

Outside School Hours Care (OSHC) Refusal & Acceptance of Authorisations Procedures & Policy

AIM

The aim of this policy is to provide an outline of procedures to be followed when:

- Obtaining written authorisation from a parent/guardian or person authorised and named in the enrolment record; and
- Refusing written authorisation from a parent/guardian or person authorised and named in the enrolment record.

POLICY

This policy applies to children, families, staff, management, and visitors of the service.

Under the *Education and Care Services National Law Act 2010* (National Law) and the Education and Care Services National Regulations 2011 (National 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:

- Collection of a child from an OSHC service
- Medical authorisation
- Self-administration of medication (Regulation 96)
- Children being taken on excursions (Regulation 102)

Specific policies will include details of conditions under which written authorisations will be accepted. However, there may be instances when a service refuses to accept a written authorisation. The National Regulations 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 is required of them in these circumstances.

Loch Primary School Council is responsible for:

- Ensuring that parents/guardians have access to all service policies
- Ensuring that all staff understand and follow the policies and procedures of the service
- Ensuring that all parents/guardians have completed the authorised nominee section of their child's enrolment form, and that the form is signed and dated before the child commences at the service

- Keeping a written record of all visitors to the service, including time of arrival and departure
- Developing and enacting procedures for dealing with a written authorisation (see more information below) that does not meet the requirements outlined in this policy or the below procedures.

All OSHC staff are responsible for:

- Informing their supervisor when a written authorisation does not meet the requirements outlined in service policies
- Following procedures for dealing with a written authorisation that does not meet the requirements outlined in this policy or the below procedures

A situation where a person may not meet the requirements outlined in service policies may include:

- If the parent or any other authorised nominee or person as listed in regulation 99 of the National Regulations does not appear to be fit to take care of the child
- The sibling or older child authorised to take another child out of the service does not appear to be capable
- The child has been given authorisation to leave the service alone, however they do not appear to be capable or the environment they would be in alone is unsafe.

PROCEDURES

On receipt of a written authorisation from a parent/guardian that does not meet the requirements outlined in the relevant service policy (i.e. the Excursions Policy, or the Dealing with Medical Conditions policy), Loch Primary School OSHC staff will:

- Immediately explain to the parent/guardian that their written authorisation contravenes service policy, and that it cannot be accepted
- Ensure that the parent/guardian is provided with a copy of the relevant service policy and that they understand the reasons for, and the implications of, the refusal of the authorisation
- Request that an appropriate alternative written authorisation is provided by the parent/guardian that complies with the requirements of the relevant service policy
- Ensure that procedures outlined in the relevant service policy are followed where a parent/guardian cannot be immediately contacted to provide an alternative written authorisation
- Follow up with the parent/guardian, where required, to ensure that an appropriate written authorisation is obtained

ROLES & RESPONSIBILITIES

Role	Responsibility
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Educators and Supervisors	School Council, Person with Management or Control, Educators, Supervisors, Nominated Supervisor/Educational Leader will oversee the implementation and service adherence to this policy All Educators are responsible for the daily implementation of the policy when directly supervising children.
School Council / Principal	Provide official sign off on the Policy

REFERENCES

DEFINITIONS

Authorised Nominee: A person who has been given written authority by the parents/guardians of a child to collect the child from the education and care service. These details will be on the child's enrolment record.

LEGISLATION AND STANDARDS

- [National Quality Standard](#), Quality Area 2: Children's Health and Safety ☐ Standard 2.3: Each child is protected
- [Children, Youth and Families Act](#) 2005 (Vic) Child Wellbeing and Safety Act 2005 (Vic)
- [Child Wellbeing and Safety Act](#) 2005 (Vic) (Part 2: Principles for Children)
- [Education and Care Services National Law Act](#) 2010: Section 167
- [Education and Care Services National Regulations](#) 2011: Regulations 96, 99, 102, 160, 161, 168(2)(m), 170
- [Family Law Act 1975](#) (Cth)

POLICY REVIEW AND APPROVAL

The Policy will be reviewed every 12 months. The ongoing monitoring and compliance to this policy will be overseen by Nominated Supervisor, Loch Primary School OSHC and Person with Management or Control of the Service where practical. Feedback from Quality Assessment and Regulation Division (QARD), received through the assessment and rating process and/or compliance visits will inform this policy review. Feedback from stakeholders, e.g. parents, school community etc. will also inform policy updates and review.

This policy was last reviewed and updated by both School Council and OSHC staff on **27th March 2023** and is scheduled for review in **March 2024**.

STAFF ACKNOWLEDGEMENT

I acknowledge:

- receiving the Loch Primary School OSHC Refusal and Acceptance of Authorisation Policy;
- that I will comply with the policy; and

- that dependent on the seriousness of any breach there may be disciplinary consequences if I fail to comply, which may result in the termination of my employment.

Your Name:		
Signed:		
Date:		
Loch OSHC sign off:		Date: