**FAMILY DAY CARE PRINCIPAL OFFICE**

**COMPLIANCE MONITORING CHECKLIST**

***Education and Care Services National Law (Western Australia******)[[1]](#footnote-1)* and**

***Education and Care Services National Regulations 2012***

Name of Service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Service Approval no: **SE-**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Nominated Supervisor (NS)/ Responsible Person (RP): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Authorised Officer (AO): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Authorised Officer (AO): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***Guidance Note: this checklist contains an appendix relating to swimming pools, spas and water features.***

***Should the Principal Office cover residence(s) which have a pool, spa or water feature, the AO must refer to Appendix A.***

***Appendix A should always be used in conjunction with the entire FDC Principal Office checklist and not used in isolation.***

| **Law/**  **Reg** | **Item** | **Yes** | **No** | **Not Determined** | **Comments** |
| --- | --- | --- | --- | --- | --- |
|  | ***SAFETY, HEALTH & WELLBEING*** |  |  |  |  |
| **S.165** | **Offence to inadequately supervise children.**  Does the service have processes in place to ensure that all children being educated and cared for by the service are adequately supervised at all times that the children are in their care?  Supervision policies, plans, risk assessments. Environment (blind spots). Individual needs of children. |  |  |  |  |
| **S.167** | **Offences relating to protection of children from harm and hazards.**  Does the service have processes in place to ensure every reasonable precaution is taken to protect children from harm and hazard?  Consider:  OH&S checks.   * Hot surfaces (use heat gun to check – record temperature & take photo) * hot liquids (what is their process/how is this managed) * Storage of chemicals * Child safe environment policy * Access to non-approved areas in the residence. * Pools and water hazard checks completed monthly by service.   ***\*Please refer to the separate appendix (Appendix A) for water hazards and pool checks\**** |  |  |  |  |
| **R.84C**  *CD - AP* | **Risk assessment for purposes of sleep and rest policies and procedures**  Has a sleep and rest risk assessment been conducted within the last 12 months?  At each FDC residence or approved venue, does the risk assessment consider:  (2) A risk assessment must consider the following —  (a) the number, ages and developmental stages of children  (b) the sleep and rest needs of children (including health care needs, cultural preferences, sleep and rest needs of individual children and requests from families about a child’s sleep and rest)  (c) the suitability of staffing arrangements to adequately supervise and monitor children during sleep and rest periods;  (d) the level of knowledge and training of staff supervising children during sleep and rest periods;  (e) the location of sleep and rest areas, including the arrangement of cots and beds within the sleep and rest areas  (f) the safety and suitability of any cots, beds and bedding equipment, having regard to the ages and developmental stages of the children who will use the cots, bed and bedding equipment;  (g) any potential hazards —  (i) in sleep and rest areas; or  (ii) on a child during sleep and rest periods;  (h) the physical safety and suitability of sleep and rest environments (including temperature, lighting and ventilation)   1. in the case of a FDC service that provides overnight care to a child, any risk that the overnight care provided at the FDC residence or approved venue may pose to the safety, health and wellbeing of the child.   (4) The approved provider must keep a record of each risk assessment conducted. |  |  |  |  |
|  | ***BUILDING/FACILITIES*** |  |  |  |  |
| **R.103**  *CD - AP* | **Premises, furniture and equipment to be safe, clean and in good repair.**  What processes are in place to support educators to identify and manage maintenance of a safe and clean environment. |  |  |  |  |
| **R.116** | **Assessments of FDC residences and approved FDC venues**  The AP must conduct an assessment (including a **risk assessment**) of each residence and approved FDC venue of the service.   * Is there evidence that an assessment of each residence/venue including a risk assessment has been conducted –   + before education and care is provided to children; and   + at least annually? * Does the assessment consider – * safety, cleanliness and repair of premises, furniture and equipment; * fencing; * sufficiency of furniture, materials and equipment; * Adequacy of toilet, washing, and drying facilities * adequate laundry facilities or other arrangements; * suitability of nappy change arrangements; * suitability of the residence or venue according to the number, ages and abilities of the children who attend or are likely to attend the service; * the existence of any water hazards at or near the residence; * risk posed by any animals at the residence; * venue space requirements; * adequacy of ventilation, natural light; and * glass (see R.117)   Are there processes in place to ensure that all FDC educators advise the AP of -   1. any proposed renovations to the residence or venue; and 2. any changes relating to the residence or venue affecting the education and care provided to children at the service. |  |  |  |  |
| **R.117**  *CD - AP* | **Glass** (1) The approved provider of a family day care service must ensure that any glazed area of a residence or approved family day care venue of the service complies with subregulation (2) if the area — (a) is accessible to children; and (b) either — (i) is 1 metre or less above floor level; or  (ii) if the residence or family day care venue was approved before 1 December 2014, is 0·75 metres or less above floor level. (2) The glazed area must be — (a) glazed with safety glass, if the Building Code of Australia requires this; or (b) in any other case — (i) treated with a product that prevents glass from shattering if broken; or (ii) guarded by barriers that prevent a child from striking or falling against the glass. |  |  |  |  |
|  | ***STAFFING*** |  |  |  |  |
| **R.136**  *CD - AP* | **First aid qualifications**  Do all educators hold an ACECQA approved:   * first aid qualification. * emergency asthma management training * anaphylaxis management training   AO sighted qualifications for at least the 2 educators visited. |  |  |  |  |
| **R.123A** | **Family day care coordinator to educator ratios**  If the service has been providing education and care for less than 12 months:  1 coordinator to every 15 educators is required.  If the service has been providing education and care for more than 12 months:  (a) if the number of family day care educators engaged by or registered with the service is not more than 25 — 1 full-time equivalent family day care co-ordinator; (b) if the number of family day care educators engaged by or registered with the service exceeds 25 — an additional 0.2 full-time equivalent family day care co-ordinator for every additional 5 family day care educators (or part of that number). |  |  |  |  |
| **R.124** | **Number of children who can be cared for by FDC educator.**  How does the AP ensure:   1. FDC educators do not educate and care for more than 7 children at one time,   (2)(a) no more than 4 children under 4 years of age on 30 June within the current calendar year attend at any one time,  (2)(b)(i) the FDC educator’s own children under 13 years of age are included in this number OR  (2)(b)(ii) the FDC educator’s own children under 13 years of age are being cared for by another adult present at the residence / venue. |  |  |  |  |
| **R.153(1) (ma)** | **FDC Register: exceptional circumstances**  (5) Has the AP approved in writing for any FDC educator to educate and care for additional children, under exceptional circumstances? Please request to sight records which support the decision to do this.  Approved providers will need to ensure that the details of when FDC educators are approved to educate and care for more than seven children, or more than four children who are preschool age or under, at any one time, due to exceptional circumstances, are kept on the register of FDC educators. The details, must include the:  • nature of exceptional circumstance  • date of when approval was granted by the approved provider October 2023  • name of person who granted the approval  • date of birth and name of each child educated and cared for as part of the approval  • period which the FDC educator is approved to educate and care for more than seven children, or for more than four children who are preschool age or under. |  |  |  |  |
| **R.32A** | **Does the service have a condition specifying a maximum number of family day care educators?**  Please refer to the FDC register to assess the service has not exceeded the maximum number of educators |  |  |  |  |
| **R.127** | **Family day care educator qualifications**  All FDC educators must hold at least an approved certificate III level education and care qualification.  AO to sight a sample of educator qualifications from the register of FDC educators. |  |  |  |  |
| **R.128** | **Family day care co-ordinator qualifications**  A family day care co-ordinator must have an approved diploma level education and care qualification.  A sample of co-ordinator qualifications from the register of staff, family day care coordinators and family day care assistants (R.154) sighted.  The following details need to be obtained:   * the name of the person and the position held at the service * title of qualification held * date of qualification * no. assigned to the certificate * which institute issued the qualification (name of organisation) * does it have the official triangle symbol as a recognised training institute   \*Copy of documents gained using i-Pad. |  |  |  |  |
| **R.144** | **Family day care educator assistant** (1) For the purposes of section 164A(1) and (2) of the Law, a person other than a family day care educator may educate and care for a child as part of a family day care service if — (a) the person is a family day care educator assistant approved under subregulation (2); and (b) the person provides education and care in the circumstances set out in subregulation (4).  (2) An approved provider of a family day care service may approve a person as a family day care educator assistant to assist a family day care educator in providing education and care to children as part of the family day care service. (3) An approved provider must not approve a person under subregulation (2) unless the family day care educator provides the written consent of a parent of each child being educated and cared for by the educator to the use of the family day care educator assistant in the circumstances set out in subregulation (4).  (4) An approved family day care educator assistant may assist the family day care educator — (a) in the absence of the family day care educator, to transport or escort a child between the family day care residence or approved family day care venue and — (i) a school; or (ii) another education and care service or children’s service; or (iii) the child’s home; or (b) in the absence of the family day care educator, in emergency situations, including when the educator requires urgent medical care or treatment; or (c) in the absence of the family day care educator, to enable the educator to attend an appointment (other than a regular appointment) in unforeseen or exceptional circumstances, if — (i) the absence is for less than 4 hours; and (ii) the approved provider of the family day care service has approved that absence; and (iii) notice of that absence has been given to the parents of the child; or (d) while the educator is educating and caring for children as part of the family day care service. |  |  |  |  |
|  | ***PRESCRIBED INFORMATION/RECORDS*** |  |  |  |  |
| **R.153**  *S.269*  *INF- AP* | **Register of FDC educators, co-ordinators and educator assistants**  Evidence of register of FDC register sighted.   1. The register must include the following information in relation to **each family day care educator** engaged by or registered with the service — 2. full name, address, DOB of educator 3. contact details of educator 4. the address of the residence or approved family day care venue where the educator will be providing education and care to children as part of the service, including a statement as to whether it is a residence or a venue. 5. the date that the educator ceased to be engaged by or registered with the service. 6. date educator ceased registration. 7. days/hours when educator usually operates. 8. if educator is an AP, the number of the AP and date approval granted. 9. evidence of any relevant qualifications held by educator OR educator working towards that qualification. 10. evidence educator has completed –     1. current 1st aid AND     2. current approved anaphylaxis management training AND     3. current approved emergency asthma management training 11. evidence of any other training completed by educator. 12. WWC- identifying number and expiry date, and date WWCC was sighted by AP or NS of the service. 13. for each child educated and cared for by the educator –     1. child’s name and DOB AND     2. days/hours of usual care 14. if education and care is a residence –     1. the full names and DOB of all persons aged 18yrs and over who normally reside at the place.     2. the full names and DOB of all children aged under 18yrs who normally reside at the FDC residence. 15. for persons 18yrs or over who normally reside at the premises, a record of- 16. WWC- identifying number and expiry date OR criminal history record check (*issued no more than 6 months before it is considered*) OR teacher registration. 17. the date that the WWC card or CHR check was sighted by the AP/ NS. 18. evidence that the educator is adequately monitored and supported by a family day care co-ordinator while the educator is providing education and care to children, including the following information –     1. the dates and times of any visits by the co-ordinator to the family day care residence or family day care venue for the purpose of monitoring or support     2. the dates and times of any telephone calls between the co-ordinator and the educator for the purpose of monitoring or support     3. details of any correspondence or written materials provided to the educator by the co-ordinator for the purpose of monitoring or support and the dates and times the correspondence or materials were provided to the educator.   (2) The register must include the following information in relation to **each family day care co-ordinator** employed or engaged by the service —  (a) the full name, address and date of birth of the co-ordinator;  (b) the contact details of the co-ordinator;  (c) the date that the co-ordinator was employed or engaged by the service; (d) the date that the co-ordinator ceased to be employed or engaged by the service (if applicable);  (e) if the co-ordinator is an approved provider, the number of the provider approval and the date the approval was granted;  (f) evidence of any relevant qualifications held by the co-ordinator;  (g) if the co-ordinator will be providing education and care to children, evidence that the co-ordinator has completed —  (i) current approved first aid training; and  (ii) current approved anaphylaxis management training; and  (iii) current approved emergency asthma management training;   1. evidence of any other training completed by the co-ordinator; 2. a record of a working with children check, the identifying number of the current check and the expiry date. 3. the date WWCC was sighted by AP or NS of the service.   (3) The register must include the following information in relation to each **family day care educator assistant** engaged by or registered with the service —  (a) full name, address and DOB  (b) contact details of the assistant;  (c) name of the educator to be assisted by the assistant;  (d) the address of the residence or approved family day care venue where the educator assistant will be providing education and care to children as part of the service, including a statement as to whether it is a residence or a venue;  (e) date the assistant was engaged by or registered with the service;  (f) when applicable, the date the assistant ceased to be engaged by or registered with the service  (g) if the educator assistant is an approved provider, the number of the provider approval and the date the approval was granted;  (h) evidence of any relevant qualifications held by the educator assistant;  (i) evidence that the assistant has completed   * current approved first aid training; and * current approved anaphylaxis management training; and * current approved emergency asthma management training;   (j) evidence of any other training completed by the educator assistant  (k) a record of:   * WWC- identifying number and date of expiry **OR** record of criminal history check **OR** teacher registration.   (l) date the WWC **or** CHR **or** TR was sighted by AP/NS.  (4) Information held on the register in relation to a family day care educator, a family day care co-ordinator or a family day care educator assistant must be kept on the register until the end of 3 years after the date on which the family day care educator, the family day care co-ordinator or the family day care educator assistant ceased to be employed or engaged by or registered with the service. |  |  |  |  |
| **R.154** | **Record of staff engaged or employed by family day care service**  Does the record of staff, coordinators and assistants contain the following information:   * the name of the person currently designated as the ***educational leader*** * in relation to the***Nominated Supervisor*** * full name, address and DOB * evidence of any relevant qualifications * evidence of any approved training (including first aid) * WWC- identifying number and expiry date  1. in relation to each other ***staff member***  * full name, address and DOB * evidence of any relevant qualifications * evidence of any approved training (including first aid) * WWC- identifying number and expiry date  1. in relation to ***volunteers and students***-  * full name, address and DOB * record for each day the student or volunteer participates in the service- including date and hours of participation. |  |  |  |  |
| **S.172**  *INF – AP* | **Prescribed information to be displayed as per Regulation 173**  Is this information visible from the main entrance?   * Approved Provider: * name * provider number * conditions * Approved Service * name * service number * conditions * name(s) of all nominated supervisor(s) * current ratings for each Quality Area in the National Quality Standard and overall rating of the service. * any temporary or service waivers granted – including duration. * centre’s hours and days of operation * name and phone number of the person to be contacted to receive a complaint. * name of the educational leader * contact details for the Regulatory Authority. * in the case of a family day care residence or approved family day care venue, a notice stating that a child who has been diagnosed as at risk of anaphylaxis-   (A) is enrolled at the family day care service; and (B) attends the family day care residence or family day care venue;   * In the case of a family day care residence or approved family day care venue, a notice stating that there has been an occurrence of an infectious disease at the family day care residence or family day care venue. |  |  |  |  |
| **R. 180** | **Evidence of prescribed insurance**  Evidence of the current prescribed insurance including public liability is available at the premises. |  |  |  |  |
| **S. 175**  *R.177(2) & (3)*  *CD – AP*  *INF - AP* | **(1) Offence relating to requirement to keep enrolment records and other documents**   * Are prescribed documents available for inspection by AO? (as detailed in R.177)   + Must, to the extent practicable, be kept at the premises, if relation to operation of service, staff, children.   + In any other case, must be kept in a place/manner that is readily accessible to AO.   **Prescribed enrolment and other documents to be kept by FDC educator.**  Is there accurate documentation available on the following:  (a) the documentation of child assessments or evaluations for delivery of the educational program as set out in regulation 74; (b) an incident, injury, trauma and illness record as set out in regulation 87; (c) a medication record as set out in regulation 92; (d) a children’s attendance record as set out in regulation 159; (e) child enrolment records as set out in regulation 160; (f) a record of visitors to the family day care residence or approved family day care venue as set out in regulation 165 |  |  |  |  |
| **R. 165** | **Record of visitors to residences**  (1) An approved provider of a family day care service must take all reasonable steps to ensure that a record is kept of all visitors to a family day care residence or approved family day care venue while children are being educated and cared for at the residence or venue as part of that service.  (2) A family day care educator must keep a record of all visitors to a family day care residence or approved family day care venue while children are being educated and cared for by the educator at the residence or venue as part of a family day care service. (3) The record of visitors must include the signature of the visitor and the time of the visitor’s arrival and departure. |  |  |  |  |
| **R.163**  *CD - AP* | **Residents at family day care residence and family day care educator assistants to be fit and proper persons.**  Does the AP have processes in place to assess the fitness and propriety of residents aged 18 years and over and educator assistants?   1. a criminal history record check issued not more than 6 months before it is considered; 2. a current working with children check, working with children card or working with vulnerable people check issued on the basis of a criminal history record check; 3. a current teacher registration. |  |  |  |  |
| **R.164**  *CD - AP* | **Requirement for notice in relation to persons at residence** Does the approved provider have processes for each family day care educator to notify the provider of — (a) any new person aged 18 years or over who resides, or intends to reside, at the educator’s family day care residence; and (b) any circumstance relating to a person who resides, or intends to reside, at the educator’s family day care residence that may affect whether the person is a fit and proper person to be in the company of children. |  |  |  |  |
| **R.162** | **Health information to be kept in enrolment record. (as pertains to children’s medical conditions and dietary requirements)**  (c) details of any –  (i) specific healthcare needs of the child, including any medical condition; and  (ii) allergies, including whether the child has been diagnosed as at risk of anaphylaxis; and  (d) 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 referred to in paragraph (c) and  (e) details of any dietary restrictions for the child. |  |  |  |  |
|  | ***POLICIES & PROCEDURES*** |  |  |  |  |
| **R.90**  **(1)(c)** | **Medical conditions policy**  Does this policy include details about:  (1)(c)(i) (ii) a medical management plan provided by parent to be followed in the event of an incident.  (iii) risk minimisation plan in consultation with the parents developed; and  (iv) a communications plan developed. |  |  |  |  |
| **R.97**  *R.97(2), (3), (4)*  *CD - AP*  *R.97 (4)*  *INF - AP* | **Emergency evacuation procedures**  The approved provider must:   1. have developed a risk assessment identifying potential emergencies relevant to the service.   (3)(ab) Ensure emergency and evacuation procedures are rehearsed at least every three months by each FDC Educator.  (3)(b) ensure rehearsals are documented.   1. Ensure both the emergency and evacuation floor plan and instructions are displayed in a prominent position near each identified emergency exit   **Please note:** if documented rehearsal records are not available at the visit, please request these to be provided as they are not prescribed records which must be available at the visit. |  |  |  |  |
| **R.171**  *CD - AP* | **Policies and procedures as per R.168 and R.169 to be kept available.**  Are current policies and procedures readily available to parents/ guardians/ nominated supervisors/ staff/ and volunteers at the service?  **List of policies**:  168(2)  (a) health and safety, including matters relating to —  (i) nutrition, food and beverages, dietary requirements; and  (ii) sun protection; and  (iii) water safety, including safety during any water‑based activities; and  (iv) the administration of first aid; and  (v) sleep and rest for children including the matters set out in regulation 84B; 84B. Sleep and rest policies and procedures The sleep and rest policies and procedures required under regulation 168(2)(a)(v) must address —  (a) how children will be protected from any risks identified in a risk assessment conducted under regulation 84C; and  (b) how the sleep and rest needs of children being educated and cared for by the service are met, including how the ages, developmental stages and the sleep and rest needs of individual children are considered; and  (c) how the health care needs of individual children being educated and cared for by the service are met; and  (d) how requests from families about a child’s sleep and rest and cultural preferences are considered; and  (e) supervision and monitoring during sleep and rest periods, including —  (i) the method and frequency of checking the safety, health and wellbeing of children during sleep and rest periods; and  (ii) the documentation of sleep and rest periods;  and  (f) how the sleep and rest practices at the service are consistent with any current health guidelines on the best practices to adopt to ensure the safety of children during sleep and rest; and  (g) the induction, training and knowledge of staff who educate and care for children at the service in relation to best practices for children’s sleep and rest; and  (h) the location and arrangement of sleep and rest areas at the service and how this meets the sleep and rest needs of children being educated and cared for by the service; and  (i) safety and suitability of cots, bedding and bedding equipment, having regard to the ages and developmental stages of children who will use the cots, bedding and bedding equipment; and  (j) management of potential hazards —  (i) in sleep and rest areas; and  (ii) on a child during sleep and rest periods;  and  (k) management of physical safety and suitability of sleep and rest environments (including temperature, lighting and ventilation); and  (l) in the case of a family day care service that provides overnight care, management of risks relating to overnight care at each family day care residence or approved family day care venue of the service; and  (m) communication of the sleep and rest policies and procedures to a parent or family member  (b) incident, injury, trauma and illness procedures complying with regulation 85;   * must include procedures to be followed by nominated supervisors and staff members of, and volunteers at, the service in the event that a child — (i) is injured; or (ii) becomes ill; or (iii) suffers a trauma.   (c) dealing with infectious diseases, including procedures complying with regulation 88;   * reasonable steps are taken to prevent the spread of the infectious disease at the service. * the service must ensure that a parent or an authorised emergency contact of each child being educated and cared for by the service is notified of the occurrence as soon as practicable.   (d) dealing with medical conditions in children  (e) emergency and evacuation including the matters set out in R.97 (above)  (f) delivery of children to, and collection of children from, education and care service premises, including procedures complying with S.165A   * children may be delivered/collect by: the child’s parents, an authorised nominee, or a person authorised by one of these people. * A child may leave the premises for: an excursion, to receive medical hospital or ambulance care or because of another emergency.   (g) excursions, including procedures complying with regulations 100 to 102 (below)  (ga) if the service transports or arranges transportation of children other than as part of excursions, transportation including procedures complying with Chapter 4 Part 4.2 Division 7 (below);  (gb) the safe arrival of children who travel between an education and care service and any other education or early childhood service within the meaning of regulation 102AA, including the matters set out in regulation 102AAB;  (h) providing a child safe environment, including matters relating to —  (i) the promotion of a culture of child safety and wellbeing within the service; and  (ii) the safe use of online environments at the service;  (i) staffing, including —  (i) a code of conduct for staff members; and  (ii) determining the responsible person present at the service; and  (iii ) the participation of volunteers and students on practicum placements;  (j) interactions with children, including the matters set out in regs 155 and 156;   * Children (R.155): * are encouraged to express themselves and their opinions; and * are allowed to undertake experiences that develop self-reliance and self-esteem; and * dignity and rights are maintained at all times and * (R.156) * are given positive guidance and encouragement toward acceptable behaviour; and * family and cultural values, age, and physical and intellectual development and abilities is considered. * Children are given opportunities to interact and develop respectful and positive relationships with each other and with staff members of, and volunteers at, the service, with regard to the size and the composition of the groups.  1. enrolment and orientation; 2. governance and management of the service, including confidentiality of records;   (m) the acceptance and refusal of authorisations;  (n) payment of fees and provision of a statement of fees charged by the education and care service;  (o) dealing with complaints.   1. the provision of a complaint handling system at the service that is child focused; and 2. the management of a complaint that alleges a child is exhibiting harmful sexual behaviours.   169(2)  (a) assessment of proposed family day care venues and proposed family day care residences and reassessment of approved family day care venues and family day care residences, including matters to meet the requirements of regulation 116; (b) engagement or registration of family day care educators; (c) keeping of a register of family day care educators, family day care co-ordinators and family day care educator assistants under regulation 153; (d) monitoring, support and supervision of family day care educators, including how the service will manage educators at remote locations; (e) assessment of family day care educators, family day care educator assistants and persons residing at family day care residences, including the matters required under regulation 163; (f) visitors to family day care residences and venues while education and care is being provided to children as part of a family day care service; (g) the provision of information, assistance and training to family day care educators; (h) the engagement or registration of family day care educator assistants. |  |  |  |  |
| **R.84B** | **Sleep & rest**  The sleep and rest policies and procedures required under regulation 168(2)(a)(v) must address — (a) how children will be protected from any risks identified in a risk assessment conducted under regulation 84C; and (b) how the sleep and rest needs of children being educated and cared for by the service are met, including how the ages, developmental stages and the sleep and rest needs of individual children are considered; and (c) how the health care needs of individual children being educated and cared for by the service are met; and (d) how requests from families about a child’s sleep and rest and cultural preferences are considered; and (e) supervision and monitoring during sleep and rest periods, including:   1. the method and frequency of checking the safety, health and wellbeing of children during sleep and rest periods; and 2. the documentation of sleep and rest periods; and   (f) how the sleep and rest practices at the service are consistent with any current health guidelines on the best practices to adopt to ensure the safety of children during sleep and rest; and (g) the induction, training and knowledge of staff who educate and care for children at the service in relation to best practices for children’s sleep and rest; and (h) the location and arrangement of sleep and rest areas at the service and how this meets the sleep and rest needs of children being educated and cared for by the service; and (i) safety and suitability of cots, bedding and bedding equipment, having regard to the ages and developmental stages of children who will use the cots, bedding and bedding equipment; and (j) management of potential hazards –  (i) in sleep and rest areas; and (ii) on a child during sleep and rest periods; and  (k) management of physical safety and suitability of sleep and rest environments (including temperature, lighting and ventilation); and (l) in the case of a **family day care service** that provides overnight care, management of risks relating to overnight care at each family day care residence or approved family day care venue of the service; and  (m) communication of the sleep and rest policies and procedures to a parent or family member. |  |  |  |  |
| **S.51(8)** | Are the conditions on the service approval being followed?   * If not, collect evidence of this and record a breach under S51(8) |  |  |  |  |
|  | ***EXCURSIONS*** |  |  |  |  |
| **R.100** | **Risk assessment must be conducted before excursion – Conduct of risk assessment for excursion** |  |  |  |  |
| 1. Does the service conduct excursions or regular outings? |  |  |  | If YES move to Question 2  If NO move next Regulation |
| 1. If the service does conduct excursions or regular outings:   The service must carry out a risk assessment in accordance with **R.101** before seeking authorisation for an excursion. The risk assessment must-   * Identify any risks to health/safety of children and identify how they will be managed and minimised. * Consider as part of the assessment- * route and destination * water based risks and hazards. * transport to-from * the means of transport * any requirements for seatbelts or safety restraints under WA law * the process for entering and exiting the service premises and the pick-up locations or destination. * procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking. * number of adults/children * given the risks, the number of educators or other adults required to provide supervision. * are adults with special skills required? * proposed activities. * duration of excursion * items/equipment required. * a risk assessment for a regular outing was prepared not more than 12 months ago.   Review a completed risk assessment for the most recent excursion/regular outing. |  |  |  |  |
| **R.102** | **Authorisation for excursions**  Written authorisations have been gained for all excursions (including regular outings) which include the following information:  (4)(a) the child’s name.  (b) the reason the child is being taken from the premises.  (c) if for a regular outing a description of when the child will be taken on regular outings  (ca) the date of the excursion  (d) a description of the proposed destination  (e)(i) the means of transport  (e)(ii) any requirements for seatbelts or safety restraints under WA law  (f) proposed activities.  (g) the period the child will be away from the premises.  (h) anticipated no of children attending.  (i) anticipated ratio of educators attending  (j) anticipated no of staff and any other adults accompanying and supervising  (k) that a risk assessment has been prepared and is available at the service  *Please note: This does not include school runs as this is considered transportation rather than an excursion.* |  |  |  |  |
|  | ***SAFE ARRIVAL OF CHILDREN*** |  |  |  | Travel indicates the movement of the child as opposed to transportation that includes children walking from class to an OSHC Service for example |
| **R.102AA** | **Does the educator collect the children from school or another education and care service?** |  |  |  | If YES move to next question  If NO move to next section. |
| **R.102AAC** | **Risk assessment for the purposes of safe arrival of children policies and procedures?** (1) For the purposes of preparing the safe arrival of children policies and procedures under regulation 102AAB(1), the AP must ensure that a risk assessment is conducted in accordance with this regulation.  (2) The approved provider must conduct a risk assessment — (a) at least once every 12 months; and (b) as soon as practicable after becoming aware of any circumstance that may affect the safe arrival of children travelling between an education and care service and any other education or early childhood service.  (3) A risk assessment must — (a) identify and assess any risks that a child’s travel between an education and care service and any other education or early childhood service may pose to the safety, health or wellbeing of the child; and (b) specify how the identified risks will be managed and minimised.  (4) Without limiting subregulation (3), a risk assessment must consider the following, in respect of a child who travels between an education and care service and any other education or early childhood service — (a) the age, developmental stage and individual needs of the child; (b) the role and responsibilities of the following persons (if applicable) — (i) in the case of a child who leaves the service premises to travel to an education and care service premises of another education and care service — the nominated supervisor of each service; (ii) the child’s parent; (iii) an authorised nominee named in the child’s enrolment record; (iv) a person authorised by — (A) the child’s parent; or (B) an authorised nominee named in the child’s enrolment record; (c) the role and responsibilities of the service the care of which the child is entering or leaving; (d) the communication arrangements between the service the child is leaving and the service the child is entering, including any communication arrangements if the child is missing or cannot be accounted for during the child’s travel; (e) the procedure to be followed by the service if the service has identified that the child is missing or cannot be accounted for during the child’s travel; (f) given the risks posed by the child’s travel, the number of educators or other responsible adults that are appropriate to provide supervision; (g) the proposed route and destination, including any proximity to harm and hazards; (h) the process for entering and exiting — (i) the service premises; and (ii) the pick-up location or destination (as required); (i) the procedure to be followed by the service to ensure the child leaves the service premises in accordance with section 165A(4)(b) of the Law as applying in Western Australia.  (5) If, after conducting a risk assessment, a risk relating to a child’s travel is identified, the approved provider must make any necessary updates to the safe arrival of children policies and procedures as soon as practicable.  (6) The approved provider must keep a record of each risk assessment conducted under this regulation. |  |  |  |  |
|  | ***TRANSPORT*** |  |  |  | Transport does not include walking transportation.  Transport is for REGULAR transport NOT for an excursion |
| **R.102B** | **Does the service provide regular transportation for children?** |  |  |  | If YES move to R.102C  If NO completed |
|  | * a risk assessment for a regular transportation of a child was prepared not more than 12 months ago. |  |  |  |  |
| **R.102C**  *CD - AP* | **Has the service conducted a risk assessment for transporting of children by education and care service?**  A risk assessment must consider:  (a) the proposed route and duration of the transportation; and  (b) the proposed pick‑up location and destination; and  (c) the means of transport; and  (d) any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported; and  (e) any water hazards; and  (f) the number of adults and children involved in the transportation; and  (g) given the risks posed by transportation, the number of educators or other responsible adults that is appropriate to provide supervision and whether any adults with specialised skills are required; and  (h) whether any items should be readily available during transportation; and  Example for this paragraph:  A mobile phone and a list of emergency contact numbers for the children being transported.  (i) the process for entering and exiting —  (i) the education and care service premises; and  (ii) the pick‑up location or destination (as required); and  (j) procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking. |  |  |  |  |
| **R.102D** | **Authorisation for service to transport children.**  The authorisation must be given by a parent, or other person named in the child’s enrolment record as having authority given by a parent to authorise the child being transported by the service or on transportation arranged by the service, and must state:  (a) the child’s name; and  (b) the reason the child is to be transported; and  (c) if the authorisation is for regular transportation, a description of when the child is to be transported; and  (d) if the authorisation is not for regular transportation, the date the child is to be transported; and  (e) a description of the proposed pick‑up location and destination; and  (f) the means of transport; and  (g) the period of time during which the child is to be transported; and  (h) the anticipated number of children likely to be transported; and  (i) the anticipated number of staff members and any other adults who will accompany and supervise the children during the transportation; and  (j) any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported; and  (k) that a risk assessment has been prepared and is available at the education and care service; and  (l) that written policies and procedures for transporting children are available at the education and care service.   * If the transportation is regular transportation, the authorisation is only required to be obtained once in a 12-month period. |  |  |  |  |

**Comments/Discussion:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**APPENDIX A**

**Family Day Care Educator Water Hazard Checklist**

| **Law/**  **Reg** | **Item** | **Yes** | **No** | **Comments** |
| --- | --- | --- | --- | --- |
|  | ***SAFETY, HEALTH & WELLBEING*** |  |  |  |
| **S.167** | **Offences relating to protection of children from harm and hazards.**  Does the service have processes in place to ensure every reasonable precaution is taken to protect children from harm and hazard?  Consider:  OH&S checks   * Hot surfaces (use heat gun to check – record temperature & take photo) * hot liquids (what is their process/how is this managed) * Storage of chemicals * Child safe environment policy * Access to non-approved areas in the residence. * **Pools and water hazard checks completed monthly by service** |  |  |  |
| **R.116(2)(d)** | **Assessments of family day care residences and approved family day care venues**  (2)(d) Has the existence of the water hazard, water feature or swimming pool at or near the residence/venue been considered and assessed as part of the annual assessment of the FDC residence/venue? |  |  |  |
| **R.373D** | **Conditions on service approval: Register of residences and venue with swimming pool, outdoor spa or hazardous water feature.**   1. Does the service have registered educators with swimming pools, outdoor spas, or hazardous water features at their residence/venue?   If so, the following information must be included in the FDC Register (R.153)  (a) the name of the educator who provides education and care to children at the residence or venue;  (b) the address of the residence or venue;  (c) each swimming pool, outdoor spa and hazardous water feature that is at the residence or venue;  (d) each safety device for a swimming pool or outdoor spa that is at the residence or venue;  (e) the date on which a water hazard safety inspection of the residence or venue was last conducted. |  |  | If NO move to next question |
| **R.373E** | **Condition on service approval: water hazard safety inspections**  If there are FDC Educators registered with a pool, spa or hazardous water feature, please sight a copy of a water hazard safety inspection report for each Educator.  (7)(8) Does this report include:  The water hazard safety inspection checklist  (8)(a) the address of the residence or venue;  (b) the date and time of the inspection;  (c) the full name of the person who conducted the inspection and the person’s signature;  (d) whether the inspection was a virtual inspection;  (e) the type and condition of each safety device for a swimming pool or outdoor spa that is at the residence or venue;  (f) whether any safety issue relating to a swimming pool, outdoor spa or hazardous water feature was identified and, if so —  (i) a description of the safety issue; and  (ii) whether the safety issue was rectified during the inspection; and  (iii) if the safety issue has not been rectified, the action that the person who conducted the inspection considers should be taken to rectify it and mitigate risks associated with it before it is rectified; and  (iv) if relevant, an estimate of the time that is needed to complete the action referred to in subparagraph (iii);  (g) any other information required by the form determined under subregulation (7)(a). |  |  |  |
| **R.373F** | **Offences relating to water hazard safety inspection reports: approved provider.**   1. Has the approved provider, as soon as practicable, provided a copy of the water hazard safety inspection report to the FDC Educator. 2. Has the approved provider given written notice of any safety issue identified in a water hazard safety inspection report to the Regulatory Authority withing 24 hours of receiving it? 3. Does the water hazard safety inspection report include thedate/s of when safety issue/s were rectified? 4. Are all water hazard safety inspection reports kept at the Principal Office for at least 3 years after completion? 5. Is the AP aware that water hazard safety inspection reports must be made available upon request to the Regulatory Authority.   Is the AP aware that water hazard safety inspection reports must be made available upon request to the parent of a child. |  |  |  |

##### 373B. Terms used

hazardous water feature, at a family day care residence or approved family day care venue, means a permanent body of water, the primary purpose for which is not swimming or bathing, that is —

(a) situated outdoors; and

(b) more than 300 mm deep; and

(c) accessible to children being educated and cared for at the residence or venue;

safety device, for a swimming pool or outdoor spa at a family day care residence or approved family day care venue, means a device designed to —

(a) warn an educator at the residence or venue that a child being educated and cared for at the residence or venue has entered the swimming pool or outdoor spa, or the area surrounding the swimming pool or outdoor spa; or

(b) cover the swimming pool or outdoor spa in such a way that the device —

(i) cannot be easily lifted or removed by a child being educated and cared for at the residence or venue; and

(ii) would prevent such a child from entering the swimming pool or outdoor spa

water hazard safety inspection has the meaning given in regulation 373E(1)(a);

water hazard safety inspection report has the meaning given in regulation 373E(1)(b).

1. This is the Schedule of the *Education and Care Services National Law (WA) Act 2012,* per section 4 of the Act. [↑](#footnote-ref-1)