

6.02V ACCEPTANCE AND REFUSAL OF AUTHORISATION



**Lutheran
Education**
VIC, NSW & TAS

QUALITY AREA 6 | VERSION 1.0

PURPOSE

This policy provides a clear set of procedures to be followed when:

- obtaining written authorisation from a parent/guardian or person authorised and named in the enrolment record
- refusing written authorisation from a parent/guardian or person authorised and named in the enrolment record.

POLICY STATEMENT

VALUES

LEVNT EC Services are committed to:

- ensuring the safety and wellbeing of all children attending the service
- meeting its duty of care obligations under the law

SCOPE

This policy applies to the Approved Provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers (ECT), parents/guardians, student educators, volunteers and contractors attending LEVNT EC Services.

BACKGROUND

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

- self-administration of medication (if applicable)
- children leaving the service premises
- children being taken on excursions
- transport provided or arranged by the service
- seeking medical treatment for children and transportation by an ambulance service

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

This policy outlines procedures to be followed when refusing a written authorisation from a parent/guardian or person authorised and named in the enrolment record. As an example, the National Law does not specify the minimum age of a person who is authorised to collect a child from the service premises. After consulting with parents/guardians and families, the Approved Provider may adopt a policy position accepting authorisations for persons over the age of 16 to collect a child from the service. This decision will then be outlined in the service's Delivery and Collection of Children Policy. In the event that the service receives written authorisation for a person under the age specified in its Delivery and Collection of Children Policy, to collect a child from the service, the procedures outlined within this policy for refusing this written authorisation would be enacted.

DEFINITIONS

The terms defined in this section relate specifically to this policy. For regularly used terms refer to the Definitions file of each LEVNT EC policy folder.

Inappropriate person: A person who may pose a risk to the health, safety or wellbeing of any child attending the education and care service, or whose behaviour or state of mind make it inappropriate for them to be on the premises e.g. a person under the influence of drugs or alcohol or who is the subject of a court order related to the child in care.

RESPONSIBILITIES

Actions which are legislated requirements of the ECEC sector are indicated with **LR**.

	Approved Provider and/or persons with	Nominated supervisor and persons in day-to-	Early childhood teachers, educators and all other	Parents, guardians and carers	Contractors, volunteers and those on student
Ensuring that parents/guardians are provided access to all service policies	LR	✓	✓		
Ensuring that all staff and parents/guardians follow the policies and procedures of the service	LR	✓	✓	✓	
Ensuring all authorisations are kept up-to-date	LR	✓		✓	
Ensuring that all parents/guardians have completed the authorised nominee section of their child's enrolment form (refer to Enrolment and Orientation Policy), and that the form is signed and dated before the child commences at the service	LR	✓	✓		
Ensuring that permission forms for excursions are provided to the parent/guardian or authorised nominee prior to the excursion (refer to Excursions and Service Events Policy)	LR		✓		
Ensuring ECT/educators/staff allow a child to participate in an excursion or regular outings only with the written authorisation of a parent/guardian or authorised nominee including details required (refer to Excursions and Service Events Policy)	LR		✓		
Ensuring that where children require medication to be administered by ECT/educators/staff, this is authorised in writing, signed and dated by a parent/guardian or authorised nominee, and included with the child's medication record (refer to Administration of Medication Policy and Dealing with Medical Conditions Policy)	LR	✓	✓		
Ensuring ECT/educators/staff do not administer medication without the authorisation of a parent/guardian or authorised nominee, except in the case of an emergency, including an asthma or anaphylaxis emergency (refer to Administration of Medication Policy, Dealing with Medical Conditions Policy, Incident, Injury, Trauma and Illness Policy, Emergency and Evacuation Policy, Asthma Policy and Anaphylaxis Policy)	LR	✓	✓		
Ensuring that all parents/guardians have completed the authorised nominee section of their child's enrolment form (refer to Enrolment and Orientation Policy), for authorisation for seeking medical treatment and transportation of the child by an ambulance service	LR	✓	✓	✓	

	Approved Provider and/or persons with	Nominated supervisor and persons in day-to-	Early childhood teachers, educators and all other	Parents, guardians and carers	Contractors, volunteers and those on student
Ensuring that all parents/guardians have completed the authorised nominee section of their child's enrolment form (refer to Enrolment and Orientation Policy), for authorisation for the transportation of the child or arranging transportation of the child	LR	✓	✓	✓	
Ensuring that an attendance record is maintained to account for all children attending the service	LR	✓	✓		
Keeping a written record of all visitors to the service, including time of arrival and departure	LR	✓			
Ensuring the Approved Provider is informed when a written authorisation does not meet the requirements outlined in service policies		✓	✓		
Ensuring children depart from the service only with a person who is the parent/guardian or authorised nominee, or with the written authorisation of one of these, except in the case of a medical or other emergency (refer to Delivery and Collection of Children Policy and Child Safe Environment Policy)	LR	LR	✓		
Ensuring the service is aware of any contact orders prohibiting an adult from contacting an enrolled child, and keeping a copy of the court orders with the child's enrolment record.	LR	LR	✓		
Ensuring processes are in place for circumstances where authorisations are refused/not applicable. For example: <ul style="list-style-type: none"> where the service is asked to administer medication that is not in its original container when leaving the service, the parent, authorised nominee or person as listed does not appear to be fit to take the child the child has been given authorisation to leave the service alone, however the environment they would be in is unsafe 	LR	✓			
Ensuring that there are procedures in place if an inappropriate person attempts to collect a child from the service (refer to Delivery and Collection of Children Policy and Child Safe Environment Policy)	LR	LR			
Enacting procedures for dealing with a written authorisation that does not meet the requirements outlined in service policies	LR	✓	✓		
Completing and signing the authorised nominee section of their child's enrolment form (refer to Enrolment and Orientation Policy) before their child commences at the service				✓	
Signing and dating permission forms for excursions				✓	
Signing the attendance record (Xplor acceptable) as their child arrives at and departs from the service				✓	
Providing written authorisation where children require medication to be administered by educators/staff, and signing and dating it for inclusion in the child's medication record				✓	

EVALUATION

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

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- assess whether a satisfactory resolution has been achieved in relation to issues arising from this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of a policy review cycle, or as required
- notify all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk

AUTHORISATION & REVIEW

This policy was adopted by Lutheran Education VIC, NSW, TAS and ACT Ltd as Approved Provider for this service on 10th November 2022.

REVIEW DATE March 2024 or earlier as required.

REFERENCES

LEGISLATION & STANDARDS

- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic) (Part 2: Principles for Children)
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- Family Law Act 1975 (Cth)
- National Quality Standard, Quality Area 2: Children's Health and Safety

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

- Victorian Legislation - Victorian Law Today:
<http://www.legislation.vic.gov.au>

SOURCES

- Australian Children's Education and Care Quality Authority (ACECQA): www.acecqa.gov.au

RELATED POLICIES

- 2.02V Nutrition, Oral Health and Active Play
- 2.05V Administration of First Aid
- 2.06V Incident, Injury, Trauma and Illness
- 2.08V Dealing with Medical Conditions
- 2.09V Emergency and Evacuations
- 2.10V Delivery and Collection of Children
- 2.11V Child Safe Environment and Wellbeing
- 2.13V Road Safety Education and Safe Transport
- 2.15V Administration of Medication
- 2.24V Excursions and Service Events
- 6.01V Enrolment and Orientation
- 7.01V Governance and Management of the Service