



# ACCEPTANCE AND REFUSAL OF AUTHORISATION POLICY



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## POLICY RATIONALE

TeamKids ensure the safety and well-being of children attending the program. However, in some cases, TeamKids will refuse a parent/guardian request when it is considered to put the education and care of children at risk and not be a reasonable adjustment for the service to manage.

TeamKids reserves the right to determine if any verbal or written authorisation from a parent, guardian or authorised nominee will be accepted. In this way, TeamKids ensures that it meets its duty of care obligations under the Education and Care Services National Law Act 2010 and Education and Care Services National Regulations 2011.

This policy provides a set of clear guidelines and procedures to:

- Ensure that children's enrolment records are maintained accurately at all times.
- Ensure that all educators are aware of their legal obligations in relation to releasing children to authorised persons and the details of this policy.
- Details the roles and responsibilities of parents/guardians, educators and TeamKids in relation to all provided authorisations.

## POLICY OBJECTIVES

This policy is intended to guide TeamKids and its educators to recognise that under the Education and Care Services National Law Act 2010 and Education and Care Services National Regulations 2011, TeamKids is required to obtain written authorisation from parents/guardians and/or authorised nominees in some circumstances, to ensure that the health, safety, well-being, and best interests of the child are met. These circumstances include but are not limited to:

- self-administration of medication (Regulation 96)
- children leaving the service premises (Regulation 99-102)
- children being taken on excursions (Regulation 100 -102).

Specific TeamKids policies, including Delivery and Collection of Children Policy, Enrolment and Orientation Policy, include details of the conditions under which written authorisations will be accepted. However, there may be instances when a program refuses to accept a written authorisation. *Under the Education and Care Services National Regulations 2011 (Regulation 168(2)(m))*, TeamKids's Acceptance and Refusal of Authorisations Policy helps educators and parents/guardians understand precisely 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.

## PROCEDURES

### PROCEDURES FOR REFUSING A WRITTEN AUTHORISATION

On receipt of a written authorisation from a parent/guardian that does not meet the requirements outlined in the related service policy (for example, in the child's enrolment record), the Approved Provider, or a representative of the Approved Provider, will:

- Consider the age and/or specific factors involving any person authorised to collect a child. For example, only those over 16 years of age may be named as an authorised nominee unless specific requirements are met on an individual basis.
- Immediately explain to the parent/guardian that their written authorisation contravenes service policy and cannot be accepted.
- Ensure that the parent/guardian is provided with a copy of the relevant service policy and that they understand the reasons for the refusal of the authorisation
- Request that an appropriate alternative written authorisation is provided by the parent/guardian that complies with the requirements of the relevant service policy
- Ensure that procedures outlined in the relevant service policy are followed where a parent/guardian cannot be immediately contacted to provide an alternative written authorisation
- Follow up with the parent/guardian, where required, to ensure that appropriate written authorisation is obtained.

The details of which persons are authorised to collect children from the service are maintained accurately to ensure that children are only placed in the care of people appropriate to collect them at the end of each day. Only a person who is an authorised nominee will be allowed to collect a child or provide the authorisations in the enrolment record. The enrolment record is the only place that this authorisation can be recorded.

Children are not permitted to self-administer medication, other than under specific circumstances that must be approved by TeamKids, Quality & Compliance Team in advance.

## DEFINITIONS

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

**Authorised nominee:** (In relation to this policy) a person who has been given written authority by the parents/guardians of a child to collect that child from the education and care service. These details will be on the child's enrolment form. (R 161)

**Duty of care:** A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonably foreseeable risk of injury.

**Inappropriate person:** A person who may pose a risk to the health, safety or well-being of any child attending the education and care service, or whose behaviour or state of mind make it inappropriate for him/her to be on the premises, e.g. a person under the influence of drugs or alcohol (S 171(3)).

**Medication record:** Contains details for each child to whom medication is to be administered by the service. This includes a parent/guardian or authorised nominee section containing the child's name, signed authorisation to administer medication and a record of the name of the medication administered, the time and date the medication was last administered, the time, date, dosage and manner in which medication is to be next administered. An educator section will then document the dosage, time and date that the medication was administered, the manner in which the medication was administered and the name and signature of the person administering the medication and of the person checking the medication. (R 92) A sample medication record is available on the ACECQA website.

## REFERENCES:

- ACECQA National Quality Framework Resource Kit (2012)
- Quality Area 2 – Children's health and safety
- Quality Area 7 – Leadership and Service Management
- Education and Care Services National Regulations (2011) R 168, R 161, R 158, R 96, R 99-102
- Education and Care Services National Law Act (2010) S 167

**Version control Date: 25 August 2016**

**Reviewed August 2023**

**To be reviewed: August 2024**

**Acceptance and Refusal of Authorisations Policy No. PO-0001**

**Acceptance and Refusal of Authorisations Procedures No. PR-0001**