary, or premises of a class approved by the Secretary, under subsection (2);

**'approved registration body'** means a person who holds a registration body approval licence;

**'approved registration body licence'** means a licence granted under section 16 that authorises one or more of the activities specified in section 10;

**'authorised officer'** means a person appointed as an authorised officer under section 72;

**'carer'** see child carer;

**'centre based child care licence'**, means a centre-based child care licence granted under section 16 that authorises the activity specified in section 11;

**'child'** means a person who has not attained the age of 13 years;

**'child care'** has the meaning given by section 4;

**'child care centre'** means premises, other than a person's primary residence or approved premises or the primary or other residence of the child, at which a child may be provided with child care;

**'child care service'** means

- a) the operation by an approved registration body of any business that involves one or more of the activities authorised by the licence; and
- b) the operation by the holder of a centre-based child care licence of any business that involves one or more of the activities authorised by the licence; and
- c) the operation by the holder of a home-based child care licence of any business that involves one or more of the activities authorised by the licence;
- d) the provision of child care by a registered carer;

**'child care service provider'** means

- a) an approved registration body; and
- b) a holder of a centre-based child care licence; and
- c) a holder of a home-based child care licence;
- d) a registered carer;

**'child carer'**, in respect of a child who is being provided with child care, means a person who, for fee or other material benefit, cares for the child

- a) in that person's own primary residence; or
- b) in that person's approved premises; or
- c) in the child's primary or other residence; or
- d) in premises in which child care is provided under a centre-based child care licence;

**'close relative'**, in relation to a person, means

- a) another person who resides with that person; and
- b) another person who is a guardian of that person; and

- c) another person who, in the opinion of the Secretary, may have frequent or extended contact with a child for whom that person is operating or providing or may operate or provide a child care service;

**‘director’**, in relation to a body corporate

- a) if the body corporate is a corporation within the meaning of the *Corporations Act*, has the meaning as in the *Corporations Act*; and
- b) if the body corporate is not a corporation within the meaning of the *Corporations Act*, means a person holding a position in the body corporate that is equivalent to or substantially the same as the position of director in a corporation, within the meaning of the *Corporations Act*;

**‘employ’** means employ for payment or other reward and includes engage the services of, whether as an employee or an independent contractor or otherwise;

**‘extended family’** has the same meaning as in the *Children, Young Persons and Their Families Act 1997*;

**‘guardian’** has the same meaning as in the *Children, Young Persons and Their Families Act 1997*;

**‘home-based child care’** means the provision of child care

- a) in the child’s primary or other residence; or
- b) in the child carer’s primary residence; or
- c) in the approved premises of the child carer;

**‘home-based child care licence’** means a licence granted under section 16 that authorises one or more of the activities specified in section 12;

**‘licence’** means

- a) an approved registration body licence; and
- b) a centre-based child care licence; and
- c) a home-based child care licence;

**‘licence applicant’** means the individual or body that is applying to hold a license to operate or provide a child care service;

**‘licensee or licence holder’** means the individual or body to whom a licence to operate or provide a child care service has been issued;

**‘licensee representative’** means the person nominated by the service operator to represent all members of the service operator on licensing matters where the service operator holds the licence. This person is expected to have a higher level of understanding about the operation of the child care service and its adherence to the Licensing Standards;

**‘may’** indicates that the power may be exercised or not exercised; with discretion;

**‘must’** indicates that the power is required to be exercised;

**‘parent’** includes a stepmother, stepfather and guardian;

**‘person in charge’**

- a) in relation to the child care service operated or provided by an approved registration body, the person who is directly in charge of the day-to-day coordination of the child care service; and
- b) in relation to a child care service operated or provided by the holder of a centre-based child care licence or a home-based child care licence, the person who –
- i) is physically at the centre, residence or other facility or premises where children are provided with child care by that service; and

- ii) is in charge of the day-to-day running and supervision of that service or centre, residence or other facility or premises, whether the person referred to in paragraph (a) or (b) is the holder of the licence under which the child care service operates or is provided, or an individual employed by that holder;

**'potential child carer'** means a person who is desirous of obtaining employment as a child carer;

**'premises' includes –**

- a) a vehicle, vessel and other means of transport; and
- b) a part of premises;

**'registered carer'** means a person who has been registered as a child carer by an approved registration body;

**'registration'** means registration of a person as a child carer by an approved registration body in accordance with the relevant Standards;

**'regulations'** means the regulations made and in force under this Act;

**'responsible person'** means:

- a) the individual, other than the person in charge of the service, to whom is assigned by the licensee the general responsibility for, and supervision of the operations of, the provision of child care under the licence; or
- b) any other body or individual, other than the person in charge of the child care service, who has the authority to give directions and make decisions in respect of the management of that child care service.

**'safety screening clearance'** is a crucial component in assessing whether a person is a fit and proper person. The process enabled the Conduct and Investigations Unit, Department of Education, to request information from the Police, and other government departments, e.g. Child Protection etc. It remained in place until 1 October 2014 when it was replaced by the requirement to hold a Working with Children Check under the *Registration to Work with Vulnerable People Act 2013*.

The *Registration to Work with Vulnerable People Regulations 2014* specify the dates from when individuals holding a safety screening clearance are required to hold a Working with Children Check. Therefore the safety screening clearance is only considered valid until these specified dates are reached, even though the original letter regarding the safety screening clearance from the Department of Education may state a later expiry date.

**'service operator'** is the name of the organisation/management body that provides the service from the child care centre. It may be a community based management committee or incorporated body, a company, registered business, a partnership, a government agency or an individual who owns the service. The service operator may choose to hold the licence or may authorise an individual employee to hold the licence;

**'spouse'**, in relation to a person, includes a person who, although not legally married to that person –

- a) is generally recognised as the de facto husband or wife of that person; or
- b) has a relationship with that person that is of a marital nature;

**'staff member'** means an individual employed by the service operator and:

- a) is likely to have contact with children in care at the service; or
- b) operates in a capacity that would indicate to children that this person is a 'friend' and not a stranger of whom to beware, for example, ancillary staff.

**'standards'** means the Child Care Standards issued under section 47, as amended or substituted from time to time;

**'under school age child/ren'** means child/ren less than 5 years;

**'under school age care setting'** was previously known as CBCI;

**'volunteer'** means a person who undertakes duties authorised by the service, as a voluntary worker, and who receives no remuneration or compensation in money or other consideration, e.g. parents who participate in fundraising activities or working bees, or committee members.

**'Working with Children Check'** means a registration to work with children in the regulated activity of child care services under the *Registration to Work with Vulnerable People Act 2013*.

# Tasmanian Licensing Standards For In-Home-Child Care (Carers)

October 2014

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Department of Education  
Education and Care Unit



## Acknowledgements

The development of the *In Home Child Care Standards* for Approved Registration Bodies (ARBs) and Carers occurred as the result of concern expressed by the services responsible for the Australian Government approved In-Home Care programs currently offered in Tasmania, that there should be appropriate standards for this type of care.

One of three pilots in Australia, an In-Home Care program was sponsored in 2000 by Mersey-Leven Child Care Services. Based on their success, the Australian Government introduced In-Home Care officially in 2001, and since then programs have been sponsored by Mersey-Leven Child Care Services, Sorell Council Children's Services and Northern Children's Network.

Grateful acknowledgement is given to representatives from these three services for their input, enthusiasm and on-going support to the Education and Care Unit during the development of these Standards.

## Foreword

Child care and early childhood education are of central importance to our society and a key responsibility for Government. It is imperative that safe and developmentally appropriate children's services are available to promote the health and wellbeing of children and the families.

The *Child Care Act 2001* provides a system for the regulation of child care services that reflects the Government's desire to safeguard children through the effective licensing and registration of child care services. The ability to encompass all forms of child care ensures that the Act remains relevant to future child care provision and responsive to community expectations in a rapidly growing and changing service sector.

An Approved Registration Body (In Home Child Care) is a service which arranges, and places in home carers with children in the primary or other residence of the child, and monitors the care provided in accordance with the relevant Standards.

Section 47 of the Act provides for the issuing of Standards. Standards for Approved Registration Bodies are based on relevant sections of the National Standards for Family Day Care Co-ordination Units, endorsed in November 1999 by State, Territory and Australian Government Ministers responsible for child care.

Tasmania has an excellent record in the field of children's services and I am confident that our legislation and associated Standards will enhance that reputation.



John Smyth  
Secretary



## Preface

The Department of Education through the Education and Care Unit is responsible for the administration of the *Child Care Act 2001*, and the licensing of child care services.

### The Standards for In Home Child Care (Carers)

In home child care refers to care within a child's primary or other residence, arranged by an organisation or agency which has been licensed as an Approved Registration Body (In Home Child Care) under the provisions of Section 10 of the *Child Care Act 2001*. The operator of an In Home Child Care service holds an ARB class 3 licence.

At this stage, the *In Home Child Care Standards (ARBs)* apply to all operators who are approved by the Australian Government to operate an In-Home Care service.

The *In Home Child Care Standards (Carers)* have been written for two main purposes. Firstly, the standards outline the roles and responsibilities of in home child carers, and the standard of care they are expected to provide. Secondly, the standards are used by an ARB in assessing applications from a person who wishes to register with, and be supported by, that ARB as an in home child carer.

### Changes in relation to the formatting of the Standards

In 2014, the Explanatory Notes were separated from the Licensing Standards document to form a separate Licensing Operational Guide (LOG). The purpose of the LOG is to assist services and carers in the interpretation of the Standard, and provide details of where further information may be obtained.

### Relationship of a registered carer with an ARB

The ARB is expected to provide a copy of the *In Home Child Care Standards* to each person interested in registering as an in home child carer, prior to assessing that person's application for registration. The ARB must also make available a copy of the ARB standards, so that the applicant can be aware of the links between the ARB licensing standards and the standards for carers.

The ARB is required to give carers a copy of all their relevant policies and procedures. To assist the carer with administration responsibilities and record keeping, the ARB is required to give each carer a range of forms, such as the *Accident or Injury Report* form.

### Relationship between an ARB and families using the In Home Child Care service

The ARB enters into a contract with a family to provide care, usually within that family's own home. The ARB is also responsible for ensuring that the carer is provided with a safe work environment. Initially, the ARB and the family together do a risk assessment of the premises prior to the commencement of care, and any hazards identified during this assessment are documented, and a timeframe to attend to these hazards is set – this usually will be *before* care can commence.

The assessment tool the *In Home Child Care Environmental Checklist and Action Plan*, used for where there are children under five years, is included with the standards for carers for their information.

The ARB is required to advise families of relevant guidelines that carers are expected to follow, for example, in relation to health and safety issues, cleaning, food preparation and storage, toys and play equipment, medicines, and so on.

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# I FIT AND PROPER

## STANDARD

**A registered in home child carer must be a fit and proper person.**

### Rationale

A duty of care is owed to all children placed with a registered in home child carer, and the standard of care in relation to these children is high. In order to ensure that the safety of children is maximised and their developmental needs are addressed, the registered in home child carer must be a fit and proper person.

### I.1 Fit and proper

An applicant for an in home child carer registration must meet the following criteria in order to be assessed as a fit and proper person in conjunction with the provisions of the *Child Care Act 2001*:

- a) provide proof of a current Working with Children Check or a valid safety screening clearance issued by the Department of Education for sighting by the approved registration body (ARB);
- b) provide the names of two referees (who are not relatives of the applicant) who can attest that the applicant is a fit and proper person for the purposes of providing care for children;
- c) have an understanding of their legislative responsibilities under the *Child Care Act 2001*; and
- d) demonstrate an understanding of their duty of care towards children in their care and undertake to ensure that they will meet their duty of care at all times.

## 2 CARER KNOWLEDGE, SKILLS AND EXPERIENCE

### STANDARD

**In home child carers are to possess appropriate knowledge, skills and experience.**

#### Rationale

Research demonstrates that the most significant variable which influences the quality of care provided is the level of related training which carers have undertaken.

Appropriate training, and a sound understanding of child development, facilitate the carer's ability to recognise and provide for children's needs, and to competently manage groups of children.

#### 2.1 The carer is to have

- a) an understanding of their duty of care in relation to children in their care.
- b) experience in caring for children.
- c) an understanding that the environment provided for children needs to be safe:
  - i) physically;
  - ii) emotionally; and
  - iii) socially.
- d) a basic knowledge of child development.
- e) a basic knowledge of children's health, hygiene and nutritional and safety needs.
- f) an understanding of supervision and other preventive measures to ensure a safe environment for children.
- g)
  - i) a current approved first aid qualification; and
  - ii) a current approved emergency asthma management qualification; and
  - iii) a current approved anaphylaxis management qualification; and
  - iv) a current approved CPR qualification, (which must include child CPR and be updated annually).

**Note:** First Aid qualifications must comply with the First Aid qualifications as set out from time to time and published on Education and Care Unit's website.

#### 2.2 Professional development

The carer is to undertake relevant professional development each year, as specified/required by the ARB.

#### 2.3 Carer interactions with children

The carer's interactions with children in their care must ensure that the children:

- a) are guided towards positive and responsible behaviour;
- b) have the opportunity to make choices, solve problems and access learning experiences; and
- c) are encouraged and supported towards self-reliance and the development of positive self-esteem within the family cultural context.

### 3 CARER TO CHILD RATIO AND CARER RESPONSIBILITIES

#### STANDARD

**The in home child carer may care for one family only at any one time.**

**Note:** 'Family' refers to members of one family, i.e. brothers and sisters, including step brothers and sisters, foster children and near relatives who normally reside together.

#### Rationale

A major determinant of quality care is the number of children cared for or supervised by each carer. Family grouping promotes stability and the ongoing development of close relationships.

#### 3.1 General Ratio

A carer may provide care for one family only at any one time.

#### 3.2 Carer responsibilities

- a) Whenever a child/ren are signed into care, the carer is responsible for the child/ren, whether or not the parent(s) are on the premises.
- b) When the child is out of the carer's direct supervision<sup>1</sup>, and in the care of the parent(s) while still on the premises or another part of the property (e.g. in a workshop), the child must be signed out of care.

#### 3.3 Carer responsibilities when on excursions

- a) The carer is responsible for the child/ren in care at all times, whether or not accompanied by the parent(s) on an excursion.
- b) The carer must consider any known hazards when choosing destinations that are appropriate to the ages and the number of children in the family.
- c) When the parent takes the child/ren on an outing or, for example, to a swimming or music lesson off the premises, without the carer accompanying them, the child/ren must be signed out of care.

**Note:** For further details about excursions, refer to Standard 4: Transport and Excursions.

#### <sup>1</sup> The agreed definitions of 'supervision' are –

- (a) **Supervision** - the carer's primary task is to provide help or assistance to the child/ren who may have difficulty performing activities. The carer is present and available whether or not assistance is actually provided.
- (b) **Direct supervision** - the carer is in close proximity to the child/ren and is able to give help or assistance immediately if required by the child/ren. The carer is able to see and hear the child/ren to determine the need for any help.

## 4 EXCURSIONS AND TRANSPORT

### STANDARD

**The safety and wellbeing of children must be maintained during excursions and vehicular travel.**

#### Rationale

Children clearly benefit from excursions that provide the opportunity to experience a broad range of environments and to explore their local community. Child safety and meeting duty of care must be of primary consideration.

The carer is to recognise that planning for excursions must incorporate the possibility of increased risks when children are in unfamiliar environments.

#### 4.1 Parental permission for excursions

- a) No child is to leave the premises without a parent(s)' written authorisation.
- b) Written authorisation for a child to participate in routine excursions is to be obtained from the parent(s) when the care situation commences, and updated as required, as a record of the agreed routine excursions.
- c) The carer is to give the parent(s) specific information about each non-routine excursion using the ARB excursion proforma.
- d) Written permission must be obtained from the parent(s) prior to each non-routine excursion taking place.

#### 4.2 Hazard identification and management

The carer is to identify, assess and manage any hazards to ensure the safety of the children.

#### 4.3 Safety of children on excursions

On excursions, the carer must:

- a) supervise at all times;
- b) always have a first aid kit suitable for the excursion;
- c) have emergency information, e.g. information about a child's allergic reactions, etc; and
- d) have a mobile phone or means of emergency contact, e.g. with the ARB or with emergency services, e.g. ambulance.

#### 4.4 Adult to child ratio on excursions

- a) The carer is responsible for the children in care at all times the children are signed into care, whether or not accompanied by the parent(s) on an excursion.
- b) The adult to child ratio is to be determined according to:
  - i) any identified hazard;
  - ii) the individual needs of children; and
  - iii) the composition/dynamics of the group of children.

#### 4.5 Excursions with a significant hazard, and activities which involve a high level of risk, e.g. activities such as swimming, horse-riding, bike riding, etc.

##### a) Risk management

For any excursion or activity which has a high level of risk, the carer will always:

- i) be present and maintain the overall responsibility;
- ii) identify, assess and manage any hazards to ensure the safety of the children; and
- iii) be able to see the children at all times and to assist children immediately if required.

##### b) Excursions to bodies of water/swimming and water sports/activities

**Note:** The ARB may have policies around swimming and water sports/activities, which the carer must follow.

*Given the high risks, the carer must assess and manage the situation carefully, and consider factors such as the number and ages of the children, their swimming skills and experience, proposed location/water conditions and the carer's own swimming and lifesaving skills.*

- i) If the children are to swim, the carer will document a hazard management plan; and
- ii) Swimming in dams or similar bodies of water is *not* permitted.

#### 4.6 Carer's vehicle

Where a carer's own vehicle is used to transport children in their care:

- a) the carer must provide evidence that the vehicle is roadworthy and regularly serviced;
- b) the carer must provide evidence, e.g. certificates, that the vehicle complies with the appropriate transport regulations, including:
  - i) current valid vehicle registration;
  - ii) seating for each child; and
  - iii) appropriate child restraints, correctly installed.
- c) when the carer is the driver, the carer must:
  - i) hold a valid driving licence for the vehicle;
  - ii) not be required to display provisional licence plates;
  - iii) have a zero blood alcohol content; and
  - iv) not be adversely affected by drugs or medication.
- d) parents' written permission must be given prior to children travelling with the carer in the carer's vehicle;
- e) children are never to be left unattended;
- f) loose objects, such as luggage, or items on the parcel shelf, are to be stored safely and securely; and
- g) animals must be secured safely.

#### 4.7 Family's vehicle

The ARB may have policies in place in relation to the use of the family vehicle.

## 5 ACTIVITIES AND EXPERIENCES FOR CHILDREN

### STANDARD

**Activities and experiences that support each individual child's development, and allow for age-appropriate leisure and recreational activities, are to be provided in a safe and supportive environment.**

### Rationale

A supportive learning environment, with opportunities for imaginative play, self-expression and creative thought, is fundamental to the development of young children.

The provision of sufficient and varied opportunities for play enhances each child's growth and individuality. Such opportunities must be culturally appropriate and offer experiences that facilitate each child's individual development.

Carers are expected to plan, provide and evaluate a range of experiences that are developmentally appropriate and support each child's needs through the natural rhythms and routines of the day and night.

Carers are expected to have sufficient evidence to inform parents of their children's planned experiences, such as communication book/journal, photographs, samples of children's work, a folder or scrap book for a child.

### 5.1 Activities and Experiences

- a) The carer is to take into account:
  - i) family routines;
  - ii) the weather and the physical environment; and
  - iii) quiet/active times and settings.
- b) The carer is to offer children the opportunity to:
  - i) explore a variety of experiences, both indoor and outdoor;
  - ii) pursue their own interests;
  - iii) be spontaneous; and
  - iv) freely choose activities, and solve problems.
- c) The carer is to promote the dignity and rights of each child at all times, by:
  - i) using positive guidance techniques and encouraging children towards positive and responsible behaviour; and
  - ii) respecting the child's family's culture and values.



## 6 HEALTH AND SAFETY

### STANDARD

**Children's health and development is to be nurtured within a safe indoor/outdoor environment and supported through appropriate nutrition, health and hygiene practices. The carer will be protected through the provision of a safe working environment.**

### Rationale

Children need exposure to a wide variety of challenges and experiences within an environment that is safe, creative and stimulating. Such an environment requires a carer to have an understanding of hazard identification, supervision and other preventative strategies.

It is also important that a carer models positive health practices, and appropriately supervises, assists and encourages children in their daily health and hygiene routines.

As the child care setting is usually the child's home, care must also be taken to provide the carer with a safe, clean and hygienic work environment. It is the responsibility of the ARB to ensure that the environment is safe (refer to ARB, Standard 4). This will be achieved through a co-operative risk assessment by the ARB and the family of the premises, using the *In Home Child Care Environment Checklist and Action Plan* prior to the commencement of care. Any hazards will be identified on an Action Plan, to be addressed by the family within an agreed timeframe.

The ARB is to provide the carer with a *Hazard Identification and Management Checklist and Action Plan* tailored to the specific care situation, and agreed between the ARB and the family prior to the commencement of care. This is for the carer's regular use, i.e. at the commencement of each care shift.

The ARB will advise the family of relevant guidelines for carers in relation to health and safety, toys and equipment, outdoor play equipment, safe food preparation and storage, medicines and medicinal products, storage, and children's access to vehicles.

### 6.1 Safe environment: Carer's responsibility/risk management

- a) The carer is to complete the agreed hazard identification and management checklist, each time care commences, for indoors and outdoors, and take any appropriate action.
- b) Where any agreed guidelines/procedures are not being followed, the matter must be discussed between carer and family, or referred to the ARB.
- c) The carer is to:
  - i) observe health and hygiene practices which reflect current community standards and guidelines; and
  - ii) encourage children to follow appropriate safety and health practices.

**Note:** The ARB may have policies/procedures around these matters for guidance.

### 6.2 Nutrition

In partnership with parents, and respecting the family's cultural, religious or health related dietary needs, the carer is to:

- a) promote children's awareness of food and nutrition;
- b) prepare, handle and store food in a safe and hygienic manner;
- c) provide meals and snack times on a regular schedule, with flexibility where

possible to accommodate children's individual needs;

- d) ensure food is developmentally appropriate for the child and encourages independent eating; and
- e) ensure drinking water is made available to children at all times.

### **6.3 Notifiable diseases**

If the carer is exposed to a notifiable disease, the carer is to notify the ARB.

### **6.4 Weather protection**

The carer is to ensure that:

- a) children are protected against the adverse effects of weather; and
- b) the carer and children follow sun protection practices, based on current community standards and health guidelines, and any ARB policies/procedures.

### **6.5 Carer health**

- a) A carer's ability to care for children is not to be impaired by:
  - i) poor health status;
  - ii) any medical condition;
  - iii) dependency on any medication; and
  - iv) dependency on any substance.
- b) A carer is to provide a medical certificate indicating their ability to carry out full duties if requested at any time by the ARB.
- c) The carer must neither be adversely affected by, nor consume alcohol or drugs (except those required for legitimate medical reasons) during the hours children are in care.

### **6.6 Smoking**

A smoke-free environment must be provided for carers and children during the hours children are in care.

### **6.7 Medical/emergency treatment**

- a) If a child has an accident/injury or becomes ill while in care, the child must be kept under the carer's/ARB's supervision until the child's parent(s), or a person nominated by the parent(s), or emergency services personnel take charge of the child.
- b) If a child requires immediate medical aid, the carer must take all reasonable steps to secure that aid.
- c) If medical treatment is sought off the premises, relevant information is to be taken with the child.
- d) If emergency treatment/medical aid is sought, the parent(s) are to be notified as soon as possible.

## 7 ADMINISTRATION AND RECORDS

### STANDARD

**The in home child carer is to ensure their duty of care is met, and is to maintain records appropriately.**

#### Rationale

It is important that the carer keeps accurate records, and has effective administrative procedures.

#### 7.1 Access to information

The in home child carer is to carry with them:

- a) their In Home Child Care ID and current registration certificate, issued by the ARB;
- b) the telephone number, address and other relevant information of the ARB;
- c) a copy of the *Child Care Act 2001*; and
- d) all relevant policies, procedures and practices of the ARB.

#### 7.2 Insurance

The in home child carer must be covered by a current public liability policy.

#### 7.3 Records

**Note:** The ARB must supply the carer with relevant proformas, which satisfy ARB Standard 3, including Enrolment, Contact and Child Information, Record of Hours of Care Provided, Parent Permissions, Authorisation and Administration of Medication, Child Accident or Injury Report, Notifiable Disease, Risk Assessment/Safety Management.

- a) The carer must use, and keep the completed proformas, as per ARB policy.
- b) Records for registration as an in home child carer  
The carer is to keep the original of the following documents:
  - i) evidence of current Tasmanian Working with Children Check, or a valid safety screening clearance issued by the Department of Education;

**Note:** Where the ARB policy allows for a carer's family members to accompany the carer to the care situation, the carer must also keep evidence of Tasmanian Working with Children Checks or valid safety screening for each relevant family member and/or regular/long stay visitors, as applicable.

- ii) proof of current first aid qualifications, as set out in Standard 2.1.
- iii) approved qualifications/documentation to validate carer's progress towards an approved qualification; and
- iv) driving licence(s) and relevant vehicle certificates and documentation as per Standard 4.6, if applicable.

#### 7.4 Maintenance and retention of records

The carer must:

- a) ensure that any required records are kept up to date, and remain confidential;
- b) keep records (see 7.3 (a) and (b)) for the periods specified in the ARB policy about the retention of records.

## GLOSSARY

**‘ancillary staff’** means persons employed in respect of a child care service otherwise than as child carers;

**‘applicant’** means a person who has applied for a licence under section 13;

**‘approved premises’** means premises approved by the Secretary, or premises of a class approved by the Secretary, under subsection (2);

**‘approved registration body’** means a person who holds a registration body approval licence;

**‘approved registration body licence’** means a licence granted under section 16 that authorises one or more of the activities specified in section 10;

**‘authorised officer’** means a person appointed as an authorised officer under section 72;

**‘centre based child care licence’**, means a centre-based child care licence granted under section 16 that authorises the activity specified in section 11;

**‘child’** means a person who has not attained the age of 13 years;

**‘child care’** has the meaning given by section 4;

**‘child care centre’** means premises, other than a person’s primary residence or approved premises or the primary or other residence of the child, at which a child may be provided with child care;

**‘child care service’** means –

- a) the operation by an approved registration body of any business that involves one or more of the activities authorised by the licence; and
- b) the operation by the holder of a centre-based child care licence of any business that involves one or more of the activities authorised by the licence; and
- c) the operation by the holder of a home-based child care licence of any business that involves one or more of the activities authorised by the licence;
- d) the provision of child care by a registered carer;

**‘child carer’**, in respect of a child who is being provided with child care, means a person who, for fee or other material benefit, cares for the child –

- a) in that person’s own primary residence; or
- b) in that person’s approved premises; or
- c) in the child’s primary or other residence; or
- d) in premises in which child care is provided under a centre-based child care licence;

**‘close relative’**, in relation to a person, means –

- a) another person who resides with that person; and
- b) another person who is a guardian of that person; and
- c) another person who, in the opinion of the Secretary, may have frequent or extended contact with a child for whom that person is operating or providing or may operate or provide a child care service;

**‘director’**, in relation to a body corporate –

- a) if the body corporate is a corporation within the meaning of the *Corporations Act*, has the meaning as in the *Corporations Act*; and
- b) if the body corporate is not a corporation within the meaning of the *Corporations Act*, means a person holding a position in the body corporate that is equivalent to or substantially the same as the position of director in a corporation, within the meaning of the *Corporations Act*;

**‘employ’** means employ for payment or other reward and includes engage the services of, whether as an employee or an independent contractor or otherwise;

**‘extended family’** has the same meaning as in the *Children, Young Persons and Their Families Act 1997*;

**‘guardian’** has the same meaning as in the *Children, Young Persons and Their Families Act 1997*;

**‘home-based child care’** means the provision of child care -

- a) in the child’s primary or other residence; or
- b) in the child carer’s primary residence; or
- c) in the approved premises of the child carer;

**‘home-based child care licence’** means a licence granted under section 16 that authorises one or more of the activities specified in section 12;

**‘licence’** means –

- a) an approved registration body licence; and
- b) a centre-based child care licence; and
- c) a home-based child care licence;

**‘licence applicant’** means the individual or body that is applying to hold a licence to operate or provide a child care service;

**‘licensee or licence holder’** means the individual or body to whom a licence to operate or provide a child care service has been issued;

**‘licensee representative’** means the person nominated by the service operator to represent all members of the service operator on licensing matters where the service operator holds the licence. This person is expected to have a higher level of understanding about the operation of the child care service and its adherence to the Licensing Standards;

**‘may’** indicates that the power may be exercised or not exercised; with discretion;

**‘must’** indicates that the power is required to be exercised;

**‘parent’** includes a stepmother, stepfather and guardian;

**‘person in charge’** –

- a) in relation to the child care service operated or provided by an approved registration body, the person who is directly in charge of the day-to-day coordination of the child care service; and
- b) in relation to a child care service operated or provided by the holder of a centre-based child care licence or a home-based child care licence, the person who –
  - i) is physically at the centre, residence or other facility or premises where children are provided with child care by that service; and
  - ii) is in charge of the day-to-day running and supervision of that service or centre, residence or other facility or premises,

whether the person referred to in paragraph (a) or (b) is the holder of the licence under which the child care service operates or is provided, or an individual employed by that holder;

**‘potential child carer’** means a person who is desirous of obtaining employment as a child carer;

**‘premises’ includes –**

- a) a vehicle, vessel and other means of transport; and
- b) a part of premises;

**‘registered carer’** means a person who has been registered as a child carer by an approved registration body;

**‘registration’** means registration of a person as a child carer by an approved registration body in accordance with the relevant Standards;

**‘regulations’** means the regulations made and in force under this Act;

**‘responsible person’** means:

- a) the individual, other than the person in charge of the service, to whom is assigned by the licensee the general responsibility for, and supervision of the operations of, the provision of child care under the licence; or
- b) any other body or individual, other than the person in charge of the child care service, who has the authority to give directions and make decisions in respect of the management of that child care service.

**‘safety screening clearance’** is a crucial component in assessing whether a person is a fit and proper person. The process enabled the Conduct and Investigations Unit, Department of Education, to request information from the Police, and other government departments, e.g. Child Protection etc. It remained in place until 1 October 2014 when it was replaced by the requirement to hold a Working with Children Check under the *Registration to Work with Vulnerable People Act 2013*.

The *Registration to Work with Vulnerable People Regulations 2014* specify the dates from when individuals holding a safety screening clearance are required to hold a Working with Children Check. Therefore the safety screening clearance is only considered valid until these specified dates are reached, even though the original letter regarding the safety screening clearance from the Department of Education may state a later expiry date.

**‘service operator’** is the name of the organisation/management body that provides the service from the child care centre. It may be a community based management committee or incorporated body, a company, registered business, a partnership, a government agency or an individual who owns the service. The service operator may choose to hold the licence or may authorise an individual employee to hold the licence;

**‘spouse’**, in relation to a person, includes a person who, although not legally married to that person –

- a) is generally recognised as the de facto husband or wife of that person; or
- b) has a relationship with that person that is of a marital nature.

**‘Standards’** means the Child Care Standards issued under section 47, as amended or substituted from time to time;

**‘volunteer’** means a person who undertakes duties authorised by the service, as a voluntary worker, and who receives no remuneration or compensation in money or other consideration, e.g. parents who participate in fundraising activities or working bees, or committee members.

**‘Working with Children Check’** means a registration to work with children in the regulated activity of child care services under the *Registration to Work with Vulnerable People Act 2013*.



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