



TOOWONG OUTSIDE SCHOOL HOURS CARE

9.1 Access Policy

Toowong Outside School Hours Care is available to all school age children and is primarily for those whose parents work or study. The program is designed to include children irrespective of background, culture, religion, gender, disability, marital status or income. All areas/members of the community are respected, valued, catered for and encouraged to be involved in the operation of the service.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Australian Government Children’s Services Handbook*
- *Duty of Care*
- *National Quality Standard, Quality Area 6 – Collaborative partnerships with families and communities*
- *Policies: 2.11 – Including Children with Special/Additional Needs, 9.2 – Enrolment, 9.3 – Communication with Families.*

 Procedures

If demand for places provided at TOSHC exceeds those available, priority of access will be given based on guidelines provided by the Australian Government Child Care Provider Handbook.

TOSHC and its employees will promote equality, cultural diversity and will be actively encouraged to understand individual children’s backgrounds and provide opportunities and sensitivity to their needs.

To enable children with special/additional needs to attend, TOSHC will facilitate access to inclusion and support assistance as necessary.

To enable children to participate in the range of activities at TOSHC, the Director will invite and encourage all parents/guardians and their child to meet with educators regularly to review and evaluate how TOSHC is meeting the needs of the particular child.

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9.2 Enrolment Policy

Toowong Outside School Hours Care acknowledges the need to ensure accurate and relevant information relating to the specific needs of each child is available and uses effective enrolment procedures to obtain such information and to impart appropriate information to parents/guardians.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Australian Government Department of Education Children's Services Handbook*
- *Duty of Care*
- *National Quality Standard, Quality Area 6 – Collaborative partnerships with families and communities*
- *Policies: 2.4 – Arrivals and Departures of Children, 2.11 – Including Children with Special/Additional Needs, 2.13 – Use of Photographic and Video Images of Children, 3.5 – Excursions, 3.8 – Extra-curricular Activities, 4.6 – Medication, 4.8 – Sun Safety, 4.10 – Anaphylaxis Management, 8.15 – Children of Employees, 9.1 – Access*

Procedures

To access TOSHC, all children must be enrolled. A completed enrolment form for each child is required to be submitted before any child attends TOSHC. Our enrolment form can be found by visiting the Toowong State School website. Parents/Guardians are encouraged to attend and given the opportunity to have a meeting with the Director on enrolment of children and prior to the child attending TOSHC. This provides opportunity to discuss each child's individual needs. An annual registration fee is charged to all families at the beginning of each year or on enrolment at TOSHC.

During the enrolment process parents/guardians will be provided with a service enrolment pack, including but not limited to:

- How to enrol online and complete the TOSHC enrolment form instructions;
- Family handbook;
- Service rules and behaviour expectations.

Enrolment at TOSHC for children over pre-school age is available from the beginning of the calendar year in which they will attend school. Families may need to provide documentation relating to proof of age prior to enrolment being accepted.

Strictly for the purposes of enabling TOSHC to fulfill its Duty of Care responsibilities to the child and comply with these policies and procedures, the following information in relation to children is requested from all parents/guardians through the service enrolment form:

- Personal details (name, address, and date of birth);
- Name, home and work address and phone numbers of parent/guardian;
- Name, address, phone number and relationship to child of persons (authorised nominee) who may be contacted for emergency collection;
- Other persons nominated with authority to collect the child from care
- Parental/guardianship and/or residential details (if any), including copies of relevant court orders;
- Relevant health and medical details including food intolerances and medical management plans for children identifies with medical conditions (anaphylaxis, asthma /diabetes)

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- Copy of the child's immunisation history statement;
- Name, address and phone number of the child's doctor;
- Any special physical, emotional, dietary, religious, cultural or other needs or considerations relating to the child; and
- Authorisation for the service Director (or nominated educator) to:
 - Provide emergency medical treatment;
 - Apply/assist to apply SPF+30 sunscreen; and
 - Take and/or display children's photographs.

The enrolment form shall also include the written consent of the parent/guardian signing the form to the use of the information by the service in keeping with the Information Handling Policy (Privacy and Confidentiality Policy 10.8) and other policies and procedures of the service.

TOSHC cannot provide its services to a child, and may refuse to do so, if the parent/guardian refuses to give any or all of the above information, as TOSHC will not be able to discharge its Duty of Care and other responsibilities to the child without this information.

TOSHC will, on a regular basis, request families to update children's enrolment forms to ensure all parent/guardian and emergency contact information is current.

All information obtained through the enrolment procedures will be kept in strictest confidence and used only for the purposes for which it is obtained (see also Policy 10.8 Information Handling [Privacy and Confidentiality]).

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9.3 Communication with Families Policy

Toowong Outside School Hours Care recognises and acknowledges the importance of effective communication with families and strives to encourage their participation and involvement to enhance the service provided. Families are welcome to attend TOSHC or talk to educators during its operations. We encourage families to voice any concerns in a way that will assist us to provide a responsive and inclusive service.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Privacy Act 1988 and Regulations 2013*
- *National Quality Standard, Quality Area 6 – Collaborative partnerships with families and communities; 1.3 Educators and Directors take a planned and reflective approach to implementing the program for each child*
- *Policies: 2.4 – Arrivals and Departures of Children, 2.6 – Behaviour Support and Management, 2.7 – Exclusion for Behavioural Reasons, 2.11 – Including Children with Special/Additional Needs, 2.13 – Use of Photographic and Video Images of Children, 2.14 - Bookings and Cancellations, 3.4 – Homework, 3.5 – Excursions, 3.8 – Extra-curricular Activities, 3.11 – Escorting Children, 4.2 – Infectious Diseases, 4.6 – Medication, 5.2 – Food and Nutrition, 4.8 – Sun Safety, 4.10 – Anaphylaxis Management, 4.15 – Asthma, 9.2 – Enrolment, 9.5 – Complaints Handling, 10.4 – Fees, 10.8 – Information Handling (Privacy and Confidentiality), 10.12 – Information Technology, 10.18 – Court Orders and the Release of Children in Care.*

Procedures

The Director will provide opportunity to meet with all new parents/guardians and the child, to discuss the service's operations and program and any specific needs they may have, and to answer any questions.

On enrolment, a Family Handbook will be provided as part of the service enrolment package. The information provided in this handbook is based on key aspects of prescribed TOSHC policies and procedures to reference.

Parents/guardians will have access to meet with the Director throughout daily sessions when appropriate to do so, and/or by pre-arranged appointment to discuss any issues or concerns with respect to their child and/or the service.

Information is made available to families about their child which includes documentation of their child's participation and progress in the program.

Information provided by families relating to their child's participation in the program will be documented and used to inform the future programming decisions.

All persons entering the premises will be identified by the Director and/or Person in Charge, as being an authorised person with permission by the parent/guardian.

The Director will treat all enquiries and concerns, and the persons making them, seriously and with respect, endeavouring wherever possible to answer questions and provide relevant information.

Any deficiencies in the service which are identified through this process, and which can be rectified, will be taken into account by modifying or enhancing these policies and procedures, or the program, as appropriate.

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The Director may refer families to information relating to appropriate community support and resource agencies that are accessible and available at TOSHC e.g. parent sign in/notice board.

Information for parents will also be communicated through:

- Newsletters;
- Memos posted on sign in sheet, notice board and via email;
- Regular meetings between Director/educators and parents/guardians;
- Alert notices written by the Director, being given to parents/guardians regarding matters of changed policy and where these need to be communicated before the next newsletter or monthly meeting; and/or
- Posts and notifications sent through the service social networking site (if applicable).

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9.4 Communication with Community Policy

Toowong Outside School Hours Care recognises and acknowledges the importance of its local community and seeks to act as a responsible neighbour and community member, both in the interests of its community and of enhancing the experience of children as members of the community.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Privacy Act 1988 and Regulations 2013*
- *National Quality Standard, Quality Area 6 – Collaborative partnerships with families and communities*
- *Policies: 8.14 – Employee Online Social Networking, 9.5 – Complaints Handling, 9.6 – Communication with Families, 9.7 – Community Engagement.*

Procedures

The Director is responsible to ensure that TOSHC holds current contacts and information on relevant community resources, and that educators are made aware of them through regular team meetings and the Educator Handbook.

The Director will ensure the Family Handbook is available and/or sought and made available on the request or identified need of parents/guardians.

The Director of TOSHC ensures that the local community are provided with information about TOSHC, are invited to attend TOSHC events and to provide feedback on the operation of TOSHC, and to explore any ways in which stronger community links can be built.

Members of the community will have access to meet with the Director by appointment to discuss any issues or concerns with respect to TOSHC.

The Director will treat all enquiries and concerns, and the people making them, seriously and with respect and will endeavour wherever possible to answer questions and provide required information.

Any deficiencies in the service which are identified through this process and can be rectified will be taken in to account by modifying or enhancing these policies and procedures, or the program, as appropriate.

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9.5 Complaints Handling Policy

To ensure service provision is in keeping with these policies and procedures and other applicable requirements, Toowong outside School Hours Care invites comments and complaints from children, parents/guardians, employees and the community. TOSHC respects and considers all complaints, which require a resolution seriously, and attempts to find a satisfactory resolution wherever possible.

📖 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Privacy Act 1988 and Regulations 2013*
- *National Quality Standard, Quality Area 6 – Collaborative partnerships with families and communities*
- *Policies: 8.6 – Employee and Volunteer Grievance, 9.3 – Communication with Families, 9.4 – Communication with Community, 9.8 – Parent Conduct, 10.8 – Information Handling (Privacy and Confidentiality)*

📄 Procedures

In the first instance, all comments, grievances and/or complaints shall be directed to the Director.

However, the complainant will be directed to access the Approved Provider if:

- The complaint is about the conduct of the Director;
- The complainant is not comfortable to take the complaint to the Director;
- The complainant is not satisfied with the Director’s handling of the complaint; and/or
- The complaint is about a matter of management and administration policy.

For this purpose, parents and others will be kept informed of the current contact details of the Approved Provider (or representative of). This information will be made available immediately on request, displayed in the service premises as to be clearly visible from the main entrance and included in the Family Handbook.

Using the Complaint Record Form (see 9.5.1) a record will be kept detailing the complaint, any relevant discussions, the steps identified to be taken to resolve the issue, and collaborative reviews of the outcome/s. Both the Director/Approved Provider and the complainant should sign this form with a copy provided to the complainant on request.

The Director will seek to resolve all genuine and reasonable complaints in the most appropriate way possible in consultation with the complainant. Discussions with the complainant will remain respectful and conducted in a place that affords privacy.

To encourage openness and honesty in the handling of complaints, the complaints record form will be stored confidentially and made accessible to the complainant on request, and other relevant individuals as needed to resolve the issue on approval from the complainant

Any matters of complaint can be referred to the service Approved Provider or the relevant Regulatory Authority for further guidance and/or assistance.

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9.6 Parent and Community Participation Policy

Toowong Outside School Hours Care values the important role that parents and the community take in the overall development, understanding and awareness of children. For this reason, TOSHC shall endeavour to encourage parent participation and engage with the local and wider community in mutually beneficial and supportive relationships in an effort to support children’s lifelong learning and recreational enrichment.

📖 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Public Liability Insurance*
- *Family and Child Commission Act 2014*
- *Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011*
- *National Quality Standard, Quality Area 6 – Collaborative partnerships with families and communities*
- *Policies: 3.5 – Excursions, 8.5 – Volunteers, 9.3 – Communication with Families, 9.4 – Communication with Community, 9.8 – Parent Conduct, 10.9 – Risk Management and Compliance,*

📋 Procedures

Parents

TOSHC shall develop and implement strategies and processes that identify:

- Parent skills and interests suitable to the program;
- How such parent involvement will support the overall objectives of TOSHC and in particular program delivery; and
- When such parent skills and interests may be utilised as part of the program throughout the year.

Parents will be encouraged to participate in TOSHC through attendance at management meetings and/or service events.

Community

TOSHC shall develop and implement strategies and processes that identify:

- Accessible community resources;
- The ways in which such resources can be utilised e.g. excursions, incursions, support activities etc;
- How such community engagement will support the overall objectives of the service and in particular program delivery; and
- When such community resources may be able to be utilised throughout the year.

The Director, management and employees shall identify local and wider community resources, where mutually beneficial and supportive relationships require establishment or enhancement.

Families of TOSHC will be encouraged to suggest suitable and appropriate community venues that may be considered for excursions, incursions etc.

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9.7 Management of Intoxicated or Persons Under the Influence Policy

The following policy and procedure are written and described without prejudice:

On occasion, Nominated Supervisor or the Responsible Persons in Charge of Toowong Outside School Hours Care may need to exercise Duty of Care in managing particular situations. These occasions may include those in which it is suspected that children may be released into the care of intoxicated or under the influence persons. All persons considered or expected under the influence of drugs, alcohol or other substance that are under the employ (at the time) of TOSHC shall be referred to the Fit for Work policy (see 8.17). All persons who are not under the current employ of TOSHC shall be requested to follow the policy and procedure as described.

Under no circumstances would TOSHC recommend that unfit persons take on duty of care for children unless the following procedures have been duly considered.

📖 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Duty of Care*
- *Child Protection Act 1999 and Regulations 2000*
- *Family and Child Commission Act 2014*
- *Work Health and Safety Act 2011*
- *National Quality Standard, Quality Area 6 – Collaborative partnerships with families and communities*
- *Policies: 2.2 – Statement of Commitment to the Safety and Wellbeing of Children and the Protection of Children from Harm, 2.4 – Arrivals and Departures of Children, 8.10 – Employee Orientation and Induction, 9.3 – Communication with Families, 9.8 – Parent Conduct.*

📄 Procedures

The family shall maintain the parental responsibility under the relevant acts and provisions to care for their children. In this case the parent shall:

- Understand and follow all laws regarding the collection and care of school age children and any individual service laws that they select of their own accord to use.

Should the Director or other senior employee reasonably suspect that the relevant parent, guardian or person authorised to collect the child is under the immediate influence of alcohol, drug or other substance, they shall:

- Make attempt to discuss concerns with the parent, guardian or authorised person;
- If not the parent, then make attempt to contact the parent to discuss concerns;
- Only release the child if required to by law;
- Call the police if an immediate threat to the welfare and wellbeing of children/and or family exists.

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9.8 Parent Conduct Policy

Toowong Outside School Hours Care strives to provide a safe and healthy workplace for employees and a caring and supportive environment for children and families. The TOSHC expectations of parent conduct whilst attending the service are clearly explained in the parent information package and are further supported by this policy.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Child Protection Act 1999 and Regulations 2000*
- *Duty of Care*
- *National Quality Standard, Quality Area 6 – Collaborative partnerships with families and communities*
- *Policies: 2.2 – Statement of Commitment to the Safety and Wellbeing of Children and the Protection of Children from Harm, 2.4 – Arrivals and Departures of Children, 7.3 – Harassment and Lockdown, 8.10 – Employee Orientation and Induction, 9.3 – Communication with Families, 9.6 – Parent and Community Participation, 9.7 – Management of Intoxicated or Persons Under the Influence.*

 Procedures

Parents/guardians shall be expected to communicate appropriately with all educators whilst dropping off or collecting their children, or other children as permitted to and from TOSHC.

Appropriate communication shall include, but not be limited to:

- Appropriate language; and
- Calm and considerate tone.

Parents/guardians shall not be permitted to discipline verbally or in any other way the children of other families. Should a parent have an issue or concern regarding the conduct of another child, family or employee, they shall follow appropriate grievance procedures by expressing their concerns in writing to the Director.

Parents/guardians who consistently breach the conduct expected of them whilst engaging with TOSHC may be exposed to appropriate consequences which may result in the suspension of their family’s enrolment with TOSHC.

The police may be notified if parent/guardian conduct within TOSHC is threatening or violent.

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9.9 Acceptance and Refusal of Authorisations Policy

The Approved Provider acknowledges the importance of ensuring parents/guardians/authorised nominees are aware of the process for authority to be given and/or refused for children to participate in relevant aspects of the program through the initial enrolment procedure. Such authorisations and/or refusals must be received in writing and will be handled in accordance with the service's Information Handling (Privacy and Confidentiality) Policy.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Family and Child Commission Act 2014*
- *Privacy Act 1988 and Regulations 2013*
- *Duty of Care*
- *National Quality Standard, Quality Area 6 – Collaborative partnerships with families and communities*
- *Policies: 2.4 – Arrivals and Departures of Children, 2.11 – Including Children with Special/Additional Needs, 2.13 – Use of Photographic and Video Images of Children, 2.14 – Bookings and Cancellations, 2.15 – Children's Belongings and Property, 3.2 – Program and Documentation Evaluation, 3.4 – Homework, 3.5 – Excursions, 3.7 – Physical Activity, 3.8 – Extra-Curricular Activities, 3.10 – Observational Recording, 3.11 – Escorting Children, 3.13 – Water Safety, 3.15 – Cooking with Children, 4.6 – Medication, 4.8 – Sun Safety, 4.10 – Anaphylaxis Management, 4.11 – Emergency Health and Medical Procedure Management, 4.14 – Asthma, 5.2 – Food and Nutrition, 9.2 - Enrolment, 9.3 – Communication with Families, 9.5 – Complaints Handling, 10.4 – Fees, 10.8 – Information Handling (Privacy and Confidentiality), 10.9 – Risk Management and Compliance, 10.10 – Managing Compliance within the Service, 10.18 – Court Orders and the Release of Children in Care.*

Procedures

Through the TOSHC enrolment process parents/guardians will have opportunity to give and/or refuse authority for the following (including but not limited to):

- Sharing of information, relevant to the care of their child (e.g. health, wellbeing and/or cultural requirements) amongst educators and/or support workers who are working within the TOSHC program;
- Provision of emergency medical treatment including obtaining any medical, hospital and/or ambulance service in the case of an accident or emergency involving their child;
- Service educators to liaise with other health/medical professionals in relation to the care of their child;
- Service educators to assist their child to apply a SPF 30+ sunscreen prior to outdoor activities; and
- Service educators to take photos of their child to record important events and special activities as part of the program.

Parent authority, in writing, will be required before any child will be allowed to leave the approved area of the service. This includes (but is not limited to):

- Excursions;

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- Extra-curricular activities; and
- Regular Outings.

Verbal authorisations will be accepted by the service however the following procedure will be implemented:

- Confirm the identity of the person providing the authorisation;
- Ensure the person is an authorised person on the child's enrolment form;
- Document the nature of the authorisation being sought/given; and
- Record the name of the person, how the identity was confirmed and the time and date of the verbal authorisation.

The Director may exercise the right of refusal if written or verbal authorisations do not comply with this policy or the necessary regulatory requirements.

TOSHC will waive compliance with this policy where a child requires emergency medical treatment for conditions such as anaphylaxis or asthma. TOSHC can administer medication without authorisation in these cases, provided they contact the parent/guardian as soon as practicable after the medication has been administered.

Procedures for parents/guardians/authorised nominees to give and/or refuse authority for children's participation is contained within the relevant policies of this service (e.g. Excursions Policy, Extra-curricular Activities Policy, and Escorting Children Policy).

Parents/guardians are responsible for and have the right at any time to change authorisations given to TOSHC in relation to their child and their child's participation in the program. This may be done through completion of an updated enrolment form or other written authorization.

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9.10 Visitors Policy

Toowong Outside School Hours Care seeks to provide an open and friendly environment, which values and actively encourages visitors. At the same time we recognise our Duty of Care to ensure a safe environment for children, families and staff, and we recognise our responsibility to protect and preserve our resources. Visitors are defined as all people other than:

- Staff members;
- Children enrolled and attending the service; and
- Parents/guardians involved in the task of delivering or collecting children from the service.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Child Protection Act 1999 and Regulations 2000*
- *Privacy Act 1988 and Regulations 2013*
- *Work Health and Safety Act 2011 and Regulations 2011*
- *Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011*
- *National Quality Standard, Quality Area 6 – Collaborative partnerships with families and communities*
- *Policies: 2.2 - Statement of Commitment to the Safety and Wellbeing of Children and the Protection of Children from Harm, 2.3 - Educator Ratios, 2.4 - Arrivals and Departures of Children, 2.11 - Including Children with Special/Additional Needs, 2.13 - Use of Photographic and Video Images of Children, 2.20 - Supervision of Children Policy, 3.1 - Educational Program Planning, 6.3 - Workplace Health and Safety, 7.2 - Drills and Evacuations, 7.3 - Harassment and Lockdown, 8.5 – Volunteers, 9.6 – Parent and Community Participation, 10.23 - Provision of Information, 10.24 - Privacy Policy*

 Procedures

Toowong Outside School Hours Care shall establish protocols and procedures that effectively monitor and manage visitors, whilst attending TOSHC.

All visitors must report to the TOSHC office on arrival at the service and sign the Visitors Register.

Visitors will be advised of any safety policies and procedures that may be relevant to the purpose and/or time of their visit.

Visitors to TOSHC will be expected to comply with all relevant work, health and safety requirements of the service.

All visitors will be accompanied or supervised by a staff member during their time in the service.

Any persons found on the premises unescorted will be asked by any staff member who observes them if they require assistance and then will direct the person back to the TOSHC office. If the unescorted person becomes hostile, procedures as per the service’s Harassment and Lockdown Policy (see policy 7.3) may be enacted.

All non-public access areas shall be marked by clear signage and/or entry shall be restricted by locked doors.

TOSHC’S emergency management procedures will ensure that any visitors in the service at the time of any emergency or practice drill are recognised and appropriately catered for.

Visitors to TOSHC will not be privy to information of a confidential nature unless they have authority by law or written permission has been previously obtained from the family or staff member.

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9.11 Enrolment Management Policy

The Approved Provider recognises the importance of ensuring that all families within the community have equal opportunity to access the OSHC facility and to receive a high-quality education and care experience from the service. It is also recognised that service approval and capacity dictates the number of children that can be safely and appropriately educated and cared for within the premises.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Family and Child Commission Act 2014*
- *Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011*
- *National Quality Standard, Quality Area 7 – Governance and leadership; Quality Area 6 – Collaborative partnerships with families and communities*
- *Policies: 2.14 – Bookings and Cancellations, 9.1 – Access, 9.2 – Enrolment, 10.1 – Quality Compliance, 10.5 – Approval Requirements under Legislation, 10.9 – Information Handling (Privacy and Confidentiality).*

 Procedures

Toowong Outside School Hours Care may need to implement an enrolment management plan under such circumstances when the demand for care in the community exceeds the capacity of the service approval for a session or multiple sessions of care.

The enrolment management plan will take action to:

- Devise and manage waiting lists giving priority to primary school children
- Maintain existing permanent enrolments;
- Prioritise permanent bookings over casual; and
- Seek opportunities where regular cancellations may create an opening for a family in need of a place.

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10.1 Managing Compliance with the National Quality Framework (NQF)

As an education and care service, Toowong Outside School Hours Care strives to meet the National Quality Standard and the requirements for Approved Providers and Nominated Supervisors under the *Education and Care Services National Law Act, 2010 and Regulations 2011* in such a way as to best fulfill our responsibilities to educate and care for children and to carry out the agreed policies and procedures of TOSHC.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *‘My Time, Our Place’ Framework for School Age Care*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

 Procedures

TOSHC has developed, and will regularly review and update, written policies for conduct of the service (including at least the matters required by the *Education and Care Services National Regulations 2011(168)* and the *National Quality Standard*).

The Approved Provider appoints the Nominated Supervisor to be responsible for day to day compliance with the NQF through:

- Establishing systems and processes to ensure compliance with the NQF;
- Providing ongoing training to all TOSHC employees on compliance with the NQF;
- Checking for, recording and acting on non-compliance by TOSHC or its employees (see Policy 10.31); and
- To monitor changes in the *Education and Care Services National Law Act, 2010 and Regulations 2011* and the National Quality Standard (or any specific quality elements) which may affect or require a change to any of the policies and procedures of TOSHC.

The Nominated Supervisor is to report on all NQF compliance matters to the Approved Provider.

TOSHC adopts a statement of ‘Service Philosophy’ (see Policy 1.1), as part of its policies and procedures, which reflects National Quality Framework compliance as a minimum, and which truthfully reflects the values promoted by the Approved Provider and the Nominated Supervisor within TOSHC.

In implementing this policy, the Nominated Supervisor and Approved Provider will ensure that all educators within TOSHC:

- Are consulted as appropriate in the development and modification of all relevant policies and procedures;
- Are provided with an up-to-date Educator Handbook containing relevant information necessary to enable them to abide by TOSHC policies and procedures; and
- Agree to adhere to all TOSHC values, policies and procedures, through written terms of employment and role statements, including acknowledgement that repeated failure to comply may result in termination of employment (see Policy 8.19).

The Nominated Supervisor in conjunction with the Approved Provider is responsible to conduct regular informal assessments, and formal annual performance reviews, of all employees’ adherence to policies and procedures and to take immediate appropriate steps to address non-compliance in accordance with Policy 10.31.

A copy of the Education and Care Services National Law and National Regulations will be made accessible at TOSHC at all times for use by the Approved Provider, Nominated Supervisor, staff members, volunteers and parents of children at TOSHC.

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10.2 Role and Composition of Sub Committee and/or Parent Advisory Group Policy

The Approved Provider is required to set out clearly defined guidelines for any sub committees or parent advisory groups established to support the effective operations of Toowong Outside School Hours Care. Whilst there are no obligations to operate with a sub-committee or parent advisory group, this policy recognises the benefits that sub committees and parent advisory groups have to offer as active participants in decision making and policy review as appropriate.

 Relevant Laws and other Provisions

- *See your Service’s ‘Constitution’ or ‘Rules’ or ‘Memorandum and Articles of Association’ or equivalent for limitations and role of Management Committee, Sub Committee or other governing/advisory body*
- *Associations Incorporation Act, 1981, (Qld) or Corporations Act, 2001 may apply (e.g. directors’ duties) to your management committee or board or other governing body. Take expert advice if you are unsure of this.*
- *Family and Child Commission Act 2014*
- *Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

 Procedures

The Sub Committee/parent advisory group has a written role statement and code of conduct which forms part of the participation requirement for involvement in these groups.

The guidelines for any sub-committee and/or group will clearly state:

- The purpose of the sub-committee and/or group (objectives for establishment)
- The expectations of participation (including confidentiality and conduct)
- The extent of authority or decision making (delegations)
- The duration of the sub-committee and/or group including when the purpose of the group will be reviewed/evaluated to ascertain whether the objectives for establishment are being achieved
- The reporting obligations to the Approved Provider (including minutes and meeting reports)
- Any other matters deemed relevant to ensuring the group operates effectively

TOSHC regularly publicises details of the role, operation and composition of the Sub Committee or parent advisory group and the right of parents and community members to stand for election/appointment.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.4 Setting, Reviewing and Managing Fees Policy

Toowong Outside School Hours Care aims to provide a quality service to families at a reasonable cost. The Approved Provider will set fees based on the annual budget required for the provision of a quality Outside School Hours Care service in keeping with TOSHC's philosophy statement, program goals, and these policies and procedures. Child Care Subsidy is available to all families who meet eligibility guidelines (including residency, activity and immunisation).

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act (2010) and Regulations (2011)*
- *Australian Government Child Care Provider Handbook*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

Procedures

Routine bookings shall be entitled to a reduced fee, as set by the Approved Provider. A routine booking shall be defined by a regular pattern of attendance throughout each term on one or more occasion per week.

Casual bookings shall attract a higher fee, as set by the Approved Provider, due to the nature of the booking and irregular attendance pattern.

Fee payments are due, for all days booked within 5 days of statements being issued.

A fee and entitlement statement must be issued by the service to parents receiving Child Care Subsidy as reduced fees as per the *Australian Government's Child Care Provider Handbook*. This statement must include information on children's actual attendance times which is intended to help parents understand the relationship between the fees they are charged, the amount of subsidy paid to their child care provider on their behalf, and their out of pocket expenses.

All payments are to be made via Direct Debit through the Xplor system or bank transfer. (Changes to the way fees are collected will be advised in accordance with National Regulation 172 which requires at least 14 day's notice.)

Child Care Subsidy

The appropriate personnel will keep parents informed about the availability of Child Care Subsidy (CCS) by:

Advising all parents of their option to apply for Child Care Subsidy with Centrelink through information provided in the Family Handbook; and

Making available information for parents in newsletters, on websites, through social media and by email.

Families are required to provide all personal information, as requested on the enrolment form, to be eligible for reduced fees. Full fees will be payable without the subsidy until the service receives current and correct information from the family such as CRNs and that information has been acknowledged by Centrelink.

Credit for fees already paid will be made in accordance with the Australian Government's Child Care Provider Handbook.

All CCS records will be kept for 7 years from the last entry on the record in accordance with the Australian Government's Child Care Provider Handbook (see Policy 10.28).

Late Fees

Closing time of TOSHC is 6.00pm. Parents who collect their child/ren after this time will incur a late fee of \$40.15 for the first 15 minutes and \$1.21 per minute thereafter.

Overdue Fees

If there are outstanding fees of over \$50.00, or where no payment has been made in at least 2 weeks:

In the first instance, TOSHC will remind the parent verbally and record when the parent has agreed to pay the account;

If no payment has been received when agreed, written notification by the Director/Approved Provider will be sent;

If no arrangements have been made the parent will be contacted by the Director/Approved Provider where the terms of payment are discussed and parents are informed that continued enrolment is dependent on the payment of the fees outstanding;

The debt may be referred to a collection agency or QCAT if payment of fees have not been received within the agreed timeframe; and

The Director/Approved Provider may, in their discretion, exclude the child temporarily or permanently from further attending the service if the parents have not met the requirements as advised to them under the previous paragraph.

Cancellations and Refunds

Cancellations of bookings will be made in accordance with the Bookings and Cancellations Policy (see Policy 2.14) and will incur any relevant fees and charges according to such policy.

If a family has permanently cancelled care and their account is in credit, they must provide written instructions to the service indicating:

- If a refund is required the account details for transfer; or
- A donation of the credit balance to the service.

Fee increases

The Approved Provider will review fees annually and determine an appropriate fee increase as needed in accordance with policy 10.3 to ensure the ongoing financial viability and management of the service. Notifications of fee increases will be made in accordance with National Regulation 172 which requires at least 14 days notice.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.5 Approval Requirements Under Legislation Policy

As part of the Toowong Outside School Hours Care risk management and compliance obligations, the Approved Provider and the Nominated Supervisor/Director shall jointly be responsible to ensure that the service complies with the approval requirements under the *Education and Care Services National Law 2010 and Regulations 2011*.

📖 Relevant Laws and other Provisions

The laws and other provisions affecting this policy includes:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

📋 Procedures

An application for Provider Approval must be made, in writing, to the relevant regulatory authority prior to the service being operational.

An Approved Provider may apply in writing, to the regulatory authority for Service Approval to operate an education and care service and will be responsible for the management and control of the service.

Information required to be provided to the regulatory authority as part of the service approval process includes, but is not limited to:

- The location and street address of the proposed service; and
- Plans prepared by a building practitioner showing the location of:
 - All buildings, structures, outdoor play and shaded areas;
 - Location of entry and exits;
 - Location of toilets and hand washing facilities;
 - Floor plan showing unencumbered indoor and outdoor spaces; and
 - Calculations verifying regulated space requirements.
- A right to occupy (See Policy 6.7 Occupancy Agreement)

As part of the service approval process, a Nominated Supervisor for TOSHC must be delegated providing written consent to perform in this role (see Policy 10.6). A notification must be made to the Regulatory Authority about the Nominated Supervisor/s (see Policy 10.33).

Whilst TOSHC provides, or aims to provide, education and care for school age children, the Approved Provider and the Nominated Supervisor are jointly responsible to ensure that the service will not operate at any time if some person or body does not hold a current approval in respect of the service.

The Approved Provider/ and the Nominated Supervisor are jointly responsible to ensure that:

TOSHC complies at all times with the specific conditions of the approval applicable to the service;

The approval is renewed (by way of payment of annual fee) and kept current in accordance with the legislation; and

The relevant current Provider Approval and Service Approval is to be kept on display at the service whenever the service is providing education and care to children.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.6 Nominated Supervisor Policy

Toowong State School Parents and Citizens Association as the approved provider of Toowong Outside School Hours Care, acknowledges its obligation to appoint one or more individuals as Nominated Supervisor/s at TOSHC. (National Regulation 24) following a determination of the person/s suitability to act as the responsible person/s in charge of the day to day operations at the service. In the absence of the Nominated Supervisor/s, other educators working at the service deemed suitable to perform the responsible person duties, will also be appointed.

Relevant Laws and other Provisions

- *Education and Care Services National Law Act 2010 and Regulations 2011*
- *Education and Care Services National Amendment Regulations 2017*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

Procedures

Prior to the appointment of one or more individuals to be Nominated Supervisor/s at TOSHC, the Approved Provider will determine a person/s suitability to be a Nominated Supervisor and to record and keep sufficient information as evidence of this determination (refer to 10.6.1 Determining the Nominated Supervisor Checklist, Delegation and Consent).

In determining a person's suitability to act as Nominated Supervisor, the Approved Provider will ensure that the person/s:

- Be 18 years or over;
- Have adequate knowledge and understanding of the provision of education and care to children (qualifications, skills and work experience);
- Have ability to effectively supervise and manage an education and care service;

In determining a person's suitability to act as Nominated Supervisor, the Approved Provider will have regard to the person/s:

- Compliance history with the National law and other relevant laws (refer to Compliance History Statement on 10.6.3)
- Prohibition history (refer to Prohibition Notice Declaration template 10.6.4)
- Candidate references and referee checks

Written consent will be gained from individuals appointed as a Nominated Supervisor. The Nominated Supervisor Consent Form (refer to 10.6.2) will be completed and submitted to the Regulatory Authority via the NQA IT System.

When changes occur to Nominated Supervisor appointments at the OSHC service the Regulatory Authority will be notified through the NQA IT System in accordance with Policy 10.33 and (National Regulation 35).

If uncertainty or concern arises about a candidate's compliance history the Approved Provider will contact the Regulatory Authority and enquire if the person is subject to a prohibition notice in any state or territory.

If a matter or incident arises affecting the Nominated Supervisor's ability to meet minimum requirements a reassessment will be made of the person's suitability to be in the position.

The Approved Provider, and the Nominated Supervisor/s, may appoint other educators at the service deemed to have the skill and ability, to act as the responsible person in day to day charge of TOSHC in the absence of the Nominated Supervisor/s or Approved Provider. (Refer Policy 10.22 – Determining the Responsible Person).

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Information regarding the appointment of the Nominated Supervisor/s and Responsible Persons in Charge will be documented on the staff record of the service (National Regulation 145 and 146).

References

<https://www.acecqa.gov.au/sites/default/files/2018-09/ResponsiblePersonRequirements.pdf>

(accessed December 2023)

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.7 Insuring Risks Policy

Toowong Outside School Hours Care recognises and acknowledges the need for a responsible approach to identifying and managing risks (see Policy 10.9 – Risk Management and Minimisation) and will ensure there is adequate insurance protection at all times. Employees, children, parents and management committee members will be protected from the financial repercussion of public liability.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Associations Incorporation Act, 1981, (Qld) or Corporations Act, 2001* may apply (e.g. directors' duties) to your management committee or board or other governing body. Take expert advice if you are unsure of this.
- *Work Health and Safety Act 2011 and Regulations 2011*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

Procedures

As per the *Education and Care Services National Law Act 2010* responsibility rests with the Approved Provider to take out and keep current adequate public liability insurance with a minimum cover of \$10 million.

Appropriate cover will be taken for building and contents (including loss of cash from premises or in transit) and other insurances*.

Appropriate cover will be taken to protect management liability for the Approved Provider.

All insurance will be purchased through a reputable broker or agent.

The Approved Provider will request the Nominated Supervisor each year to gather such information as necessary to enable an informed assessment and decisions on the insurance needs of the service.

The Nominated Supervisor will provide the insurer with relevant details of activities and excursions undertaken as required.

A certificate of currency shall be kept on file at the service and updated annually.

The Approved Provider is responsible to ensure that the service has adequate worker's compensation insurance for all staff including volunteers.

Claims

In the event of a claim being made or a reportable incident, the Nominated Supervisor will notify the Approved Provider immediately.

If directed by the Approved Provider, the Nominated Supervisor will notify the insurance company ensuring that the service follows all directions of the insurance company and in the case of material or significant claims, seek legal advice for the service.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.8 Information Handling (Privacy and Confidentiality) Policy

In providing education and care, Toowong Outside School Hours Care obtains and deals with personal and sensitive information relating to families, children, staff and others. TOSHC respects the privacy of all individuals and seeks only information which it needs to protect and care for children, and handles that information with confidentiality and sensitivity and in keeping with legal requirements.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Family and Child Commission Act 2014*
- *Privacy Act 1988 and Regulations 2013*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

Procedures

Through this policy and Policy 10.24 TOSHC complies with the Australian Privacy Principles under the *Privacy Act 1988 and Regulations 2013*

TOSHC gathers only the information it needs in order to provide its services and protect and care for children, families and educators. Types of information we collect includes (but not limited to):

- Personal information on employees such as emergency contact details, qualifications, recognised training and places of previous employment; and
- Personal information for children and families including Centrelink Customer Reference Numbers, names, addresses and contact details for family members and authorised nominees, and children's medical details.

TOSHC obtains the written consent of persons for the use of the information by the service in connection to its operations, delivering the program and complying with its Duty of Care to children, employees and other persons, including those giving the information.

TOSHC will seek permission to share relevant information as required by law. This is done through the enrolment and other related procedures as new information is received. Families should not unnecessarily refuse relevant and appropriate information to be shared which will improve the TOSHC's capacity to meet children's individual needs in the education and care environment.

TOSHC protects the rights of the individual's privacy by ensuring that information collected is stored securely in a locked filing cabinet or is password protected if on a computer, device or online.

Records held by TOSHC are only to be accessed by persons who need them for the proper conduct of the service and to fulfill TOSHC's Duty of Care and responsibilities to children and families.

All records pertaining to any child incident, illness, injury or trauma will be kept until the child reaches the age of 25 in accordance with Policy 10.28.

The Nominated Supervisor will ensure that children's records are reviewed and updated at least twice per year and otherwise immediately after receiving a request from a parent/guardian to update any detail in the child's record.

TOSHC will ensure:

- Fair and open information collection practices;

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- Processes and practices that ensure information collected about individuals and families is accurate, complete and current; and
- Use and accessibility of personal information is monitored closely.

Confidentiality will also be taken into account with the verbal sharing of information between the Approved Provider, Nominated Supervisor and employees of TOSHC. Sensitive information will be on a need to know basis taking into account TOSHC's Duty of Care.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.9 Risk Management and Minimisation Policy

Toowong Outside School Hours Care is, like all other enterprises, subject to a number of risks as well as important legal, regulatory, industry and policy requirements. TOSHC is a responsible organisation and seeks to demonstrate a risk awareness, including by identifying and managing material risks and ensuring compliance as far as reasonably possible with all such requirements.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Duty of Care*
- *Associations Incorporation Act, 1981, (Qld) or Corporations Act, 2001 may apply (e.g. directors' duties) to your management committee or board or other governing body. Take expert advice if you are unsure of this.*
- *Australian Standard on Risk Management - AS/NZ ISO 31000:2009*
- *Australian Standard on Compliance - AS/NZ 3806-2006*
- *Family and Child Commission Act 2014*
- *Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011*
- *Work Health and Safety Act 2011 and Regulations 2011*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

Procedures

The Approved Provider will, in conjunction with the Nominated Supervisor, take responsibility to develop, maintain and monitor a risk management program appropriate to TOSHC, including a method of ensuring that TOSHC takes appropriate steps to comply with:

- The policies and procedures of the service;
- Working with children requirements;
- Work health and safety practices;
- Equal opportunity employment;
- Adequate insurance;
- The service approval status applicable to the service (see Policy 10.5 – Approval Requirements under Legislation) and other relevant laws applicable to the Service; and
- Maintenance of equipment and facilities;

The Approved Provider, in conjunction with the service Nominated Supervisor/Director, will develop and manage, through its regular meetings, an annual rolling program of reviews of all of the policies and procedures of TOSHC to ensure that they comply with relevant requirements.

The Nominated Supervisor, or his/her delegate (see Policy 10.1) is responsible to monitor changes in current laws and other regulatory requirements. To do this, the Nominated Supervisor will proactively and fully inform her/himself through subscribing to appropriate information services and industry bodies, and attending all relevant and appropriate forums about these issues.

The Nominated Supervisor informs educators of all such changes and requirements through the educator training program (See Policy 8.4 – Educator Professional Development and Learning), regular team meetings and/or service communication methods.

High risk activities and special events

High level risks and special events shall be identified within the program through consultation with educators, management and other relevant stakeholders. Such events may include but are not limited to excursions and/or incursions.

The risk assessment and management process shall be conducted for each of the activities identified as a high risk or special event and shall be conducted prior to the scheduled timeframe for the event or activity.

All relevant stakeholders shall be informed of how the service intends to manage high level and special event risks and appropriate training and support for stakeholders will be made accessible.

Crisis and critical events

Risks will be managed in identified emergency situations such as fire, flood, other natural disasters, external threats, evacuation etc.

Preventative measures shall be taken to prepare for critical events such as:

- Developing risk assessment and management/minimisation plans for possible emergency situations (e.g. fire, flood). Management plans may include strategies for overnight stays and/or food restrictions; and
- Creating a 'storm pack' including a torch and batteries, radio, rations etc.

The details of the crisis or critical event shall be documented on a service incident report and shall include the projected impact on the stakeholders within the service, immediate actions, follow up actions and ongoing actions.

Immediate actions may include:

- Carrying out plans as per the service risk management process;
- Ensuring immediate safety of those involved;
- Administering first aid;
- Reassuring children, families, employees, volunteers and students;
- Seeking assistance from emergency services and management; and
- Accompanying children or others to hospital by ambulance when necessary

Follow up actions may include:

- Seeking access or referral to appropriate counselling and critical incident debriefing services to provide support to those affected within the service including children, families, employees and management.
- Observing children's reactions and behaviour;
- Supporting children to appropriately express thoughts and feelings;
- Providing a stable and nurturing environment with familiar routines;
- Supporting employees through team meetings and accessing relief employees to support when appropriate;
- Providing professional support and special leave when needed;
- Supporting families through meetings and written information;
- Managing media attention attracted by newspapers, radio and television through appropriate and effective methods of communication. A media contact person will be appointed to manage the communication to ensure consistency of information and reduction in misinformation and speculation; and
- Notifying the regulatory authority

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Ongoing actions may include:

- Monitoring and supporting children, families, employees, volunteers and students;
- Evaluating emergency and critical event management plans.

Managing breaches of the Risk Management Strategy (see also Policy 10.31)

Risk management Plans for high risk activities and special events shall be monitored on a regular basis (annually or as required).

Information regarding the service's risk management strategy shall be shared with all relevant stakeholders including employees and families on a regular basis.

The Approved Provider shall have overriding responsibility for overseeing the implementation of the process and for ensuring that any breaches of the service strategy are immediately rectified.

Communication and support

Information shall be made accessible to families, volunteers and employees regarding TOSHC policies and procedures in relevant handbooks as well as having access to a full copy of TOSHC policies and procedures from the service.

Information shall be dispersed to families, volunteers and employees through appropriate newsletters, flyers and other methods of communication.

Training materials and strategies shall be made available and accessible to help employees, volunteers and parents identify and manage risks of harm.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.10 Managing Compliance with General Laws and Regulations Policy

Toowong Outside School Hours Care recognises that strategies must be in place to ensure ongoing compliance with relevant *general legislation. This policy is designed to identify the various legislation and government authorities where compliance is required and clear strategies for ensuring TOSHC actively implements and monitors compliance processes.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Duty of Care*
- *Family and Child Commission Act 2014*
- *Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011*
- *Australian Government Department of Education Children's Services Handbook*
- *Privacy Act 1988 and Regulations 2013*
- *Work Health and Safety Act 2011 and Regulations 2011*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

Procedures

In addition to compliance with the *Education and Care Services National Law, 2010 and Regulations 2011* (see Policy 10.1), TOSHC shall actively work towards compliance with:

- *Family Assistance Law (Child Care Subsidy);*
- *Family and Child Commission Act 2014*
- *Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011*
- *Work Health and Safety Legislation;*
- *Child Protection Legislation; and*
- *Any other legislation that impacts or prescribes how the provision of TOSHC should be conducted.*

Compliance monitoring strategies shall be implemented including:

- Developing compliance checklists for use within TOSHC on a regular basis, such as safety checklists;
- Updating the compliance checklists on a regular basis or as new information regarding changes to the implementation of regulations, legislation or standards becomes available;

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- Seeking reputable organisations to conduct external audits and to provide reports regarding compliance issues to TOSHC on a regular basis; and
- Acting on any relevant recommendations or notification to changes in compliance requirements immediately.

Information shall be made accessible to families, volunteers and employees regarding the TOSHC policies and procedures in relevant handbooks as well as having access to a full copy of the service policies and procedures at TOSHC.

Information shall be dispersed to families, volunteers and employees through appropriate newsletters, flyers and other methods of communication.

Positive Notice Blue Card Compliance

All employees, volunteers and executive members of management must hold a current and valid Positive Notice for Child Related Employment blue card.

Prospective paid employees shall not be engaged to work at TOSHC without being in receipt of a current blue card/ or an application has been submitted for a blue card. A copy of the blue card shall be maintained at TOSHC.

A blue card register will be maintained at TOSHC containing the copies of blue cards of all employees, volunteers and executive members of management. The register shall be referred to by the Nominated Supervisor/Administrator on a regular basis to track expiry dates.

All employees, volunteers and executive members of management holding existing blue cards prior to their involvement with the service shall be required to complete appropriate documentation to have their blue card linked to the service. They may also require a card issued for paid or business operating purposes.

All employees, volunteers and executive members of management shall be provided with information regarding their responsibilities in holding a blue card.

- **Note to Users of the Manual** – in this policy, ‘general’ refers to legislation other than the Education and Care Services National Law Act 2010 and Regulations 2011

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.11 Approved Provider Code of Conduct Policy

Toowong Outside School Hours Care expects that all members of the Approved Provider shall conduct themselves in such a way that is professional and in accordance with the philosophy and policies of TOSHC. The Approved Provider members are expected to actively demonstrate a positive attitude towards their role, TOSHC, the employees and the service’s clients. TOSHC requires that all members of the Approved Provider as the governing body abide by the code of conduct at all times during their interaction with children, families, community members, employees and other members of management.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Duty of Care*
- *The entity’s constitution*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

Procedures

The Approved Provider shall be provided with a copy of TOSHC’s code of conduct/code of practice or code of ethics prior to commencing their position.

The Approved Provider shall be expected to read the document and indicate that they have understood all of the conduct requirements by signing the agreement.

The Approved Provider shall be expected to consistently uphold the agreement during their time with the service.

Breaches to the agreement shall be taken seriously which may result in appropriate action taken in accordance with the grievance policy of TOSHC and/or the organisation’s constitution.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.12 Information Technology Policy

Toowong Outside School Hours Care acknowledges and recognises the important role information technologies in society today and therefore aims to have suitable policies and procedures in place to ensure that information technologies are used appropriately and in the best interests of the children, families and employees who use the service.

***In this policy, Information **technology** (IT) is defined as the use of any computers, storage, networking and other physical devices, infrastructure and processes to create, process, store, secure and exchange all forms of electronic data.*

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Privacy Act 1988 and Regulations 2013*
- *Duty of Care*
- *Family and Child Commission Act 2014*
- *Child Protection Act 1999 and Regulations 2000*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

 Procedures

Information technologies are acknowledged as valuable learning tool for children attending school age care services and shall be included as an appropriate part of the overall program when accessible.

Information technologies may include computer equipment, games, internet access and other forms of communication technologies including mobile phones and cameras.

Information technologies accessible to children such as the internet shall be monitored by educators. Approved mechanisms shall be put in place to ensure that children who are able to access the internet at the service do not have access to inappropriate sites or information. Children will be educated regarding the safe use of information technologies.

Educators shall not be permitted to use personal mobile phone cameras to take photos of children.

Educators shall not be permitted to use personal digital (or manual) cameras to take photos of children.

TOSHC shall take precautions to ensure computer games accessible to children are appropriate for the use of school age children and that government classifications are followed.

Refer to Policies 10.26 for Service Social Media management and 8.14 for employee Social Media Management

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.13 Procurement and Purchasing Policy

Toowong Outside School Hours Care management seeks to implement measures which provide financial protection and minimise the risk of fraudulent, inappropriate or negligent financial practices. Such policy seeks to protect the financial reputation of the organisation and its ongoing viability.

📖 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Accounting Manual for Parents & Citizens’ Associations (P&C managed services only)*
- *Purchasing Policies and Procedures for Parents and Citizens Associations*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

📋 Procedures

When purchasing is carried out within TOSHC, the conduct of purchases will be in line with the following five principles:

- Open and effective communication;
- Value for money;
- Enhancing the capabilities of local business and industry;
- Environmental protection; and
- Ethical behaviour and fair dealing.

General purchasing for day to day operational items such as groceries, consumables, arts and crafts materials and replaceable items such as sports equipment shall be done in accordance with the approved service budget by (or overseen by) the Nominated Supervisor. The Approved Provider shall ensure that the Nominated Supervisor has access to accounts for the efficient purchasing of day to day items.

Other purchase requests must be in writing to the Approved Provider of the service. The responsibility for ordering shall be with the service Nominated Supervisor or Administrator.

While ordering and purchasing authority is restricted to the Nominated Supervisor and/or Administrator, such authority may be transferred should other employees be required to act up in this position, but shall be limited to amounts of no greater than \$300. This may include purchasing through petty cash or the appropriate use of TOSHC accounts e.g. grocery account.

The purchase value of single items over \$500 should be approved by the Executive prior to purchase, even if the items have been included in the service’s annual operational budget.

Management shall ensure that the purchasing policy does not negatively impact on the efficient operations of TOSHC and that all purchase requests are followed up in a timely manner.

Authorisation for purchases of single items over \$500 may be approved in events of emergency where two approved members of the executive have been contacted and agreed to the expense. Documentation of such discussion shall be made and presented at the next Approved Provider meeting.

All purchases and payments shall be accompanied by a purchase requisition which shall include the following information:

- Date of purchase;
- Supplier;
- Persons requesting purchase;
- Authorisation by two approved members of management; and
- Purchase total.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.14 Record Back Up and Off-Site Information Handling Policy

Toowong Outside School Hours Care acknowledges and recognises that considerable amounts of information pertaining to the daily and historical operations of TOSHC are stored on computer or other files. The storage and long-term maintenance of this information is vital in the monitoring of compliance activities and to prevent the service from losing valuable information therefore it is important to maintain effective storage procedures.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *A New Tax System (Family Assistance) Act 1999*
- *Privacy Act 1988 and Regulations 2013*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

 Procedures

The Nominated Supervisor and/or Administrator shall be responsible for conducting a daily/weekly backup of the entire computer system. Some childcare management programs are web based (i.e. cloud computing) and may be automatically updated by the software provider.

A back-up of the entire service files shall be done internally as well as on an appropriate external disk drive.

The backup shall be taken off site by the Nominated Supervisor/Administrator and returned to site on the following working day.

TOSHC may use web based (cloud) data storage systems for back-up and archiving of records. To ensure the safety and security of service records, password protection may be necessary.

Storage of computer data shall be carried out in accordance with any requirements of the organisations insurer. This may involve completion of a risk management plan to ensure all foreseeable risks to data security are considered and managed appropriately.

Any data or memory sticks, compact disks or other computer storage devices purchased by TOSHC shall remain the property of the service.

No employee shall be permitted to copy files onto personal storage devices or to email information off site other than to an approved off site data storage company, unless express consent is provided by the employer.

Data storage devices (external drives and back-ups) shall be checked weekly to ensure appropriate functioning.

Policy Reviewed	Approved by P&C	Date of Next Review
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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.15 Asset Management Policy

Toowong Outside School Hours Care acknowledges and recognises the necessity to maintain a record of the financial and physical assets belonging to the service in order to meet with the requirements of audit, insurance and for future planning.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Accounting Manual for Parents and Citizens’ Associations (for P&C managed services)*
- *Support Guide for P&C’s (for P&C managed services)*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

 Procedures

An asset register shall be maintained which accurately describes the property position of TOSHC.

The register shall include categories such as:

- Furniture;
- Electrical Equipment;
- Sporting Equipment;
- Utensils and Food Handling; and
- Arts and Crafts (other than consumables).

Every fixed item purchased for TOSHC (other than consumables) shall be entered into the register immediately following the purchase.

The details to be contained in the register in respect of purchases shall include:

- Date of purchase;
- Item (Categorised);
- Purchase price;
- Supplier; and
- Warranty terms (if applicable).

Items may be disposed of during the year if they are damaged, aged or unsuitable for their purpose.

In the event that items are disposed of or written off, such items shall be reported to management using appropriate formats such as financial report or Nominated Supervisor report and shall be duly recorded in the asset register.

The register shall be reviewed and updated annually in accordance with the financial year of audit.

Stocktakes of consumable items owned by TOSHC such as food or arts and crafts materials will be conducted as required but no less than annually for audit purposes.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.16 Intellectual Property and Copyright Policy

Toowong Outside School Hours Care recognises that for the purposes of operating an Outside School Hours Care service many written materials need to be developed to ensure compliance with relevant legislation. These written materials include, but are not limited to:

- Policies and procedures manuals;
- Handbooks; and
- Operational Documents and Forms.

As a result, all materials developed by employees, volunteers or other agents, specifically for the operational purposes of TOSHC shall remain the intellectual property of the service.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Copyright Act 1968*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

 Procedures

Where employees are engaged to develop written materials specifically for the operational purposes of TOSHC, these materials shall be dated and marked with the name of the service.

If appropriate, the document shall be further marked with the words ‘copyright’ or the relevant symbol. The document shall also be labelled with the author of such document if considered appropriate.

Employees or other agents engaged by TOSHC to produce written materials shall observe intellectual property laws ensuring that all direct quotations and ideas are appropriately referenced and acknowledged.

Materials that have been purchased and provide copyright authority shall be used specifically in accordance with the granted authority and permission for purpose.

All written materials shall be marked ‘draft’ until ratified or endorsed by the Approved Provider.

Copyright shall be strictly observed with all photocopying and distributing of documents other than those owned by TOSHC which may be copied freely for use of the service.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.17 Strategic Planning Policy

Toowong Outside School Hours Care recognises and acknowledges the value of planning strategically to ensure the future and ongoing viability and growth of the service and therefore management will review service operations regularly and take a planned approach to the organisation’s future.

📖 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Accounting Manual for Parents and Citizens’ Associations (for P&C managed services)*
- *Support Guide for P&C’s (for P&C managed services)*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

📄 Procedures

The Approved Provider together with the Nominated Supervisor shall plan an annual meeting to strategically review operations and to take a planned approach to the organisation’s future.

The strategic plan will include as a minimum, statements and plans for each of the following areas:

- Mission – Why we exist
- Vision – What we aspire to be
- Values – What we believe in
- Strategic Directions – What we want to focus on
- Outcomes/Goals/Objectives – What we want to achieve
- Success Indicators – How we will know we have been successful
- Operations Plan – What we need to do, when, by whom, with what

Service management may seek external support and advice in the development of a strategic and operations plan as required.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.18 Court Orders and the Release of Children in Care Policy

Toowong Outside School Hours Care recognises and acknowledges the diverse and changing circumstances of children’s families and shall endeavour to implement a best practice approach to managing its duty of care, whilst respecting the needs of parents and the legal environment surrounding family obligations.

📖 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Duty of Care*
- *Family and Child Commission Act 2014*
- *Family Law Act 1975*
- *Privacy Act 1988 and Regulations 2013*
- *Child Protection Act 1999 and Regulations 2000*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

📄 Procedures

Toowong Outside School Hours Care shall request that all families provide, upon enrolment of their child, current copies of any parenting plans and court orders which may impact on the service to implement a duty of care.

TOSHC shall request that all families, upon changing circumstances within the family unit, update their enrolment and provide certified copies of any parenting plans and court orders which may impact on the service to implement a duty of care.

TOSHC shall inform all employees of the intent of the parenting plans and/or court orders whereas it applies to them and impact on their capacity to manage their own duty of care and that of the service towards the child/ren and family.

TOSHC employees shall take a best practice approach to managing the needs of children and families with care and sensitivity, and will work with families to support them in the provision of care for their children.

Families with children attending TOSHC who have parenting plans or court orders in place are responsible for ensuring they comply with these requirements. TOSHC shall endeavour to release children within the conditions as outlined in these documents and orders. However, should the safety of other children or educators be at risk, children will be released and the custodial parent and/or police contacted immediately.

TOSHC employees shall respect and maintain the confidential nature of the documents through application of privacy principles and as reflected in Policies 10.8 and 10.24

Information requested by parents relating to a child under a court order or parenting plan will be subject to the conditions as per the court order/parenting plan.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.19 Policy Development, Sourcing and Review Policy

Toowong Outside School Hours Care acknowledges the need for ongoing policy development and review. This includes recognizing the broad range of information sources including statutory documentation that is referred to and referenced either directly or indirectly in the development of policies and procedures.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011 (National Regulations 168, 170, 171 and 172)*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

 Procedures

TOSHC shall develop policies and procedures which reflect the true nature of the service’s operations.

TOSHC shall ensure that generic policy documents, samples and templates accessed are reviewed and customised to meet the individual and unique circumstance of the service.

Sourcing of policies shall where possible include reference to expert documentation, resources, guidelines and principles as associated with such policy.

Sourcing of policies from electronic sources including the internet shall include a date in which such source was accessed. Policy sourcing should also take into considerations other provisions such as copyright laws and appropriate referencing styles. Relevant Laws and other Provisions shall be articulated and considered also as policy reference and source points.

Policies shall be reviewed annually, in accordance with a schedule determined by the service or as deemed necessary.

Policies shall be dated at ratification and for review.

The Approved Provider will ensure that parents of children enrolled at TOSHC are notified at least 14 days before any policy or procedure referred to in National Regulation 168 takes effect.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.20 Environmental Responsibility Policy

Toowong Outside School Hours Care takes a proactive approach to Environmental Management in order to minimise the impact of its activities on the environment. This is demonstrated through a commitment to developing and implementing practices which support, respect and care for our land and its resources.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Environmental Protection Act 1994, Environmental Protection Regulation 2008*
- *Work Health and Safety Act 2011 and Regulations 2011*
- *National Quality Standard, Quality Area 7 – Governance and leadership; Quality Area 3 – Physical environment*

Procedures

The Approved Provider, in consultation with the Nominated Supervisor, will develop and implement practices to minimise the impact of the services activities on the environment and to promote environmental responsibility. This may include a plan which describes the services practices in relation to:

- Water usage;
- Energy efficiency;
- Waste management;
- Use of chemicals;
- Air quality;
- Care of animals and vegetation; and
- Consideration of the local environment.

Information will be provided to staff, parents and children in regards to issues affecting the way TOSHC is dealing with and managing environmental issues.

TOSHC will encourage links and networking with parents and the community on environmental issues by keeping them informed of what the service is doing and being aware of what others can bring to TOSHC.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.21 Service Closures Policy

Toowong Outside School Hours Care acknowledges that there may be times when TOSHC is required to close due to both planned and unforeseen circumstances. TOSHC recognises that effective communication procedures must be in place to ensure all families are notified if closure of the service is expected.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Australian Government DET Child Care Provider Handbook*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

 Procedures

TOSHC will operate as per the approved and advertised opening hours for each session of care where Child Care Subsidy is claimed unless approval is given by the regulatory authority (Queensland Government Department of Education - Early Childhood Education and Care) and the Australian Government Department of Education.

TOSHC will not close early due to children being collected prior to the approved and advertised closing time, unless prior approval has been granted by the Regulatory Authority (Department of Education - Early Childhood and Community Engagement) and the Australian Government Department of Education and Training

Closure of TOSHC may occur in the following instances:

- Extreme weather conditions;
- Emergency situation, such as fire or other external threat;
- Loss of power and/or water.

Determination for closure will be made in consultation with the Approved Provider and/or emergency services personnel, if relevant.

In the case of closure of TOSHC the Nominated Supervisor will:

- Contact families to collect the children from the service;
- Ensure the safety of all children and educators involved; and
- Notify the Regulatory Authority and Australian Government in accordance with Policy 10.33

References:

<https://www.qld.gov.au/alerts>

<https://docs.education.gov.au/node/52291>

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.22 Determining the Responsible Person Policy

The Approved Provider must ensure that Toowong Outside School Hours Care has a Responsible Person in day to day charge of the service. This policy outlines the process for determining the responsible person.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act 2010 and Regulations 2011
- Family and Child Commission Act 2014
- Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011
- *National Quality Standard, Quality Area 7 – Governance and leadership*

Procedures

A responsible person must be present at all times when TOSHC is educating and caring for children. If the Approved Provider or Nominated Supervisor is absent, an appointed Responsible Person will be placed in day to day charge of TOSHC.

The Nominated Supervisor of TOSHC must meet the requirements/conditions of the *Education and Care Services National Law Act 2010 and Regulations 2011*.

In the absence of the Nominated Supervisor, the Approved Provider or Nominated Supervisor will designate an educator, with their written consent, to be placed in the day to day charge of TOSHC. This person must meet the requirements/conditions of the *Education and Care Services National Law 2010 and Regulations 2011* with regard to ensuring suitability and that they are not prohibited under the *National Law*.

In determining the responsible person, the Approved Provider and/or Nominated Supervisor must determine if that person is suitable. This means considering the capacity of this person to ensure children's safety and wellbeing, having regard to their qualifications, skills, knowledge, work experience and age. This includes the person's:

- Understanding of the *Education and Care Services National Law Act 2010 and Regulations 2011 and compliance*;
- Understanding of other relevant laws and provisions such as Child Protection, Confidentiality, Grievance Management, Work Health, Food Handling, etc.;
- Capacity to implement emergency and evacuation procedures;
- Ability to attend to parent inquiries (either directly or by referral);
- Capacity to supervise, manage and lead other educators;
- Ability to respond to incidents involving children's health and safety;

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- Ability to respond to incidents involving the health and safety of educators, volunteers and family members present at TOSHC;
- Knowledge (extensive) of TOSHC policies and procedures including opening/closing procedures;
- Capacity to ensure the safety and wellbeing of all children being educated and cared for while they are the responsible person;
- Ability to effectively make written records of incidents;
- Ability to effectively communicate with children, families, staff, school and relevant authorities;
- Ability to reflect and evaluate their performance as the responsible person; and
- Ability to understand and articulate practice.

The Approved Provider (or Nominated Supervisor on their behalf) will maintain a record with sufficient evidence of the educator's assessed capability, and keep it on file to demonstrate compliance to the Regulatory Authority e.g. Determining the Responsible Person Checklist, Delegation and Consent form. This will help to show that reasonable steps have been taken to comply with obligations under the *National Law*. (See also 10.6.3 & 10.6.4)

The Approved Provider (or Nominated Supervisor on their behalf) will maintain a staff record including the name of the responsible person at TOSHC for each time that children are being educated and cared for by the service (National Regulation 150).

In accordance with regulatory requirements, a sign stating the name and position of the responsible person in charge must be displayed at all times children are being educated and cared for (Regulation 173).

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.23 Managing Requests for information Policy

The Approved Provider recognises the need to make information available to parents regarding children’s enrolment, participation and attendance at Toowong Outside School Hours Care. Information shall be made available to families upon request so long as the request is reasonable, equitable and lawful.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Privacy Act 1988 and Regulations 2013*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

 Procedures

Parents/guardians may request information from the Approved Provider with regard to their child/ren’s participation and attendance at TOSHC. However, in the instance that there is a court ordered custodial arrangement/parenting order in place, TOSHC will ensure any or all information requested is in accordance with such orders. This information may include (but is not limited to):

- The enrolment record;
- Information about the educational program (National Regulation 76);
- Dietary requirements and menus (National Regulation 80);
- Attendances;
- Fee payments;
- Records of child care subsidies;
- Medical conditions policy (National Regulation 91) and
- Incident/accident reports (National Regulation 86); and
- Risk assessments (National Regulations 100 and 102)

Sources of information such as those identified may be requested either in person or in writing to the Nominated Supervisor and/or the Approved Provider.

Where this information does not breach confidentiality to any other person it will be provided upon request in the form of a written record or statement.

The Approved Provider will only make accessible information of a sensitive nature that is not requested for a general purpose, upon written request which explains the purpose for which the information is being requested and the timeframe in which it is required.

Information requested by parents relating to a child under a court order or parenting plan will be subject to the conditions as per the court order/parenting plan.

When necessary, a legally certified request may be required. Costs associated with the provision of information that is not for a general purpose may be negotiated, particularly if the gathering and collating of those records is comprehensive.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.24 Privacy Policy

Toowong Outside School Hours Care respects and supports the principles of privacy and confidentiality and complies with the Australian Privacy Principles in relation to information gathered and stored by TOSHC. Personal information collected may include family, health or medical information however all information gathered is relevant to ensure quality care is provided to the children and families who use the service.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Privacy Act 1988 and Regulations 2013*
- *Privacy Amendment (Notifiable Data Breaches) Act 2017*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

Procedures

Through the procedures of this policy, TOSHC complies with the Australian Privacy Principles (APPs) from the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*.

TOSHC aims to manage personal and sensitive information in an open and transparent way, with clear guidelines relating to how it is collected and stored.

For the purposes of providing child care and in order to fulfil its duty of care to families and children using the service, the following information is collected from parents/guardians through the enrolment process:

- Full name, address, contact numbers, date of birth and Centrelink reference number for each child and parent/guardian;
- Full name, address and contact number of emergency contact nominees;
- Family cultural information;
- Children's medical details;
- Children's dietary requirements;

Enrolment forms containing personal information are stored in a secure and confidential storage facility within the TOSHC office and online in the services Child Care Subsidy software. The Approved Provider, the Nominated Supervisor or Responsible Person in Charge shall have access to this confidential information. Information will also be shared amongst the educator team as required to support children's health, safety and wellbeing.

Personal and sensitive information may be collected throughout the course of providing care to children.

Family enrolment and other personal information can be accessed for the purposes of correcting information held by the service. Requests must be made to the Nominated Supervisor and/or Approved Provider and will include verification of the right to access such personal information.

Individuals have the option of not identifying themselves or using a pseudonym when dealing with TOSHC in particular circumstances, such as complaints processes however, this may limit the capacity of TOSHC to effectively deal with issues as a result.

Grievances and complaints relating to the TOSHC's handling of personal information must be in writing and will be dealt with as per TOSHC's Complaints Handling Policy.

Through the family enrolment process, it is understood that personal and private information will be shared with government departments and other health and/or medical professionals, as required by law, in order to ensure the health and wellbeing of children attending TOSHC.

References

Australian Government. (2014, January). *Privacy Fact Sheet 17*. Retrieved from Office of the Australian Information Commissioner.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.25 Single Staff Member Policy

The Approved Provider is responsible for ensuring the safety of the children in its care and employees of Toowong Outside School Hours Care. This policy and procedure has been developed to minimise the potential risks where TOSHC operates with a single educator on duty and working with the children.

Relevant Laws and other Provisions

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011*
- *Work Health and Safety Act 2011 and Regulations 2011*
- *Family and Child Commission Act 2014*
- *Duty of Care*
- *National Quality Standard, Quality Area 7 – Governance and leadership*
- *Policies: 2.2 – Statement of Commitment to the Safety and Wellbeing of Children and the Protection of Children from Harm, 2.3 – Educator Ratios, 2.14 – Bookings and Cancellations, 3.11 – Escorting Children, 7.2 – Drills and Evacuations, 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.10 – Employee Orientation and Induction, 8.13 – Employee Health, 9.2 – Enrolment, 9.3 – Communication with Families, 10.9 – Risk Management and Compliance, 10.22 – Determining the Responsible Person.*

Procedures

In determining the need for TOSHC to operate with a single staff member, management will be guided by the Education and Care Services National Regulations 2011 and the specific provisions for Queensland, which set out the following:

- A maximum of 15 school age children to 1 educator; and
- Educators must be working directly with children to be included in the ratios.

TOSHC may obtain approval from the Regulatory Authority to operate with a single educator during certain periods of care (such as Before School Care), where attendances are below the maximum school age children to educator ratio requirements as per the Education and Care Services National Regulations 2011.

A supervisory management plan, to guide practice when using a single staff model, will be developed in consultation with management, educators, families and children and will consist of procedures relating (but not limited) to:

- Injury, illness or trauma to educators;
- Toileting procedures for educators;
- Managing children's behaviour incidents;

- Managing attendance of children not booked into the session of care; and
- Injury, illness or trauma to children which requires significant individual attention of the educator.

Educators delegated to work in the capacity of a single staff member will be determined by the Approved Provider as a responsible person, with the relevant notification at TOSHC to be visible at the parent area.

The Approved Provider will ensure that the educator delegated to work as the single staff member (whether or not the Nominated Supervisor), has the required academic qualifications, first aid qualifications, and anaphylaxis management and emergency asthma management training as prescribed under the Education and Care Services National Regulations 2011.

The Approved Provider will ensure that any educator delegated to work as the single staff member will have provided to them, and be kept on site, details of an emergency contact as well as details of any relevant medical conditions that could result in medical attention being required (e.g. diabetes).

To ensure the correct educator to child ratios are adhered to, parents/guardians will be requested to make a booking for their child as soon as reasonably possible. (See Policy 2.14 - Bookings and Cancellations).

In the event of children arriving at TOSHC for care without notice and as a result places TOSHC in breach of educator to child ratios, the responsible person in charge will implement procedures as per the TOSHC supervisory management plan.

The Approved Provider will ensure that the single educator on duty has access to an operating telephone (mobile or fixed) whenever children are being cared for.

The name and telephone number of nominated contacts (who are on call and available when TOSHC is operating) will be clearly displayed at TOSHC.

Emergency procedures and evacuation plans are developed in consultation with the children and are on display at all times. Children will be made aware of procedures required in the event of an emergency situation involving the single educator. This may include contacting another adult or the emergency services. These procedures will be practiced regularly.

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TOOWONG OUTSIDE SCHOOL HOURS CARE

10.26 OSHC Service Social Media Guidelines

Toowong Outside School Hours Care recognises that social media networking sites and other internet applications are effective methods for communicating with families who use TOSHC and are committed to ensuring and promoting safe and positive communications. This policy aims to establish guidelines and procedures for the set-up and ongoing administration of the TOSHC social media pages/sites with the intention to ensure all communications are respectful and ethical.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Family and Child Guardian Act 2014*
- *Child Protection Act 1999 and Regulations 2000*
- *Privacy Act 1988 and Regulations 2013*
- *Code of Conduct*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

Procedures

Definition

‘Social Media’: refers to any online tools or functions that allow people to communicate via the internet. This includes, but is not limited to, websites and applications such as:

- Social networking sites: e.g. Facebook, LinkedIn;
- Video and photo sharing websites: e.g. YouTube, Flickr, Story Park, Notebook, Homeroom etc; and
- Blogging and micro blogging sites: e.g. Twitter.

Management Responsibilities

The privacy and confidentiality of families, children, management and employees of TOSHC is of paramount importance therefore the Approved Provider will ensure guidelines are established to monitor all social media communications.

The Approved Provider will authorise the establishment of all TOSHC social media communication methods using the following guidelines for administration:

- A maximum of two administrators will be delegated to approve and monitor social media activity;
- Privacy settings will be defined to ensure delegated administrators approve any posts before being made public; and
- Inappropriate posts and comments will be deleted and dealt with in accordance with this policy and procedures.

Management will develop guidelines for educators regarding their participation with families currently connected with TOSHC on social media sites such as Facebook and Twitter (see Policy 8.14 – Staff Online Social Networking)

Information related to children or families will not be disclosed or published on the TOSHC social media site without written consent from that individual or their parents.

Photographs and/or videos related to children or families will not disclose the identity of the individual or child when published on the TOSHC social media site (faces will be covered from view). Photo's disclosing the identity of a person or child will not be published on the TOSHC social media site without written consent from that individual or their parents.

Communication

TOSHC will use social media to support and enhance rather than replace already established and effective family communication methods.

Good judgement and common sense must be used to ensure the reputation of TOSHC, its employees and stakeholders are not harmed when communicating through social media. Once something is placed online, it spreads quickly and cannot be retracted.

Administrators of TOSHC's social networking page will adhere to the following guidelines:

- Only families enrolled with TOSHC will be invited to access information;
- Under no circumstances are children attending TOSHC to be invited to participate in the service's social networking site without explicit consent of their parents;
- Only Information and/or comments relating to the activities and operations of TOSHC will be posted on the service's social networking site;
- Authorisation of families must be obtained before images disclosing a child's identity can be considered for upload;
- Only community members known to TOSHC shall be invited i.e. teachers, school leaders etc.

The TOSHC social media site will be used as a tool for sharing information and program updates with TOSHC families and may include (but not be limited to) the following:

- General TOSHC notices and reminders;
- Promotion of upcoming TOSHC and/or community events;
- Seeking ideas and suggestions on the TOSHC program and operations;
- Providing important links and information relating to children's health and wellbeing;
- Reaffirming details provided through other family communication sources such as newsletters, notices and flyers; and/or
- Photographs depicting daily events, environment and activities.

Through the Family Handbook, information will be provided with regard to expectations for family communication with TOSHC which may include comments and posts through social media.

Permissions/Authorisations

In giving general consent, families must authorise in writing, the sharing and publication of information, photos and/or images disclosing the identity of their child, prior to being posted on any social media sites.

Educators and volunteers engaged with TOSHC must authorise in writing, the sharing and publication of information, photos and/or images of themselves, prior to being posted on any social media sites.

Delegated administrators will have discretion to approve/deny access to the TOSHC's social media site.

Policy Breach

All grievances and/or complaints in relation to use of TOSHC's social media will be dealt with as per the Complaints Handling Policy (see Policy 9.5).

Misuse of social media can have serious consequences for the Approved Provider, TOSHC, its employees and families, therefore any party that posts negative or defamatory comments on the TOSHC's social media sites will be reported to the service administrators.

Continued posting of negative and/or defamatory comments will result in the offending party being blocked from the TOSHC's social media accounts.

The Nominated Supervisor and Approved Provider are responsible for ensuring adherence to these social media guidelines. This includes undertaking appropriate investigation of any suspected or identified breach. In the event of serious misconduct, procedures as per the relevant TOSHC policy will be followed.

References

<http://behaviour.education.qld.gov.au/SiteCollectionDocuments/cybersafety/social-media-and-community-online.pdf>

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10/12/23		



TOOWONG OUTSIDE SCHOOL HOURS CARE

10.27 Self-Assessment and Quality Improvement Policy

Toowong Outside School Hours Care acknowledges and recognises that continuous improvement is an important part of the National Quality Framework and takes a proactive approach to establishing effective processes and systems for evaluating and reviewing current practices and identifying areas and opportunities for improvement.

📖 Relevant Laws and other Provisions

- Education and Care Services National Law Act, 2010 and Regulations 2011 (National Regulations 55 and 56)
- ‘My Time, Our Place’ Framework for School Age Care in Australia
- *National Quality Standard, Quality Area 7 – Governance and leadership*

📝 Procedures

Self-assessment and continuous improvement is an ongoing process. The Approved Provider and Nominated Supervisor will actively work towards developing a culture of self-assessment and continuous improvement in every aspect of service operations.

The Approved Provider and Nominated Supervisor shall be responsible for developing a continuous improvement process which will include regular reviews of the quality of current service and educator practices.

As part of TOSHC’s overall continuous improvement process, all standards and elements of the National Quality Standard will be reviewed on a regular basis in order to identify:

- Effectiveness of current practice in delivering quality outcomes for children, families and educators;
- Improvements to current practices, procedures and service routines; and
- Changes to be implemented as a result of review.

All stakeholders (management, educators, families and children) will be encouraged to be involved in the service’s continuous improvement process with ideas and suggestions for practice improvements welcomed.

To comply with National Regulations 55 and 56, the Approved Provider will ensure that a Quality Improvement Plan is prepared and maintained for the service that:

- Contains a statement of philosophy of the service.
- Includes the assessment of the quality of practices of the service against the National Quality Standard and the National Regulations;
- Identifies the areas requiring improvement, goals and the steps to improve; and
- Maintains notes with dates of the progress being made

The Approved Provider will ensure that the service’s Quality Improvement Plan is reviewed and revised:

- At least annually; and/or
- When directed by the Regulatory Authority

The Approved Provider will submit the service’s current Quality Improvement Plan to the Regulatory Authority on request.

Policy Reviewed	Approved by P&C	Date of Next Review
10/12/23		



TOOWONG OUTSIDE SCHOOL HOURS CARE

10.28 Record Keeping and Retention Policy

Toowong Outside School Hours Care acknowledges its duty to document and maintain appropriate employee, family and child records in line with regulatory requirements. This policy outlines the types of records kept by TOSHC as well as the procedure for secure storage and/or archiving of such records.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Child Protection Act 1999 and Regulations 2000*
- *Privacy Act 1988 and Regulations 2013*
- *Work Health and Safety Act 2011 and Regulations 2011*
- *Children’s Services Award (2010)*
- *Parents and Citizens Associations Award (2016)*
- *Commonwealth Child Care Act 1972 (Child Care Benefit)*
- *Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011*
- *Australian Child Care Provider Handbook*
- *National Quality Standard Areas 1-7*

 Procedures

Records to be kept in relation to TOSHC

In order to comply with regulatory requirements TOSHC shall maintain current policies and procedures, particularly in relation to the following matters:

- Health and safety, including matters relating to:
 - Nutrition, food and beverages, dietary requirements;
 - Sun protection;
 - Water safety, including safety during any water-based activities; and
 - The administration of medication and first aid.
- Incident, injury, illness and trauma procedures;
- Dealing with infectious diseases;
- Dealing with medical conditions in children;
- Emergency and evacuation;
- Delivery of children to, and collection of children from the service;
- Excursions
- Providing a child safe environment including child protection;

- Staffing, including:
 - A code of conduct for staff members; and
 - Determining the responsible person present at the service; and
 - The participation of volunteers and students on practicum placement.
- Interactions with children;
- Enrolment and orientation;
- Governance and management of the service including confidentiality of records;
- The acceptance and refusal of authorisations;
- Dealing with complaints; and
- Payment of fees and provision of a statement of fees charged by the service.

TOSHC shall keep a record of any compliance matters, including:

- Details of any amendment of the service approval including:
 - The reason stated by the Regulatory Authority for the amendment;
 - The date on which the amendment took, or takes, effect; and
 - The date (if any) that the amendment ceases to have effect;
- Details of any suspension of the service approval (other than a voluntary suspension), including:
 - The reason stated by the Regulatory Authority for the suspension;
 - The date on which the suspension took, or takes, effect; and
 - The date that the suspension ends.
- Details of any compliance direction or compliance notice issued to the Approved Provider in respect of the service, including:
 - The reason stated by the Regulatory Authority for issuing the direction or notice;
 - The steps specified in the direction or notice; and
 - The date by which the steps specified must be taken.
- The compliance records must not include any information that identifies any person other than the Approved Provider.

Records required to be kept in order to comply with requirements of Child Care Subsidy:

To maintain approval, providers must keep certain records and notify the Department of Education and Training of certain events. Failure to keep these records and provide the required notifications can result in suspension or cancellation of provider or service approvals, or other penalties. All providers must keep and maintain the following records:

- complaints made to the provider, or to any of the services of the provider, relating to compliance with the Family Assistance Law
- record of attendance for each child for whom care is provided (regardless of eligibility for Child Care Subsidy and/or Additional Child Care Subsidy, including records of any absences from care)
- statements or documents demonstrating that [Additional absence days in excess of the initial 42 absence days](#) meet the criteria

- copies of invoices and receipts issued in relation to the payment of child care fees
- copies of all Statements of Entitlement issued and any statements issued to advise of a change of entitlement.

Providers must also keep a written record of the following, even if they would not otherwise record them in writing:

- any notice given to a state or territory body about a child at risk of abuse or neglect
- copies of the evidence and information provided with an application for approval about persons with management or control of a provider and persons responsible for the day-to-day operation of a service
- any evidence or information produced to obtain police checks and working with children checks for personnel and to support any statements about these checks in an application for provider or service approval.
- Written records include records that are made and stored electronically, as long as they are stored safely and any changes, apart from incidental changes related to their storage and display, are also recorded.
- Providers must keep written records of all required background checks for all specified personnel.
- Records must be kept for seven years.

Records required to be kept by the service in relation to building and environmental safety include (but not limited to):

- Annual Occupiers' Statements;
- Certificate of Building Classification;
- Emergency and Evacuation instructions/plan for each building;
- Evacuation signs and diagrams for each evacuation route;
- Emergency evacuation/lockdown evaluation records;
- Personal Emergency Evacuation Plan (PEEP) for any individual who cannot use the normal evacuation procedures;
- Maintenance records for all fire safety equipment.

As per regulatory requirements, TOSHC must ensure that, for the purposes of the educational program, records of evaluations of children's wellbeing, developmental needs, learning and participation in the program are maintained.

TOSHC shall keep all records, in compliance with, and as prescribed under other relevant legislation, regulations, local government by-laws and national codes, and as mentioned in specific policies of TOSHC.

Records to be kept in relation to educators

For the purposes of this policy, the term educators includes (but is not limited to) the Educational Leader, volunteers, vocational students and responsible persons. Staff records for all educators (including the Nominated Supervisor) will include:

- Full name, address and date of birth of the person;
- Evidence of any relevant qualifications held by the person; or if applicable, that the person is actively working towards that qualification;
- Evidence of any approved training (including first aid training) completed by the person; and
- Clear copy of positive notice for child related employment (Blue Card).

The staff record must include the name of the person designated as the Educational Leader.

The staff record must include the full name, address and date of birth of each student or volunteer who participates at the service. The service must also keep a record for each day on which the student or volunteer participates at TOSHC, the date and the hours of participation.

The approved provider must keep a record of educators working directly with children that includes the following information:

- The name of each educator who works directly with children being educated and cared for by the service; and
- The hours that each educator works directly with children being educated and cared for by the service (rosters and timesheets).

TOSHC will keep a record of the responsible persons who have been delegated, and with their written acceptance, to be placed in day to day charge of TOSHC. The staff record will identify the name of the responsible person at TOSHC for each time that children are being educated and cared for by the service.

The Approved Provider will maintain all employment records and other relevant employee documentation for educators including (but not limited to):

- Timesheets and/or wage books;
- Personal information including next of kin and medical information;
- Employee contracts, letters of employment, etc.; and
- Records of any work, health and safety incident or injury.

Records to be kept in relation to children and families

TOSHC will ensure that an enrolment record is kept for each child that includes (as a minimum) the following information:

- The full name, gender, date of birth and address of the child;
- The name, address and contact details of:
 - Each known parent of the child;
 - Any person who is to be notified of an emergency involving the child and if any parent of the child cannot be immediately contacted;
 - Any person who has been given permission by a parent or family member to collect the child from the Service;
 - Any person who is authorised to consent to medical treatment of, or to authorise administration of medication to, the child;
 - Any person who is authorised to authorise an educator to take the child outside the service's approved area.
- Clear copies of any court orders, parenting orders or parenting plans relating to the child's residence; to powers, duties, responsibilities or authorities of any person in relation to the child or access to the child; or the child's contact with a parent or other person.
- The language used in the child's home;
- The cultural background of the child and, if applicable, the child's parents;
- Any special considerations for the child, for example any cultural, religious or dietary requirements or additional needs;
- An authorisation, signed by a parent or a person named in the enrolment record as authorised to consent to the medical treatment of the child, for the service to seek:
 - Medical treatment for the child from a registered medical practitioner, hospital or ambulance service; and
 - Transportation of the child by an ambulance service.

- If relevant, an authorisation for the service to take the child on regular outings;
- The child's Medicare number and the name, address and telephone number of the child's registered medical practitioner or medical service;
- Details of any specific healthcare needs of the child, including:
 - Any medical condition;
 - Allergies, including whether the child has been diagnosed as at risk of anaphylaxis;
 - Any medical management plan, anaphylaxis medical management plan or risk minimisation plan to be followed with respect to a specific healthcare need, medical condition or allergy;
 - Details of any dietary restrictions for the child; and
 - The immunisation status of the child;

TOSHC shall ensure that children's attendance records are kept and shall include:

- The full name of each child attending;
- The date and time each child arrives and departs; and
- A signature of one of the following persons at the time that the child arrives and departs:
 - The person who delivers the child to the education and care service premises or collects the child from the education and care service premises; or
 - The nominated supervisor or an educator.

TOSHC will keep a medication record for all children enrolled at the service. The records will include:

- The name of the child;
- The authorisation to administer medication (including, if applicable, self-administration), signed by a parent or a person named in the child's enrolment record as authorised to consent to administration of medication;
- The name of the medication to be administered;
- The time and date the medication was last administered;
- The time and date, or the circumstances under which, the medication should be next administered;
- The dosage of the medication to be administered;
- The manner in which the medication is to be administered.

If the medication is administered to the child, or the child self-administers their medication, the record must include:

- The dosage that was administered;
- The manner in which the medication was administered;
- The time and date the medication was administered;
- The name and signature of the person who administered the medication;
- The name and signature of the educator witness to the dosage and administration.

TOSHC must ensure that an incident, injury, trauma and illness record is kept in accordance with regulatory requirements. The incident, injury, trauma and illness record must include:

- Details of any incident in relation to a child or injury received by a child or trauma to which a child has been subjected while in care, including:
 - The name and age of the child;
 - The circumstances leading to the incident, injury or trauma; and

- The time and date the incident occurred, the injury was received or the child was subjected to the trauma.
- Details of any illness which becomes apparent while the child was in care including:
 - The name and age of the child;
 - The relevant circumstances surrounding the child becoming ill; and
 - The time and date of the apparent onset of the illness.
- Details of the action taken by TOSHC in relation to any incident, injury, trauma or illness which a child has suffered while in care, including:
 - Any medication administered or first aid provided;
 - Any medical personnel contacted;
 - Details of any person who witnessed the incident, injury or trauma;
 - The name of any person the service notified or attempted to notify;
 - The time and date of the notifications or attempted notifications;
 - The name and signature of the person making an entry in the record, and the time and date that the entry was made;

The information above must be recorded as soon as practicable, but not later than 24 hours after the incident, injury or trauma, or the onset of the illness.

Length of time records must be kept

In order to comply with regulatory requirements, TOSHC will keep records for the following periods:

- If the record relates to an incident, illness, injury or trauma suffered by a child while being educated and cared for by the service for the life of the child ;
- If the record relates to an incident, illness, injury of trauma suffered by a child that may have occurred following an incident while being educated and cared for by the service for the life of the child;
- If the record relates to the death of a child while being educated and cared for by the service or that may have occurred as a result of an incident while being educated and cared for, until the end of 7 years after the death;
- In the case of any other record relating to a child enrolled at the education and care service, until 3 years after the last date on which the child was educated and cared for by the service.
- If the record relates to the Approved Provider, until the end of 3 years after the last date on which the Approved Provider operated the education and care service;
- If the record relates to the Nominated Supervisor or staff member of an education and care service, until the end of 3 years after the last date on which the Nominated Supervisor or staff member provided education and care on behalf of the service; and
- In the case of any other record, 3 years after the date on which the record was made.
- Records required to be kept in order to comply with requirements of Child Care Subsidy must be kept for 7 years from the date that record was made.

Confidentiality and storage of records

Documentation collected by TOSHC will be stored in a safe and secure location for the relevant time periods as set out above and only made accessible to relevant and authorised individuals.

If TOSHC is transferred to another Approved Provider under the law, documents relating to a child will not be transferred without the express consent of the child's parents.

Policy Group 10: Management, Governance and Administration

TOSHC will ensure that information kept in a record is not divulged or communicated through direct or indirect means to another person other than:

- The extent necessary for the education and care or medical treatment of the child to whom the information relates;
- A parent of the child to whom the information relates, except in the case of information kept in a staff record;
- The Regulatory Authority or an authorised officer;
- As expressly authorised, permitted or required to be given by or under any Act or law; and
- With the written consent of the person who provided the information.

Policy Reviewed	Approved by P&C	Date of Next Review
10/12/23		



TOOWONG OUTSIDE SCHOOL HOURS CARE

10.29 Hardship and Administration of Additional Child Care Subsidy Policy

Toowong Outside School Hours Care is committed to ensuring that Additional Child Care Subsidy (ACCS) is administered effectively and in accordance with relevant legislation. The procedures outlined in this policy describe the steps taken to ensure compliance with the service's obligations as an approved child care service for the purpose of administering ACCS.

Additional Child Care Subsidy provides additional fee assistance to support vulnerable or disadvantaged families and children. This support recognises the preventative and protective influence of quality child care on a child's health, wellbeing and development, and the importance of continuity of care.

There are four different payments under Additional Child Care Subsidy:

1. Additional Child Care Subsidy (child wellbeing) — to help children who are at risk of serious abuse or neglect
2. Additional Child Care Subsidy (grandparent) — to help grandparents on income support who are the principal caregiver of their grandchildren
3. Additional Child Care Subsidy (temporary financial hardship) — to help families experiencing financial hardship
4. Additional Child Care Subsidy (transition to work) — to help low-income families transitioning from income support to work.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Australian Government Child Care Provider Handbook, July 2018*
- *National Quality Standard, Quality Area 7 – Governance and leadership*
- *Policies: 10.4 - Fees 10.30 - Conflict of Interest*

Procedures

TOSHC shall maintain access to a current copy of the Australian Government Child Care Provider Handbook.

Additional Child Care Subsidy

Providers are centrally involved in identifying children who require extra support through Additional Child Care Subsidy (child wellbeing).

Providers are not involved in making applications for the other types of Additional Child Care Subsidy, although they may wish to help families who they think may be eligible by encouraging them to contact Centrelink and apply for additional assistance. Providers will be advised of individuals using their service who are receiving these other payments. An overview of these types of Additional Child Care Subsidy is available in the Australian Government Child Care Provider Handbook.

Additional Child Care Subsidy (child wellbeing) provides additional child care fee assistance to an individual (or provider) in respect of children at risk of serious abuse or neglect. It helps to address cost barriers families may experience, so that children can either enter or remain engaged with child care.

For the purposes of Additional Child Care Subsidy (child wellbeing), a child is taken to be at risk of serious abuse or neglect if the child is at risk of experiencing harm, as a result of current or past circumstances or events that resulted in the child being subject to, or exposed to, any of the following:

- serious physical, emotional or psychological abuse, or
- sexual abuse, or
- domestic or family violence, or
- neglect.

The Minister's Rule sets out in detail the circumstances when a child is taken to be at risk of serious abuse or neglect for the purposes of Additional Child Care Subsidy (child wellbeing).

The definition of 'at risk' includes situations where the child is likely to experience those circumstances in the future (for example, the future risk is 'real and apparent'). This allows families to be eligible for the subsidy at the appropriate earliest point and potentially before they are known to a child protection agency.

Any child who is identified as being at risk under state or territory child protection law will meet the definition of at risk and the individual (or provider) will therefore be eligible to receive the payment.

There are two ways for TOSHC to access Additional Child Care Subsidy (child wellbeing):

- A. Giving an Additional Child Care Subsidy (child wellbeing) certificate
- B. Additional Child Care Subsidy (child wellbeing) determination.

Services should refer to the Australian Government Child Care Provider Handbook, July 2018 for further information on how to access ACCS.

Other Hardship

On a case by case basis, the Approved Provider may consider written requests for support when the hardship does not meet the threshold for ACCS, however under Family Assistance Law TOSHC is unable to waive the gap/parent's co-contribution.

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10/12/23		



TOOWONG OUTSIDE SCHOOL HOURS CARE

10.30 Conflict of Interest Policy

Toowong Outside School Hours Care is committed to ensuring that business and operational decisions are not negatively impacted by either a perceived or real conflict of interest. In the interests of transparency, accountability and probity, the following guiding principles and procedures for identifying, declaring and dealing with conflicts of interest will be followed by TOSHC's executive, employees and volunteers. For the purpose of this policy, conflict of interest also includes a potential conflict of interest.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *National Quality Standard, Quality Area 7 – Governance and leadership*

Procedures

How does conflict of interest arise?

A conflict of interest occurs when the private interests of a TOSHC executive, employee or volunteer come into conflict with their duty to act in the best interests of the organisation. Conflicts of interest are particularly relevant where the executive, employee or volunteer has a decision-making role.

Conflicts of interest are not wrong in themselves and can happen without anyone being at fault. However, it is vital that they are disclosed and managed effectively to ensure that the TOSHC executive, employees and volunteers perform their duties in a fair and unbiased way.

Personal interests that can give rise to conflicts may be pecuniary, involving an actual or potential financial gain, or non-pecuniary without any financial element.

Identifying direct and indirect conflict of interest

A direct interest is a reasonable likelihood that the circumstances of the person (including a company) would be directly altered if a matter is decided in a particular way, including a reasonable likelihood that:

- The person will receive a direct financial benefit or loss; and
- The residential amenity of the person will be directly affected.

The five types of indirect interest include:

1. Close association;
2. Indirect financial interest;
3. Conflicting duty;
4. Receipt of an applicable gift; and
5. Becoming an interested party

Declaring and reporting conflict of interest

It is the responsibility of the executive, employee or volunteer to make a declaration of the conflict of interest as soon as this becomes known to the person. This declaration should be made to the relevant person in the organisation. All conflicts of interest should be reported to the Approved Provider.

Dealing with resolving conflict of interest

The main ways resolution can be achieved are:

- Restrict;
- Recruit;
- Remove; and/or
- Relinquish

Restricting the person with the conflict in the participation of decision making is an appropriate method where the conflict is not likely to arise frequently.

Recruiting an independent person to oversee all or part of the process is an appropriate method where the conflict is more significant and needs more practice management.

Removing the person with the conflict from the process is appropriate where there is ongoing serious conflict of interest and restriction or recruitment is not practical or feasible.

Relinquishing the private interest that gives rise to the conflict.

A record shall be made of the conflict of interest and how it was resolved.

Ongoing management of conflict of interest

The service will manage conflicts of interest by:

- Including information on processes for managing conflicts of interest in documents aimed at external stakeholders as relevant;
- Ensuring employees complete a statement of private interests (such as secondary employment and/or business dealings) on commencement, annually or at another appropriate time;
- Putting processes in place to ensure that statements of interest are updated at regular intervals; and
- Formally recording arrangements for addressing each conflict so that the agency can demonstrate how each conflict of interest was managed.

References

<http://www.icac.nsw.gov.au/preventing-corruption/knowning-your-risks/conflicts-of-interest/4897>

http://www.macquarielawyers.com.au/files/How_To_Identify_A_Conflict_Of_Interest.pdf

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10/12/23		



TOOWONG OUTSIDE SCHOOL HOURS CARE

10.31 Managing Instances of Non-Compliance and Policy/Procedure Breaches within the Service

Toowong Outside School Hours Care recognises that strategies must be in place to remedy any breaches with relevant legislation. This policy is designed to identify the various legislation and government authorities where compliance is required and clear strategies for steps to be taken when non-compliance is identified.

Relevant Laws and other Provisions

- Education and Care Services National Law Act 2010 and Regulations 2011
- Duty of Care
- Family and Child Commission Act 2014
- Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011
- Australian Government DET Child Care Provider Handbook
- Privacy Act 1988 and Regulations 2013
- Work Health and Safety Act 2011 and Regulations 2011
- *National Quality Standard, Quality Area 7 – Governance and leadership*

Procedures

TOSHC will take immediate action to remedy any non-compliance and policy/procedure breaches identified through:

- Internal compliance monitoring activities (in accordance with Policies 10.1 & 10.10)
- External compliance monitoring activities such as:
 - Spot checks undertaken by the Regulatory Authority
 - External audits

In accordance with Regulation 167, TOSHC will keep a record of its compliance history and make it accessible upon request. The history must include:

- Details of any amendment of the service approval made by the Regulatory Authority under section 55 of the Law;
- Details of any suspension of the service approval (other than voluntary suspension); and
- Details of any compliance direction or compliance notice issued to the approved provider in respect of the service.

The information in the service's compliance record must not include any information that identifies any person other than the approved provider.

Policy and Procedure breaches

Any action undertaken by employees, volunteers and management that is inconsistent with TOSHC policy and procedure shall be considered a breach.

The action taken to remedy breaches may include:

- Reviewing the policy and procedure and updating as required
- Retraining in the policy and procedure
- Undertaking disciplinary action in accordance with policy 8.19

Policy and procedure breaches resulting in non-compliance with the law will be reported in accordance with policy 10.33 Managing Notifications

Positive Notice Blue Card Compliance and Breach action

All employees (Paid or Exemption), volunteers (Volunteer) and executive members of management (Business Owners) must hold a current and valid Working with Children Check – Blue Card.

Prospective paid employees shall not be engaged to work at the service until appropriate application for a blue card has been made. Required evidence of such application shall be maintained at the service.

A blue card register will be maintained at the service containing copies of blue cards of all employees, volunteers and executive members of management. The register shall be referred to by the Nominated Supervisor/Administrator on a regular basis to track expiry dates.

All employees, volunteers and executive members of management holding existing blue cards prior to their involvement with the service shall be required to complete appropriate documentation to have their engagement with the service recorded e.g. <https://www.bluecard.qld.gov.au/pdf/forms/DJAG008-Link-an-applicant-or-cardholder.pdf>.

All employees, volunteers and executive members of management shall be provided with information regarding their responsibilities in holding a blue card.

Any breaches to these obligations will be reported to the Approved Provider and immediate action taken to remedy the breach.

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10/12/23		



TOOWONG OUTSIDE SCHOOL HOURS CARE

10.32 Appropriate Governance Policy

The Approved Provider is responsible to ensure that appropriate governance arrangements are in place to guide service decision making ensuring effective oversight for those with management and control of TOSHC.

Governance (as defined by the Australian Institute of Company Directors" includes the management, rules. Relationships, policies, systems and processes whereby authority within an organisation is exercised and maintained. Simply put, an organisation's governance controls the manner in which its business is organised, managed and operated. Governance defines who makes the decisions what policies or processes are adopted, how risks are managed and how the organisation remains financially viable.

Relevant Laws and other Provisions

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Family Assistance Law*
- *The organisation or entity's constitution (insert specific details as required)*
- *Policy 10.2 Role and Composition of Sub-Committee/Parent Advisory Group*
- *National Quality Standard, Quality Area 7 – Governance and leadership*

Specific provisions for P & C operated OSHC services:

- *Queensland Education (General Provisions) Act 2006*
- *Accounting Manual for Parents and Citizens' Associations*

Procedures

The Approved Provider will ensure decision making is consistent with the organisation's governance framework (conceptual structure and set of rules) as articulated in the organisation's constitution which outlines how the organisation is managed and controlled.

In the case of a P & C operated OSHC, the P & C as the Approved Provider will ensure that decision making is informed by and consistent with the requirements articulated in the relevant laws and provisions, including (but not limited to):

- Queensland Education (General Provisions) Act 2006
- Accounting Manual for Parents and Citizens' Associations
- P & C Qld - Support Guide for P & Cs
- P & C Qld - Quick Guide for P&C Executive Officers
- Education and Care Services National Law Act, 2010 and regulations 2011
- Family Assistance Law

Succession planning and handover

A governance, management and operations handbook will be developed to form an important part of the organisation's succession planning and to support effective handover. This manual will be used to provide information and training during the handover period.

Management Capability

The executive members of the Approved Provider will be required to demonstrate 'Management Capability' as well as fitness and propriety.

Management Capability includes (but is not limited to) the individuals qualifications, knowledge, skills and experience in the areas of:

- Governance
- Human Resource Management
- Legislation and compliance
- Risk management and minimisation
- Delivering quality programs and services

Refer also to Policy 10.34 Administration of Child Care Subsidy and Policy 10.10 Managing compliance with other laws and relevant provisions

References

<https://www.legislation.qld.gov.au/legisln/current/e/educgenpra06.pdf>

<http://education.qld.gov.au/finance/procedure/pandc/pdfs/pandc-whole.pdf>

<http://www.pandcsqld.com.au/>

www.education.gov.au/applying-child-care-subsidy-ccs-approval

Australian Government Child Care Provider Handbook

Australian Government Department of Education and Training: Child Care Provider Governance Requirements (December, 2018)

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10/12/23		



TOOWONG OUTSIDE SCHOOL HOURS CARE

10.33 Managing Notifications

Toowong Outside School Hours Care recognises that strategies must be in place to ensure notifications are made as required and to the relevant authority. This policy and procedure identifies the relevant authorities to which there is an obligation to notify of an event or occurrence within TOSHC.

Relevant Laws and other Provisions

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Duty of Care
- Child Protection Act 1999 and Regulations 2000
- Child Protection (Mandatory Reporting— Mason's Law) Amendment Act 2016
- Family and Child Commission Act 2014
- Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011
- Australian Government Department of Education Children's Services Handbook
- Privacy Act 1988 and Regulations 2013
- Work Health and Safety Act 2011 and Regulations 2011
- *National Quality Standard, Quality Area 7 – Governance and leadership*
- Policies: 8.2 – Educational Leader Policy, 10.1 – Quality Compliance Policy, 10.5 – Approval Requirements under Legislation Policy, 10.6 – Nominated Supervisor Policy, 10.7 – Insuring Risks Policy, 10.9 – Risk Management and Compliance Policy.



Procedures

TOSHC shall make notifications as follows:

The *Education and Care Services National Law Act 2010 and Regulations 2011* sets out incidents and allegations that are notifiable to the Regulatory Authority while a child or children are being educated and cared for by the service. These include:

- The death of a child while that child is being educated and cared for at the service or following an incident while that child was being educated and cared for by the service;
- A serious injury or trauma while the child is being educated and cared for, which required urgent medical attention from a medical practitioner; or the child attended, or should have attended a hospital (e.g. broken limb);
- Any incident involving a serious illness at the service, where the child attended, or should have attended a hospital (e.g. severe asthma attack, seizure or anaphylaxis);
- Any circumstance where a child appears to have been taken or removed from the service premises by someone not authorised to do this;
- Any circumstance where a child is mistakenly locked in or out of the service premises or any part of the premises;
- A serious incident where emergency services attended an education and care service in response to an emergency.

- Any incident where you reasonably believe that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the service;
- Any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the service;
- Any circumstance at the service that poses a significant risk to the health, safety or wellbeing of a child attending the service;
- Notice of any appointment or removal of a person with management and control of the service
- Adding one or more nominated supervisors to the service (including the person's written consent);
- A nominated supervisor change;
- A nominated supervisor's name or contact details change;
- Any change to the hours and days of the operation of the service;
- A complaint that alleges a serious incident has occurred or is occurring while a child is being educated and cared for by a service;
- A complaint that alleges the National Law and/or National Regulations have been contravened;

See also <http://www.acecqa.gov.au/Notification-types-and-timeframes>

The Approved Provider/Nominated Supervisor of TOSHC, under the *Education and Care Services National Law Act 2010* will make notifications to the Regulatory Authority through the National Quality Agenda IT System (NQA IT System), or by contacting them.

The *Child Protection Act 1999* requires education and care staff as 'mandatory reporters', to notify and make a report to Child Safety if they form a reasonable suspicion that a child has suffered, is suffering or is at an unacceptable risk of suffering significant harm caused by physical or sexual abuse, and may not have a parent able and willing to protect them. (see 2.5 Reporting of Child Abuse Policy)

The *Work Health and Safety Act 2011* sets out what sort of incidents are notifiable to Work Health and Safety Queensland (WHSQ). An incident is notifiable if it arises out of the conduct of a business or undertaking and results in the death, serious injury or serious illness of a person or involves a dangerous incident.

The person conducting a business of undertaking must keep a record of each notifiable incident for at least five (5) years from the date notified to WHSQ.

The *Australian Government* require that Providers must notify the *Department Education and Training* of any of the following changes to their service(s), within the timeframe specified. Penalties may apply if providers fail to make required notifications.

Providers must notify the Department at least 42 days before they stop operating a service.

- Fees
- Operating Hours
- Vacancies
- Ceasing to operate
- Change of physical or postal address
- Change to name
- Change to contact details such as email, website, telephone number or fax
- Information about any new person
- Change to name or contact details for persons with management and control
- Specific information revealed in background checks
- An event or circumstance indicating a person with management and control not likely to be fit and proper for the purpose of administering CCS
- A person stops having management and control
- The provider enters into administration, receivership, liquidation or bankruptcy, and the details of this event.
- Change in the status of a working with children card for each individual who is required to have such a card under section 195D of the *Family Assistance Administration Act 1999*.

- Unexpected closure of any of the provider's approved child care services due to unforeseen circumstances.
- A serious conviction or finding of guilt of a person with management or control of the provider (including a person who becomes responsible for the day to day operation of any of the provider's approved child care services)

All of these notifications can be made through third-party software or the Provider Entry Point. Specific details, additional matters for notification and timeframes for notification can be accessed: <https://www.education.gov.au/child-care-provider-handbook/notifications-providers-must-give-about-their-services>

References

<http://files.acecqa.gov.au/files/NQF/KeyChangesNotificationComplaints.pdf>

Policy Reviewed	Approved by P&C	Date of Next Review
10/12/23		