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1. Purpose

This policy outlines procedures to be followed when:

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

2. Values

Meli Kindergarten Services (Meli) is committed to:

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

3. Scope

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, staff, students, volunteers, parents/guardians, children, and others attending the programs and activities of Meli.

4. Background

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

- self-administration of medication (if applicable) (*Regulation 96*)
- children leaving the service premises (*Regulation 99*)
- children being taken on excursions (*Regulation 102*)
- transport provided or arranged by the service (*Regulation 102D*)
- seeking medical treatment for children and transportation by an ambulance service (*Regulation 161*).

Specific service policies (including the Administration of Medication Policy, Delivery and Collection of Children Policy, Enrolment and Orientation Policy and Excursions and Service Events Policy) should include details of the conditions under which written authorisations will be accepted. However, there may be instances when a service refuses to accept a written authorisation. The Education and Care Services National Regulations 2011 (Regulation 168(2) (m)) require the service to develop a policy in relation to the acceptance and refusal of authorisations to help staff and parents/guardians understand exactly what they need to do.

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

5. Definitions

The terms defined in this section relate specifically to this policy.

Attendance Record: Kept by the service to record details of each child attending the service including name, time of arrival and departure, signature of person delivering and collecting the child or of the nominated supervisor or educator (National Regulation 158(1)).

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

Inappropriate Person: A person who may pose a risk to the health, safety or wellbeing of a child attending the education and care service, or whose behaviour or state of mind make it inappropriate for them to be on the premises e.g., a person under the influence of drugs or alcohol (National Law: Section 171(3))

Medication Record: Contains details for each child to whom medication is to be administered. This includes the child's name, signed authorisation to administer medication and a record of the medication administered including time, date, dosage, manner of administration, name and signature of person administering the medication and of the person checking the medication, if required (Regulation 92). A sample medication record is available on the ACECQA website

6. Responsibilities

RESPONSIBILITIES	Approved provider (Meli) and persons with management control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators, and all other staff	Parents/guardians	Contractors, volunteers, and students
Ensuring parents/guardians are provided access to all service policies	R	✓	✓		

R indicates legislation requirement, and should not be deleted

Ensuring staff and parents/guardians follow Meli policy and procedure	R	√	√	√	
Ensuring authorisations are kept up to date	R	√		√	
Ensuring all parents/guardians have completed the authorised nominee section of their child's enrolment form, and signed and dated the form before the child commences at the service <i>Regulation 161</i>	R	√	√		
Ensuring permission forms for excursions are provided to the parent/guardian or authorised nominee prior to the excursion	R	R	√		
Ensuring staff allow a child to participate in an excursion only with the written authorisation of a parent/guardian or authorised nominee, including details required under <i>Regulation 102(4)(5), 161</i>	R	R	√		
Ensuring that children who require medication be administered by staff, authorised has been received in writing, signed and dated by a parent/guardian or authorised nominee, and included with the child's medication record <i>Regulations 92(3)(b)</i> .	R	√	√		
Ensuring staff do not administer medication without the authorisation of a parent/guardian or authorised nominee, except in the case of an emergency, including an asthma or anaphylaxis emergency.	R	√	√		
Ensuring all parents/guardians have completed the authorised nominee section of their child's enrolment form, for authorisation for seeking medical treatment and transportation of the child by an ambulance service <i>Regulation 160 (1) (b)</i>	R	√	√	√	
Ensuring all parents/guardians have completed the authorised nominee section of their child's enrolment form, for authorisation for the transportation of the child or arranging transportation of the child <i>Regulation 120D, 160 (3) (vi)</i>	R	√	√	√	
Ensuring that an attendance record is maintained to account for all children attending the service	R	R	√		
Keeping a written record of all visitors to the service, including time of arrival and departure	R	√			
Ensuring the approved provider is informed when a written authorisation does not meet the requirements of service policies		√	√		
Ensuring children depart from the service only with a person who is the parent/guardian or authorised nominee, or with the written authorisation of one of these, except in the case of a medical or other emergency <i>Regulation 99, 160, National Law: Section 167</i>	R	R	√		
Ensuring the service is aware of contact orders prohibiting an adult from contacting an enrolled child and keeping a copy of the court orders with the child's enrolment record (<i>Regulation 160</i>).	R	R	√		
Ensuring processes are in place for circumstances where authorisations are refused/not applicable. <ul style="list-style-type: none"> where the service is asked to administer medication that is not in its original container (<i>Regulation 95</i>) when leaving the service, the parent, authorised nominee or person as listed in <i>Regulation 99</i> does not appear to be fit to take the child the child has been given authorisation to leave the service alone, however the environment they would be in is unsafe 	R	√			
Ensuring procedures are in place if an inappropriate person attempts to collect a child from the service <i>National Law: Section 167</i>	R	R			
Enacting procedures for dealing with a written authorisation that does not meet the requirements outlined in service policies	R	√	√		
Completing and signing the authorised nominee section of their child's enrolment form before their child commences at the service				√	
Signing and dating permission forms for excursions				√	
Signing the attendance record on arrival and departure from the service				√	

Providing written authorisation where children require medication to be administered by educators/staff, and signing and dating it for inclusion in the child's medication record

√

7. Evaluation

To assess whether the values and purposes of the policy have been achieved, Meli will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints, and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy, and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notifying all stakeholders affected by this policy at least 14 days before making a significant change to it, or its procedures, unless a lesser period is necessary due to risk (*Regulation 172 (2)*).

8. Related Meli policies and procedures

- Administration of First Aid
- Administration of Medication
- Child Safe Environment and Wellbeing
- Dealing with Medical Conditions
- Delivery and Collection of Children
- Emergency and Evacuations
- Enrolment and Orientation
- Excursions and Service Events
- Governance and Management of the Service
- Incident, Injury, Trauma, and Illness
- Road Safety Education and Safe Transport

9. Relevant legislation and standards

Relevant legislation and standards include but are not limited to:

- Education & Care Services National Law Act 2010: Sections 167, 169, 174
- Education & Care Services National Regulations 2011: Regulations 90, 92, 93, 94, 95, 96, 136, 137
- Health Records Act 2001 (Vic)
- National Quality Standard, Quality Area 2: Children's Health and Safety
- Privacy Act 1988 (Cth)
- Privacy and Data Protection Act 2014 (Vic)
- Public Health and Wellbeing Act 2008 (Vic)
- Public Health and Wellbeing Regulations 2009 (Vic)

10. Sources

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