

**Tasmanian
Licensing Standards
for
Approved Registration Bodies,
Class I
(0–12 years)**

Prepared by



**Child Care Unit
Department of Education**

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Foreword

Child care and early childhood education are of central importance to our society and a key responsibility for Government. It is imperative that safe and developmentally appropriate children's services are available to promote the health and wellbeing of children and the families.

The *Child Care Act 2001* provides a system for the regulation of child care services that reflects the Government's desire to safeguard children through the effective licensing and registration of child care services. The ability to encompass all forms of child care ensures that the Act remains relevant to future child care provision and responsive to community expectations in a rapidly growing and changing service sector.

Approved Registration Bodies Class I are those services which arrange, place and monitor children with home-based carers registered with that organisation in accordance with the Tasmanian Home Based Care Standards. The Co-ordination Unit of a Family Day Care Scheme will be required to carry out the functions of an Approved Registration Body. Previously, Family Day Care Schemes have been exempt from licensing.

Section 47 of the Act provides for the issuing of Standards. National Standards for Family Day Care Co-ordination Units, endorsed in November 1999 by State, Territory and Australian Government Ministers responsible for child care, have been incorporated into the State's *Licensing Standards for Approved Registration Bodies, Class I (2004)*.

Tasmania has an excellent record in the field of children's services and I am confident that our legislation and associated Standards will enhance that reputation.



Dr Martyn Forrest
Secretary

Acknowledgements

These Standards are the result of more than four years of consultations and discussions. Thanks are given to those involved in the development of the first draft of the Standards, which were released for discussion in October 2000.

Acknowledgement is given to interested stakeholders who have contributed so much time and energy in the development of these Standards, particularly the Tasmanian Family Day Care Co-ordinators Association, and those who participated in the validation process during 2002/3.

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Preface

The Licensing Standards for Approved Registration Bodies, Class 1 (2004)

The *Licensing Standards for Approved Registration Bodies, Class 1, December 2004* are effective for all new ARB licence applications and renewals of licence made after 1 September 2003.

Scope of the Licensing Standards for Approved Registration Bodies, Class 1 (2004)

The Standards are applicable to all approved registration bodies that are required to be licensed under the provisions of the *Child Care Act 2001*, Section 10. For the purposes of these Standards, approved registration bodies, class 1 include all Family Day Care Schemes.

The application document for the registration and renewal of registration of persons as family day carers is the *Tasmanian Standards for Home Based Care, class 1 (0–12 years), 2004*.

The Approved Registration Body Standards and Home Based Care Standards should be regarded as providing minimum standards. The *Child Care Act 2001*, Section 6, states:

The interests of children are to be regarded as the paramount consideration in the interpretation, enforcement and administration of this Act, the regulations and the Standards.

Format of the Standards

Each licensing standard has three parts—the standard, the explanatory notes, and the self-assessment guide.

The purposes of the explanatory notes are to assist the approved registration body in interpretation of the standard, inform the approved registration body about the practices of the Child Care Unit in assessing the standard, and provide details of where the approved registration body can obtain further information.

The self-assessment guide is designed, firstly, to assist an approved registration body prepare for the licensing process, by outlining, for example, the licensee's responsibilities, and the essential/relevant documentation and appropriate procedures to have in place for the licensing assessment. The approved registration body is provided with the tools to enable it to assess how it meets the standards, and encouraged to identify issues for discussion with the Child Care Unit.

The self-assessment guide also assists approved registration bodies' awareness of their responsibilities at times other than the licensing assessment, and provides them with an on-going reference.

Towards the end of the first twelve months of implementation of these Standards it is expected there will be a review of the documentation, and input from approved registration bodies will be encouraged in the process. It is anticipated that the Standards and associated documentation will continue to be reviewed as necessary after this phase, and approved registration bodies will be invited to participate in any further review.

I FIT AND PROPER

STANDARD

The child care service provider and all persons connected with the child care service who have regular contact with the children must be fit and proper persons.

Rationale

A duty of care is owed to all children in a child care service, and the standard of care required in relation to these children is high. In order to ensure that the safety of children is maximised and their developmental needs are addressed, a child care service provider must ensure that all persons who care for children directly, other staff and those who have regular contact with children at that service, are fit and proper persons. This includes persons (visitors, members of the sponsor body/management committee, contractors, volunteers and students etc.) who are in the presence of the children in care on a regular basis, or in a capacity that would indicate to children that this person is a 'friend' and not a stranger of whom to beware.

I.1 Fit and Proper

The licence applicant/holder and other persons connected with the approved registration body must meet the following criteria in order to be assessed as fit and proper, in conjunction with the provisions of the *Child Care Act 2001*:

a) The licence applicant/holder must:

- i) provide proof of satisfactory safety screening clearance by the Department of Education in accordance with the requirements of Section 16 (3) (a) of the Act;
(Note: Where the applicant is a body corporate, or government agency, two representatives, which may include the responsible person (as defined in the Act), must provide proof of satisfactory safety screening clearance by the Department of Education.)
- ii) demonstrate an understanding of their legislative authority and responsibilities under the *Child Care Act 2001*; and
- iii) demonstrate an understanding of their duty of care, and undertake to ensure that they will meet their duty of care at all times.

b) All staff, including the person in charge, must:

- i) provide proof of satisfactory safety screening clearance issued by the Department of Education for sighting by the approved registration body, which is to keep a copy for records; and
- ii) demonstrate an understanding of duty of care towards children in care, and undertake to ensure that they will meet their duty of care at all times.

c) Persons who are volunteers, students, or regular visitors, must:

- i) provide proof of satisfactory safety screening clearance issued by the Department of Education for sighting by the approved registration body, which is to keep a copy for records; and
- ii) understand the need for, and maintain, the confidentiality of client and staff information.

What must our approved registration body do to meet the fit and proper standard?

The care of children in the absence of their parents requires a high degree of responsibility, and State licensing authorities must be satisfied that a licensee is a responsible person/body who will at all times ensure the welfare of children. Fit and proper concerns the suitability of the person's character to be entrusted with the care of children, and their ability to perform the functions of the position to the required standard.

The applicant for an Approved Registration Body, Class I licence must meet the tests for fit and proper, which include:

- satisfactory safety screening clearance certificate/s;
- procedures in place to ensure that all staff and other persons connected with the approved registration body are fit and proper;
- a good understanding of their legislative authority and responsibilities under the *Child Care Act 2001*; and
- an understanding of their duty of care in relation to operation of the approved registration body.

Note: Parents of children enrolled with an approved registration body generally do not need to provide safety screening certificates, for example, if assisting with the children's program. However, where the representatives for the licensee are parent representatives on a management body, they must provide satisfactory safety screening clearance certificates.

The *Child Care Act 2001*, Section 16 (4) outlines a range of matters that the Secretary, Department of Education, may consider in determining whether an applicant is fit and proper to hold a licence - such as the quality and standard of any child care services previously operated by the applicant, in Tasmania or elsewhere, etc.

What is safety screening?

- The safety screening process is one method of assessing whether a person is fit and proper. It enables the Department of Education to request information from the Police, and other government departments, e.g. Child Protection, Domestic Violence etc.
- To be valid, a safety screening application must include acceptable proof of identity (preferably documents which include photo documentation, e.g. driver's licence, current passport), verified by the Commissioner for Declarations who witnesses the application.
- Completed applications for safety screening are submitted to the Grievances and Investigation Unit, Department of Education, GPO Box 169, Hobart 7001.
- The Grievances and Investigations Unit then determines whether to accept the application, to consult further with the applicant, or to refuse the application. In the event that an application is refused, the applicant may appeal directly to the Grievances and Investigations Unit.
- Safety screening application forms may be obtained by contacting the Child Care Unit, Department of Education by telephone on 03 6233 5676 or 03 6233 8812 or for the cost of a local call: 1300 135513.
- **Further information about the safety screening process is available at <http://www.education.tas.gov.au/admin/hr/policies/recruitselectandstaffmove/employprereq/ccwrkrs.htm>. This has a link to the application form.**

The safety screening process may vary as State and national processes alter, and it is recommended that applicants check the website for current information and application form.

Note: Provision of false information, or non-disclosure of any information that may be relevant, may result in the suspension or cancellation of a person's safety screening clearance, which in turn may result in suspension or cancellation of their registration/licence.

Explanatory Notes: Standard 1

How can our Approved Registration Body ensure that our staff, registered carers, and other persons involved with the service are fit and proper?

The licensee is responsible for ensuring that all staff, registered carers, and others associated with the approved registration body, have current, satisfactory safety screening clearance certificates, preferably *before employment commences*.

It may be necessary that a selected applicant commence employment prior to the clearance of their safety screening application - however, until a satisfactory safety screening has been received (and, if applicable, that person's qualifications approved) it is recommended that that person not be employed on a permanent basis, nor left alone with children.

The licensee must:

- sight the safety screening certificate of any person, whether working in a paid position, volunteer, or student;
- keep copies of safety screening certificates; and
- interview prospective staff to ensure they have the appropriate knowledge, skills and experience.

Other measures that the approved registration body may use to assess whether a person is fit and proper may include, for example, personal and professional referees, medical checks, etc.

For licensing, the applicant will need to provide the following documents:

Copies of current safety screening clearance certificates, etc for:

- the applicant (where the applicant is a body corporate or government agency, evidence of satisfactory safety screening for two representatives, which may include the responsible person, as defined in the Act, is required);
- the person in charge;
- all staff; and
- volunteers, students, and regular visitors.

2 STAFF QUALIFICATIONS

STANDARD

Staff must possess appropriate knowledge, skills and experience.

Rationale

Research demonstrates that the most significant variable which influences the quality of care provided is the level of related training which carers and staff have undertaken.

Staff who have an advisory role with carers or contact with children should have appropriate training, and a sound understanding of child development, in order to facilitate a carer's ability to recognise and provide for children's needs, and to competently manage groups of children.

2.1 Qualifications of the person in charge of the approved registration body

- a) The appointed person in charge must hold an appropriate qualification.
- b) The appointed person in charge must demonstrate an understanding of:
 - i) their legislative responsibilities (refer to Standard 1: Fit & Proper);
 - ii) their duty of care (refer to Standard 1: Fit & Proper); and
 - iii) the standards and licensing conditions of the service/s provided.

2.2 Qualified Staff

- a) In the event of the person in charge not holding an approved qualification, then at least one other staff member is to hold an approved qualification in early childhood or early childhood education.
- b) Each staff member whose primary role is advising registered carers about direct child care provision is to hold an approved qualification.
- c) Any staff person who has regular contact with children must have current and appropriate training in first aid and CPR, including child CPR.

SCHEDULE: QUALIFICATIONS

APPROVED REGISTRATION BODIES, Class I

1 Approved qualifications include

A minimum of a two-year full-time or equivalent accredited post-secondary education or tertiary qualification in child care (early childhood) or education (early childhood); or, if appropriate, in school-aged care or recreation.

2 Other qualifications prior to 1997

2.1 Other qualifications approved for child care licensing purposes prior to July 1997 included:

- a) Mothercraft Nursing;
- b) NNEB (National Nursery Examination Board, England);
- c) SRN (Nursing); and
- d) Early Childhood Education.

2.2 Persons holding a qualification approved for licensing purposes prior to July 1997, as per 2.1, will maintain their qualified status:

- a) while they maintain continuity of employment in the child care profession, including home based care; or
- b) where a break from employment in the child care profession is no greater than five years.

2.3 Persons holding a qualification approved for licensing purposes prior to July 1997, as per 2.1, and who have had a break of five or more years in their child care employment, will be required to obtain certification from a recognised competency assessment organisation, stating that their competencies meet the required current approved qualification standard.

3 Persons without an approved qualification

Persons occupying qualified positions without holding an approved qualification as detailed in '1. Approved Qualifications' may continue to occupy this qualified position under the following conditions approved by the Department of Education:

- a) they undertake training leading to the attainment of an approved qualification (highly desirable);
- b) the qualification is completed within a time frame agreed with the licensing authority, and reviewed by the licensing authority every 12 months; and
- c) where relevant, the person participates in a mentorship program approved by the Department of Education.

A Family Day Care Scheme is a flexible service, made up of individual carers, organised and supported by a central coordination unit. This unit arranges the placement of children, and monitors the care provided to them; and organises the assessment, selection and registration of carers. The coordination unit are responsible for implementing Australian Government guidelines; they ensure field workers and resource staff regularly visit carers, which may also include making equipment, toys and other resources available to carers. Coordination unit staff support carers with their skills and expertise in relation to the care of children, providing in-service training and forums for discussion. The primary responsibility of the coordination unit is to ensure that carers within their scheme maintain good quality care in an environment which is healthy and safe for children.

The complex range of functions and responsibilities of the coordination unit suggest that a team of people with complementary skills, qualifications and personal strengths will provide support for carers and for each other.

How can our approved registration body ensure that staff have appropriate knowledge, skills and experience?

It is the licensee's responsibility to ensure that all staff have appropriate knowledge, skills and experience. High quality recruitment and selection procedures, and clear record keeping will assist the licensee to meet this responsibility.

As part of the licensing process, the approved registration body must forward information about the structure of the coordination unit, and complete a Schedule of Personnel, which will detail all staff, their positions, qualifications, and first aid certification etc., (this Schedule will be part of the licensing package provided by the Child Care Unit).

What is an approved qualification?

For an approved registration body, an approved qualification is:

The minimum of a two-year full-time or equivalent accredited post-secondary education or equivalent tertiary qualification in child care (early childhood) or education (early childhood), e.g. Diploma/Advanced Diploma in Child Care.

Note: Any qualification that is not *clearly* the equivalent of a two-year full-time course in early childhood or early childhood education should be forwarded to the Child Care Unit for assessment.

The licensee should sight the original of an applicant's qualifications. Where the name on the certificate differs, the licensee should check evidence of change of name. The licensee is required to keep copies of staff qualifications on file.

Some of our staff hold relevant qualifications, e.g. Mothercraft Nursing, which were not two-year full-time courses; can these qualifications be recognised as 'approved qualifications'?

Yes. A person who holds a qualification approved prior to July 1997, which was not a two-year full-time or equivalent post-secondary or tertiary course in child care (early childhood) or education (early childhood), e.g.:

- Mothercraft Nursing;
- NNEB (Nursery Nurses Examination Board, England); or
- Nursing (SRN).

will maintain their qualified status, provided that they have not had a break from the child care industry for more than five years.

Consequently, a person who holds a qualification approved prior to July 1997, which does not meet the criteria for an approved qualification, and who has had a break from the child care industry for five or more years, will need to obtain certification from a recognised competency assessment organisation to confirm that she/he meets the current approved qualification standard.

Explanatory Notes: Standard 2

A person without an approved qualification has been appointed to a position which requires a qualification—can this person continue to hold this position?

The Child Care Unit recognises that some approved registration bodies may have staff who do not have an approved qualification appointed to positions for which an approved qualification is required. These persons may continue in this position under certain conditions approved by the Child Care Unit:

- they undertake training which will lead to an approved qualification (highly desirable);
- the qualification is to be completed within an agreed time frame and reviewed every 12 months; and
- where relevant, the person participates in a mentorship program approved by the Child Care Unit.

Or:

- they enter into a process with an accredited training provider to gain recognition of their current competencies leading to an approved qualification; (information about Registered Training Organisations can be obtained by contacting the Child Care Unit), and
- where relevant, the carer and/or service will be required to participate in a mentorship program approved by the Child Care Unit;

Or:

- Special circumstances as approved by the Child Care Unit.

Can this apply to an unqualified person who is the appointed coordinator/person in charge when the licensing standards are initially implemented?

Yes. The Child Care Unit may give approval for the coordinator/person in charge, who may have neither an approved nor an appropriate qualification at the time of the commencement of the ARB licensing standards, to continue in that position.

What are the requirements for first aid qualifications?

Based on agreements reached between First Aid RTOs and the Child Care Unit (the licensing authority) in October 2007.

- (1) The requirement is HLTF A 301B 'Apply First Aid' (Health Training HLT07 Package) plus HLTCPR201A CPR *plus* Emergency Asthma Management (EAM: 21886VIC OR nationally accredited equivalent) and anaphylaxis (VBP434 OR 21827VIC OR nationally accredited equivalent).

RTOs which deliver First Aid training in Tasmania have agreed to 'streamline' delivery of these components in a package, by 01 January 2009.

Note: Current accredited equivalent qualifications e.g. First Aid for Child Carers/Senior First Aid/Level 2 will be accepted by the ARB and the Child Care Unit as a valid alternative to 'Apply First Aid' for three years from the date of issue of that qualification. The 'cut-off' date for these equivalent qualifications is 31 December 2011.

- (2) The above qualifications should be renewed as follows:
 - HLTF A 301B 'Apply First Aid' – every three years.
 - 21886VIC 'Emergency Asthma Management' (EAM: 21886VIC) **OR** nationally accredited equivalent – every three years.
 - VBP434 **OR** 21827VIC Anaphylaxis **OR** nationally accredited equivalent – every three years
 - HLTCPR201A CPR, including child and infant techniques – annually (child care sector requirement).
- (3) The person, when assessed as competent, receives a **Statement of Attainment**.

Explanatory Notes: Standard 2

A Statement of Attainment, **to be recognized by an ARB and the CCU as valid**, must include:

- The 'Nationally accredited' logo;
- Provider registration number;
- The words 'Statement of Attainment'; and
- A list of relevant national training package codes to reflect those competencies in which the student has been assessed as competent.

- (4) **Annual updates of CPR, asthma and anaphylaxis**, from 01 January 2009, can be delivered by RTOs that have the relevant courses in their scope, or are licensed to deliver EAM.

Note: To undertake an annual **update** of CPR, asthma and anaphylaxis, the person must first hold the qualifications for CPR (HLTCPR201A), Emergency Asthma Management (21886VIC **OR** nationally accredited equivalent), and anaphylaxis (VBP434 **OR** 21827VIC **OR** nationally accredited equivalent).

- (5) The First Aid courses must be delivered by an RTO that has the relevant courses in their scope, or holds a licence to deliver EAM. The ARB should clarify with the RTO whether it has all relevant courses on its scope or is licensed by Asthma Tasmania to deliver EAM.

First Aid Qualification required for administration of asthma medication, i.e. as a first aid response in an emergency and where a child is known to have asthma

Child care personnel require the EAM (21886VIC or a nationally accredited equivalent) certificate to both obtain a supply and to administer Salbutamol (ventolin) both where a child is known to have asthma (has an 'Asthma Plan') and in an emergency*.

Some RTOs have agreed to deliver the 21886VIC course in conjunction with 'Apply First Aid'.

An annual update is recommended to maintain skill level – please refer to (4) above.

*The Tasmanian *Poisons Act* includes a specific list of persons approved to obtain and administer salbutamol (asthma medication). When last amended in 2002, the Chief Pharmacist included the category 'the holder of a current relevant certificate issued on behalf of the Asthma Foundation of Tasmania'. The Chief Pharmacist may from time to time approve other asthma training as being suitable for the purposes of obtaining a supply of salbutamol and administering it in emergency situations.

Anaphylaxis and allergic reactions

1. First Aid response in an emergency

There has been a sharp increase in the number of children with allergic/anaphylactic reactions in recent years. There is growing recognition of the need for child care personnel to be aware of such issues.

Administration of an epipen in an emergency situation is potentially emotive, and it is recognized that a trained person will be in a better position to deal with an emergency. This is particularly important for staff and carers who work directly with children.

Consequently, RTOs have agreed to deliver VBP434 *Provide first aid management of severe allergic reactions and anaphylaxis* (2 hours) in conjunction with 'Apply First Aid'. An annual update is recommended to maintain skill level – please refer to (4).

2. Ensuring a safe environment for children with anaphylaxis and allergic reactions

In line with best practice, it is recommended that a child care service e.g. an ARB have relevant personnel undertake the course VPAU320 *Develop risk minimization and management strategies for allergic reaction and anaphylaxis* (4 hours), **OR**

21827VIC *Anaphylaxis Awareness* (3 hours) **OR** a nationally accredited equivalent course.

Having persons trained in one of these courses will assist the ARB develop relevant policies and procedures, which will support carers to implement safe practice, to minimize risk for children with allergic/anaphylactic reactions while they are in care.

These courses are open to individual carers.

This qualification should be renewed every three years.

The Anaphylaxis Australia website <http://www.allergyfacts.org.au> has useful information.

For licensing, the applicant will need to provide the following documents/information

- Structure of the co-ordination unit.
- Schedule of Personnel (Department of Education form).
- Copies of approved qualifications for persons in whose primary role is advising registered carers about direct child care provision.
- Where relevant, a copy of documentation which validates that a person with a pre-1997 qualification meets the current qualification standard.
- Where relevant, copies of documentation to validate a person's progress towards an approved qualification.
- Copies of current first aid certificates and current CPR certificates.

Explanatory Notes: Standard 2

3 ADMINISTRATION AND RECORDS

STANDARD

The approved registration body must develop administrative practices which support and inform families and carers, ensure that the duty of care is met, and that records are appropriately maintained.

Rationale

Clear communication, accurate record keeping, and efficient and effective management strategies are important determinants of quality care. Access to information about the organisation allows parents to make informed decisions about the appropriateness of the service in relation to their individual family needs.

The approved registration body should develop practices to ensure confidentiality of records and information obtained about the children, their families, carers and their families, etc. The approved registration body should comply with relevant privacy principles when drawing up forms which obtain personal information about children, their families, carers, staff, and students, etc.

3.1 Access to information

- a) The approved registration body is to prominently display the current licence.
- b) The approved registration body is to have clearly written:
 - i) organisational structure;
 - ii) office hours; and
 - iii) grievance procedure for staff, carers and parents.
- c) The following must be readily available for parents and carers, at the office of the approved registration body:
 - i) the approved registration body's philosophy;
 - ii) policies, procedures and practices, with a covering index, of the approved registration body;
 - iii) the *Child Care Act 2001* and the standards for home based care and approved registration bodies; and
 - iv) telephone number and address of the Child Care Unit contact.

3.2 Insurance

The approved registration body is to maintain current public liability, workers' compensation, and any other insurance policies required by law.

3.3 Disciplinary action

- a) In accordance with Sections 10 (1) (g) and 47 (3) (g) of the *Child Care Act 2001*, the approved registration body is authorised to take disciplinary action against a carer registered with that approved registration body, including one or more of the following:
 - i) the issuing of a letter of censure;
 - ii) the imposition of a fine not exceeding 20 penalty units;
 - iii) the amendment of a registration;
 - iv) the suspension of a registration;
 - v) the cancellation of a registration.

- b) The approved registration body may take disciplinary action if satisfied that:
- either:** the carer registered with that approved registration body has contravened the *Child Care Act 2001*, the regulations, the Home Based Care Standards, or a condition of registration;
 - or:** the carer registered with the approved registration body is no longer a fit and proper person to hold the registration.

3.4 Responsibility for records and record keeping

- a) The approved registration body is to have appropriate procedures in place re storage, retention and disposal of records.
- b) The approved registration body must advise each registered carer about the carer's responsibility with regard to maintaining records appropriately, including the storage, retention and disposal of records.

3.5 Records of carer registration and re-registration

The approved registration body must:

- a) keep a written record of the registration/re-registration assessment of each carer and all related certification;
- b) issue an assessment report to the carer and an action plan with due dates for completion; and
- c) keep a record of the visits made to the carer.

3.6 Children's records

a) Enrolment, contact and child information

- i) The approved registration body is to develop an appropriate enrolment proforma, ensuring that all the criteria specified in Home Based Care Standard 15.4 (a) are included.
- ii) The approved registration body must ensure that each carer has a copy of the completed enrolment form for each child placed in their care, prior to that child commencing care, and according to service policy.
- iii) The approved registration body is to retain child information records for at least six years, unless an incident occurs as a result of any of the matters listed above, in which case all of the child's enrolment and information records are to be retained until that child is 25 years old, consistent with the requirements of the *Tasmanian Limitation Act 1974*.

b) Attendance record

- i) The approved registration body is to develop an appropriate attendance record proforma for use by carers, ensuring that all the criteria specified in Home Based Care Standard 15.4 (c) are included.
- ii) The approved registration body is to ensure that these records are retained for at least six years.

c) Parent permissions

- i) The approved registration body is to ensure that each carer has appropriate policy, procedures and proformas to maintain, for each child, written parent permission for:
- a. emergency medical, hospital and ambulance treatment;
 - b. child to be transported in any situation;
 - c. child to be taken on routine and non-routine excursions or escorted to or from a specified place; and
 - d. special arrangements, such as delivery or collection.
- ii) The approved registration body is to ensure that parent permissions are retained for at least six years.

d) Authorisation and administration of medication

- i) The approved registration body is to ensure that each carer has appropriate policy, procedures and proformas to maintain for each child:
 - a. a record of a parent's written authorisation of medication to be administered to their child while the child is in care (using the criteria specified in Home Based Care, Standard 15.4 (e)(i)); and
 - b. a record of the administration of medication to that child (using the criteria specified in Home Based Care, Standard 15.4 (e)(ii)).
- ii) The approved registration body is to ensure that carers are aware of their responsibility to keep records until that child turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.

e) Child accident or injury report form

- i) The approved registration body is to ensure that each carer has appropriate policy, procedures and proformas (using the criteria specified in Home Based Care Standard 15.4 (f)) to maintain, for each child, a record of accident or injury.
- ii) Where medical attention other than first aid administered by the carer has been given to a child, the approved registration body is to keep a copy of the carer's report.
- ii) The approved registration body is to ensure that accident and injury report forms are retained until that child turns 25 years of age, consistent with the requirements of the *Tasmanian Limitation Act 1974*.

f) Death of a child

- i) If a child dies while in care, or as the result of an accident while in care, the record of the details surrounding the death is to be retained by the approved registration body for a period of six years, consistent with the requirements of the *Tasmanian Limitation Act 1974*.
- ii) The approved registration body is to ensure that the Secretary, Department of Education, is notified no later than the next working day of the circumstances of the injury or death, and provided with a written report within three working days.

g) Illness and cases of notifiable disease

- i) The approved registration body is to maintain a record of illnesses which have been notified to relevant health authorities.
- ii) The approved registration body is to retain these records for at least six years.

3.7 Personnel Records

- a) The approved registration body is to keep a copy of the following certificates for each staff member:
 - i) current safety screening clearance;
 - ii) approved qualifications/documentation to validate staff member's progress towards an approved qualification, if applicable;
 - iii) first aid and CPR, if applicable; and
 - iv) driving licence, if applicable.

- b) The approved registration body is to keep a copy of the following certificates for each registered carer:
 - i) current safety screening clearance for the carer, family members over 18 years and regular or long stay visitors;
 - ii) current first aid and CPR;
 - iii) approved qualifications (if applicable)/documentation to validate carer's progress towards an approved qualification; and
 - iv) driving licence/s (if applicable).

3.8 Maintenance of records

- a) Records are to be kept up to date, and in a safe and secure area.
- b) Records are to remain confidential.

An approved registration body needs to keep adequate and accurate records, and have appropriate administration practices in place to ensure the safety and wellbeing of children, and to ensure the legal protection of staff and carers. It is also important that the approved registration body/carers ensure that children's information is up to date, in case of an emergency.

An approved registration body's receives considerable personal information about children, their families and about staff members. Such information is to be kept confidential. The approved registration body will need to determine who is able to access these records, and under what circumstances.

Information about a child should not be given to any other person without parental permission, except where statutory requirements dictate otherwise. An approved registration body should be aware of any applicable privacy legislation, and reflect this in the wording of relevant enrolment, employment, report forms, and policies, etc.

How will we know if our forms are adequate?

The Child Care Unit will advise the approved registration body, if requested, whether the forms are worded sufficiently to collect all required information. The approved registration body will be required to submit proformas as part of the licensing process.

What insurance cover does our approved registration body need?

To obtain a licence, the approved registration body must demonstrate that public liability and workers compensation insurance are current. The approved registration body should check with an insurance broker or with their insurance company to determine what other insurances are required or recommended.

What must an approved registration body have in place in relation to disciplinary action, suspension, and de-registration of carers?

The approved registration body's written policy/procedures must cater for situations ranging from the non-dangerous, to serious breaches and emergencies.

Power to take disciplinary action

I. Direct action by the approved registration body

The *Child Care Act 2001* states that the Standards may make provision for disciplinary action (Section 47 (3) and Section 45 (5)). This ensures that approved registration bodies are able to take disciplinary action against registered carers.

Section 47 (3) states 'Without limiting subsection (2), the Standards may make provision with respect to the following matters:

- (g) 'All matters relating to -
 - (iii) the taking of disciplinary action by an approved registration body against a child carer.'

Looking at Section 25 of the Act, "**disciplinary action**" open to an approved registration body means any one or more of the following:

- the issuing of a letter of censure; or
- the imposition of a fine not exceeding 20 penalty units; or
- the amendment of a registration; or
- the suspension of a registration; or
- the cancellation of a registration.

Explanatory Notes: Standard 3

It is recommended that, in the letter of censure to a carer, the approved registration body incorporate the action that the carer must take in order to rectify the situation, and specify the time period for this. It should also outline the approved registration body's response if the carer does not follow the required action within the required timeframe.

To accord a carer procedural fairness, if an approved registration body wants to take disciplinary action other than a letter of censure, it should invite the carer to first make submissions on the matter, and take these submissions into consideration.

2. Disciplinary action through the Department of Education

Section 45 (5) enables an approved registration body to proceed to take disciplinary action under Section 25, after having, as an emergency measure, suspended a carer's registration (refer to '3. Emergency suspension of registration', below).

Section 25 is written specifically in terms of the Secretary's powers to take disciplinary action with regard to a licence holder. Therefore, under Section 25 (5), the Secretary could send a letter of censure to the approved registration body, requiring that the approved registration body suspend or cancel a carer's registration, or amend the registration (including the conditions of registration). However, Section 25 (5) states that this letter of censure does not limit the disciplinary action that is open to the approved registration body.

Section 25 (5) was included in the Act in order to assist an approved registration body that may be experiencing difficulties in implementing disciplinary action. It enables the approved registration body to request the additional support of the Department—it is not expected that the Secretary would generally direct the actions of an approved registration body.

Under what circumstances would an approved registration body take disciplinary action?

Circumstances in which the approved registration body may take disciplinary action could include :

- a) that the registered carer has contravened the *Child Care Act 2001*, the regulations, the Home Based Care Standards, or a condition to which the registration is subject; **or**
- b) that the registered carer is no longer a fit and proper person to hold the registration.

Examples of such circumstances could include one or more of the following:

- inappropriate behaviour towards staff of the approved registration body, other carers, families and children;
- the carer refuses to permit access to a child in care, or to the registered premises, by the parent of the child, staff member/s of the approved registration body (or authorised officer from the Child Care Unit—see Section 38 (1) (a) (i)), during any reasonable time that children are in care;
- concern that the carer no longer is able to care for the welfare of children;
- the carer provides false or misleading information in relation to the administrative/legal requirements of the approved registration body, State, or Australian Government;
- a substantiated complaint from a parent re unsatisfactory service by a carer;
- the carer commits a breach of the Home Based Care Standards, e.g.
 - the carer is not complying with relevant health and safety laws and regulations;
 - the carer's equipment and facilities fail to comply with relevant laws, regulations or Home Based Care Standards;
- a change in the carer's circumstances which may affect the conditions of registration, or implies that the carer no longer is able to lawfully carry out the conditions of registration;
- the carer, or a family member or regular visitor;

- is suspected of/identified as responsible for child abuse or neglect;
- is being investigated/is convicted of criminal charges which indicate a threat to the welfare of children.

3. Emergency suspension of registration

The *Child Care Act 2001*, Section 45, gives both an approved registration body, and the Secretary, emergency powers to act immediately if concerned that a child:

- a) is not in a safe environment; or
- b) is not being properly and appropriately cared for and supervised; or
- c) is in or may be exposed to a situation where every reasonable precaution is not taken to protect the child from a hazard likely to cause injury.

i.e., covers situations where there is concern that a registered carer is not complying with Section 29 (2).

Section 45 enables either the Secretary or an approved registration body to suspend a registration for a period not exceeding seven days. The suspension may be revoked at any time.

Note: None of the above precludes the suspension of a person's safety screening clearance by the Department of Education's Grievance and Investigations Unit, which would automatically mean the suspension of a carer's registration, because their safety screening clearance is no longer current.

Must carers/the approved registration body notify parents of all accidents, incidents or injuries?

The approved registration body must establish guidelines for carers and staff to follow. Some may decide that parents do not need immediate notification, e.g. by telephone, of minor accidents or incidents; however, parents should be notified promptly of any serious accident/injury.

In situations when the child has an accident/injury to the head, parents should be notified as soon as possible, and the child closely monitored for signs of concussion.

Details of all accidents, injuries, or incidents should be detailed on an appropriate report form as soon as possible. Details should be accurately and objectively recorded.

Parents should sign the report as an acknowledgement that they have been informed of the details of any accident, injury or incident and any action that was taken by the centre.

In case there may ever be a dispute about the time that a parent was notified of a child's accident/injury, and the time that the child received treatment, the carer should record on the accident/injury report the time that the child left the carer's premises and the name of the person who collected the child.

Why do we need to keep a record of the child's immunisation status?

It is a requirement of the *Public Health Act 1997* that a person in charge of a child care service obtains information about a child's immunisation status before that child commences care.

Parents may elect not to have their child/ren immunised because of medical or other reasons—but it is necessary to have a written record of this to enable the approved registration body and carers to act promptly, and exclude non-vaccinated children in the event of an outbreak of mumps, rubella (German measles), measles, polio, diphtheria, pertussis (whooping cough), polio or Hib infection. Keeping immunisation records up to date will enable the approved registration body and carers to act promptly.

Public health authorities have developed guidelines to assist child care services deal with such situations.

Explanatory Notes: Standard 3

Why do we need to keep a record of notifiable illnesses?

A record of notifiable illnesses will assist the approved registration body and carers to implement any necessary action plan, such as notifying parents, upgrading cleaning or hygiene routines, etc. Parents have a right to know of illnesses which may have been introduced into the care situation and the signs and symptoms that will alert them to any change in their own child's health.

The Australian Government publication, *Staying Healthy in Child Care*, recommends recording, as a minimum, the name and age of child, the symptoms, and the date and time symptoms were noticed.

A record of illnesses would assist public health authorities in the event of an outbreak of a notifiable disease.

It is a recommended practice (refer to *Staying Healthy in Child Care*, Section 1–32), and helpful to the Tasmanian Public and Environmental Health Service of the Department of Health and Human Services, if an approved registration body advises them of any case of a notifiable disease.

How long do we need to keep records?

Apart from licensing requirements, there are several reasons for keeping accurate records, such as the approved registration body's business, legal and insurance obligations.

Some organisations decide to keep enrolment records, for example, as part of their cataloguing of the organisation's history.

The approved registration body should be aware of other relevant legislation or regulations which may apply to its operations, such as taxation, workplace health and safety legislation, and local government regulations.

The Tasmanian Limitation Act 1974

Under the terms of this Act, a parent or guardian may commence legal action on behalf of a child within three years of an accident or injury. This time can be extended by a further three years by the court.

This means also that children may make a claim within three years of reaching 18 years, with an extension of three years if approved by the court.

A further possibility is that a condition/consequence of an accident or injury may not become apparent within the initial three year period following the accident or injury—in such an instance, the limitation period would commence from the time that the condition does become apparent.

Because the *Tasmanian Limitation Act 1974* provides for the periods of time in which a claim can be made, the length of time that records should be kept should be in line with the Act. The majority of children are placed in child care by a parent or guardian, and an approved registration body could reasonably expect that six years is the minimum period of time to retain records such as enrolment and personal information, authorisation and administration of medication, excursions, and parental permissions.

However, records of accident and injury, and treatment of the same, should be retained until a child turns 25 years of age.

If the approved registration body is unsure whether or not a situation will require investigation in the future, it would be prudent to retain all relevant records until the child turns 25 years of age. The approved registration body could also notify their insurance company of any incidents which may give rise to a claim.

The approved registration body may prefer to clarify their position by obtaining legal/insurance advice.

Investigation of a complaint

Six years is a reasonable period of time that the licensing authority may need to check back in the event of a complaint or a query in relation to licensing.

Financial records

Financial records must be kept for at least five years, consistent with the requirements of the Income Tax Assessment Act 1936 (Section 262 (a) (4))—enrolment and attendance records, and personnel records, are relevant to the area of financial accountability. The requirement to keep records for at least six years thus also covers the approved registration body's taxation/financial obligations.

Records of child enrolment/information

Records of child enrolment/information should generally be retained for at least six years.

However, if there is an incident, e.g. a child has a severe allergic reaction, then these records should be considered in the same manner as accident or injury records, and retained until the child turns 25 years of age.

It is recommended that, if/when the approved registration body is unsure whether or not a situation will require investigation in the future, the records be retained until the child turns 25 years of age.

Records of accident or injury, and any treatment given to a child

Records of accident or injury, or any treatment given to a child must be kept until the child turns 25 years of age. This is a requirement of the *Tasmanian Limitation Act 1974*, because a child can sue through a parent, or, in certain circumstances, in their own right within six years of becoming an adult (18 years). Records of accidents or injury, or treatment of accident or injury, must be kept in case of legal action against the approved registration body or a person associated with the approved registration body, in which case the record can be used as evidence.

Note: The approved registration body may find it useful to maintain records of accidents and injuries and of treatment of accidents and injuries centrally, in chronological order, to ensure that records are kept for the required length of time.

Authorisation and administration of medication

If there are complications resulting from the administration of medication, the record should be treated in the same way as accident/injury records, that is, retained until that child turns 25 years of age.

Where the approved registration body has not obtained a parent's written permission, e.g. in an emergency, the approved registration body may choose to obtain verbal authority (on behalf of the carer), in which case documentation of the same should be retained.

Personnel records

Personnel records such as current safety screening, qualifications and first aid and CPR certificates will be required for licensing. Approved registration bodies are required to retain personnel records for at least five years, or for the period of that person's employment/registration—whichever is the greater period.

Provided that the minimum period of five years is met, the actual period for retaining these records after a carer/staff member has left the approved registration body is a decision for the organisation.

Explanatory Notes: Standard 3

What if our approved registration body is transferred to another operator?

The records should stay with the approved registration body service operator in place at the time the record was obtained.

What if our approved registration body dissolves or ceases operation?

A business is obliged to keep records, such as taxation records, for the prescribed period. The approved registration body must work out a procedure for safe storage of records.

Note: The approved registration body must have the licence (all pages) clearly displayed.

For licensing, the approved registration body will need to confirm that it has the following readily available for parents:

- Contact information for the Child Care Unit.
- Approved registration body's philosophy.
- Policies and procedures with a covering index.
- A copy of the *Child Care Act 2001* and the Approved Registration Body licensing standards.

For licensing, the approved registration body will need to submit a copy of the following:

- Grievance procedure for staff, carers and parents.
- Certificates of currency for public liability and workers compensation insurance.
- If applicable, confirmation that cots and relevant furniture/equipment meet appropriate Australian Standards, e.g. if the approved registration body leases items to registered carers.
- Proformas for enrolment/child information/parent permission records.
- Proforma for attendance records (used by registered carers).
- Proformas for authorisation/administration of medication records.
- Accident, injury, and notifiable disease records.

For licensing, the approved registration body will need to confirm that it maintains the following records:

- Approved registration body personnel records—safety screening clearances, approved qualifications, first aid and CPR qualifications, drivers licences, etc.
- Registered carer records—safety screening clearances for the carer, family members over 18 years of age and regular or long stay visitors, approved qualifications (if applicable), first aid and CPR qualifications, drivers licences, etc.

APPROVED REGISTRATION BODY, Class I

Standard 3: ADMINISTRATION AND RECORDS

Self-Assessment Guide

Standard 3: The ARB must develop administrative practices which support and inform families and care providers, ensure that the duty of care is met, and that records are appropriately maintained.

Ref	Standard	How to meet standard	Are documents prepared?	We understand /comply with standard ? Yes No	Comments	Time frame
3.1	<p>Access to information</p> <p>a) The ARB is to prominently display current licence.</p> <p>b) The ARB is to have clearly written:</p> <ul style="list-style-type: none"> i) organisational structure; ii) office hours; and iii) grievance procedures for staff, carers and parents. <p>c) The following must be readily available for parents and carers at the office of the ARB:</p> <ul style="list-style-type: none"> i) ARB's philosophy; ii) policies, procedures and practices, with a covering index, of the ARB; iii) the <i>Child Care Act 2001</i> and the standards for home based care and ARB; and iv) telephone number, and address of the Child Care Unit contact. 	<p>a) The licensee must ensure that the licence is prominently displayed</p> <p>The licensee must ensure that there are clearly written</p> <ul style="list-style-type: none"> i) organisational structure ii) office hours iii) grievance procedures for staff, carers and parents <p>c) The licensee must ensure that the following are readily available for parents, potential clients, carers, etc:</p> <ul style="list-style-type: none"> i) ARB's philosophy ii) policies, procedures, practices, with index iii) a copy of the <i>Child Care Act 2001</i> and the standards for HBC and ARB's iv) telephone number, and address of the Child Care Unit contact <p>Assessment by Child Care Unit To be assessed through discussion and/or visit</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>		
3.2	<p>Insurance</p> <p>The ARB is to maintain current public liability, workers compensation and other insurance policies as required by law.</p>	<p>Public liability and workers compensation insurances must be current. Copies of certificates of currency to be submitted with the licence application</p> <p>Assessment by Child Care Unit Documentation to be submitted with licence application</p>	<p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>		
3.3	<p>Disciplinary action</p> <p>a) In accordance with Sections 10 (1) (g) and 47 (3) (g) of the <i>Child Care Act 2001</i>, the ARB is authorised to take disciplinary action against a carer registered with that ARB, including one or more of the following:</p> <ul style="list-style-type: none"> i) the issuing of a letter of censure; ii) the imposition of a fine not exceeding 20 penalty units; iii) the amendment of a registration; iv) the suspension of a registration; v) the cancellation of a registration. <p>b) The ARB may take disciplinary action if satisfied that:</p> <p>either: the carer registered with that ARB has contravened the <i>Child Care Act 2001</i>, the regulations, the Home Based Care Standards, or a condition of registration;</p> <p>or: the carer registered with the ARB is no longer a fit and proper person to hold the registration..</p>	<p>Assessment not applicable—refer to Standard 4.2</p>				

3.4	<p>Responsibility for records and record keeping</p> <p>a) The ARB is to have appropriate procedures in place re storage, retention and disposal of records.</p> <p>b) The ARB must advise each registered carer about the carer's responsibility with regard to maintaining records appropriately, including the storage, retention and disposal of records.</p>	<p>Appropriate procedures must be developed and implemented for</p> <p>a) storage, retention and disposal of records</p> <p>b) Informing each registered carer re their responsibility with regard to maintenance and disposal of records</p> <p>Assessment by Child Care Unit To be assessed through discussion and/or visit</p>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
3.5	<p>Records of carer registration and re-registration</p> <p>The approved registration body must:</p> <p>a) keep a written record of the registration/re-registration assessment of each carer and all related certification;</p> <p>b) issue an assessment report to the carer and an action plan with due dates for completion; and</p> <p>c) keep a record of the visits made to the carer.</p>	<p>Appropriate procedures must be developed and implemented for</p> <p>a) registration/re-registration assessments/records</p> <p>b) reports to carers re assessments</p> <p>c) records of carer visits</p> <p>Assessment by Child Care Unit Proformas to be submitted with licence application/discussion as required</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
3.6	<p>a) Enrolment, contact and child information</p> <p>i) The ARB is to develop an appropriate enrolment proforma, ensuring that all the criteria specified in Home Based Care Standard 15.4 (a) are included.</p> <p>ii) The ARB must ensure that each carer has a copy of the completed enrolment form for each child placed in their care, prior to that child commencing care, and according to service policy.</p> <p>iii) The ARB is to retain child information records for at least six years, unless an incident occurs as a result of any of the matters listed above, in which case all of the child's enrolment and information records are to be retained until that child is 25 years old, consistent with the requirements of the <i>Tasmanian Limitation Act 1974</i>.</p>	<p>The licensee must ensure that the enrolment form covers all criteria</p> <p>Assessment by Child Care Unit Copy of the enrolment form to be submitted with licence application</p>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
3.6	<p>b) Attendance record</p> <p>i) The ARB is to develop an appropriate attendance record proforma for use by carers, ensuring that all criteria specified in Home Based Care Standard 15.4 (c) are included.</p> <p>ii) The ARB is to ensure that these records are retained for at least six years.</p>	<p>The licensee must ensure that the attendance record proforma covers all criteria</p> <p>Assessment by Child Care Unit Copy of attendance record proforma to be submitted with licence application</p>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
3.6	<p>c) Parent permissions</p> <p>i) The ARB is to ensure that each carer has appropriate policy, procedures and proformas to maintain, for each child, written parental permission for:</p> <p>a. emergency medical, hospital and ambulance treatment;</p> <p>b. child to be transported in any situation;</p> <p>c. child to be taken on routine and non-routine excursions or escorted to or from a specified place; and</p> <p>d. special arrangements, such as delivery or collection.</p> <p>ii) The ARB is to ensure that parent permissions are retained for at least six years.</p>	<p>The licensee must ensure that the parent permission record proforma covers all criteria</p> <p>Assessment by Child Care Unit Copy of parental permission proformas to be submitted with licence application</p>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		

3.6	<p>d) Authorisation and administration of medication</p> <p>i) The approved registration body is to ensure that each carer has appropriate policy, procedures and proformas to maintain for each child:</p> <p>a. a record of a parent's written authorisation of medication to be administered to their child while the child is in care (using the criteria specified in HBC, Standard 15.4 (e)(i)); and</p> <p>b. a record of the administration of medication to that child (using the criteria specified in HBC, Standard 15.4 (e)(ii)).</p> <p>ii) The ARB is to ensure that carers are aware of their responsibility to keep records until that child turns 25 years of age, consistent with the requirements of the <i>Tasmanian Limitation Act, 1974</i>.</p>	<p>The licensee must ensure that</p> <ol style="list-style-type: none"> 1. each carer has a copy of the ARB policy, procedures, and proformas in relation to the authorisation and administration of medication 2. the proforma for a parent's written authorisation of medication covers all criteria 3. the proforma for administration of medication covers all criteria <p>Assessment by Child Care Unit Copy of authorisation/administration of medication proformas to be submitted with licence application</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
3.6	<p>e) Child accident and injury report form</p> <p>i) The approved registration body is to ensure that each carer has appropriate policy, procedures and proformas (using the criteria specified in HBC Standard 15.4 (f)) to maintain, for each child, a record of accident and injury.</p> <p>ii) Where medical attention other than first aid administered by the carer has been given to a child, the ARB is to keep a copy of the carer's report.</p> <p>iii) The ARB is to ensure that accident and injury report forms are retained until that child turns 25 years of age, consistent with the requirements of the <i>Tasmanian Limitation Act, 1974</i>.</p>	<p>i) The licensee must ensure that the accident and injury proforma covers all criteria</p> <p>Assessment by Child Care Unit Copy of accident/injury proforma to be submitted with licence application. Discussion re ii) and iii)</p>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
3.6	<p>f) Death of a child</p> <p>i) If a child dies while in care, or as a result of an accident while in care, the record of the details surrounding the death is to be retained by the ARB for a period of at least six years, consistent with the requirements of the <i>Tasmanian Limitation Act 1974</i>.</p> <p>ii) The ARB is to ensure that the Secretary, DoE, is notified no later than the next working day of the circumstances of the injury or death, and provided with a written report within 3 working days.</p>	<p>The licensee understands the requirements of this standard, and undertakes to fulfil the requirements</p> <p>Assessment by Child Care Unit Discussion</p>		<input type="checkbox"/> <input type="checkbox"/>		
3.6	<p>g) Illness and cases of notifiable disease</p> <p>i) The ARB is to maintain a record of illness which have been notified to relevant health authorities.</p> <p>ii) The ARB is to retain these records for at least six years.</p>	<p>The licensee must ensure that a record of illnesses notified to public health authorities is maintained</p> <p>Assessment by Child Care Unit Discussion</p>	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		

4 PHILOSOPHY, POLICIES AND PROCEDURES

STANDARD

The approved registration body must develop appropriate policies to ensure staff, carers and families are well informed, duty of care is met, and clear practices and procedures are maintained.

Rationale

Written documentation is essential for effective and consistent communication within organisations. The provision of clear, written policies and procedures which reflect current professional practice and community expectations assists in quality assurance and service accountability.

Written policies and procedures provide tangible evidence of intended practices which are consistent with the philosophy of the service, and should be regularly reviewed, evaluated and updated.

4.1 Philosophy

The approved registration body's philosophy is to contain the values and beliefs about the care and rights of children and any other matters of ethical importance to the approved registration body.

4.2 Policies

The approved registration body is to implement written policies and/or written procedures for each of the following areas:

a) Emergency situations and evacuation:

Relevant emergencies, including the removal of a child from a registered care situation in an emergency.

b) Registration, support and monitoring of carers:

- i) recruitment and assessment of carers, their primary residence or non-primary premises, and members of carers' households;
- ii) registration and re-registration in accordance with the *Home Based Care Standards*;
- iii) monitoring the quality of care provision and appropriate means to support carers, e.g. through home visits, etc;
- iv) development of carers' knowledge and skills, including:
 - a. pre-service and in-service training;
 - b. professional development; and
 - c. networking.
- v) relief/support carers;
- vi) ensuring that the needs of children are met, having regard to:
 - a. the development, best interests and wellbeing of the individual child;
 - b. the views of the child's parents; and
 - c. advice provided by specialist advisers.
- vii) assist parents to make informed decisions about the placement of their child.

- c) **Breaches of the Act, the Regulations, the Home Based Care Standards, or Conditions of Registration requiring disciplinary action, including suspension or de-registration:**
- i) an outline of situations/circumstances which may result in the approved registration body taking disciplinary action;
 - ii) notification of disciplinary action to the carer;
 - iii) the nature of the disciplinary action;
 - iv) the steps in the disciplinary process;
 - v) appropriate grounds for referring the situation to other authorities, including the Department of Education (Child Care Unit), Tasmania Police, etc;
 - vi) grounds for reinstatement of registration, where relevant; and
 - vii) any review process available to the carer.
- d) **Approved registration body staff members:**
- i) the selection, induction, professional development, and employment conditions of staff; and
 - ii) occupational health and safety.
- e) **Administration and General:**
- i) effective administration of the approved registration body;
 - ii) placement of children with carers;
 - iii) appropriate referral procedures in order to meet the needs of children and families;
 - iv) liaison with parents, carers, community agencies and government bodies;
 - v) complaints/grievance procedures for families, staff and registered carers; and
 - vi) confidentiality/privacy.

4.3 Policies and procedures for use by carers registered with the approved registration body

In consultation with the registered carers, the approved registration body is to develop written policies and/or procedures for use by carers, for each of the following areas:

- a) **Emergency situations and evacuation:**
- i) emergency evacuation plan for the carer's home/approved premises;
 - ii) accidents and incidents;
 - iii) death of a child;
 - iv) lost child;
 - v) abandoned child; and
 - vi) arrangements for overnight care (if applicable).
- b) **Health, hygiene and safety:**
- i) medication, including administration of medication in emergencies;
 - ii) infectious diseases and exclusion practices;
 - iii) immunisation;
 - iv) child protection;
 - v) carer health;
 - vi) alcohol, drugs and smoking;
 - vii) carers' occupational health and safety;
 - viii) food and nutrition;
 - ix) hygiene, including handwashing, and laundry;
 - x) general cleaning and maintenance;

- xi) storage of poisons, dangerous items and chemicals, etc;
- xii) excursions and transport;
- xiii) weather/sun protection;
- xiv) animals; and
- xv) plants and vegetation.

c) Administration:

- i) bookings, cancellations, and fees;
- ii) delivery and collection of children, including late collection of children;
- iii) confidentiality and privacy;
- iv) parent access to child; and
- v) complaints/grievance procedures for parents.

d) General:

- i) Carer/child interactions;
- ii) behaviour guidance;
- iii) supervision;
- iv) diversity and inclusion; and
- v) equity and anti-bias issues.

e) Planning for children:

The approved registration body's policies about planning for children are to complement its philosophy, and encourage and support carers to provide for the continuing developmental needs of each child. Policies are to include planning, implementation and evaluation.

4.4 Maintenance of policies

The approved registration body is to have procedures to review and update policies and procedures.

The way in which an approved registration body is administered will have a direct effect on the quality of care offered to the children and to the wellbeing of carers, children and staff.

When well administered, an approved registration body is able to respond promptly to the needs of children, families, carers and staff, and set clear expectations of the rights and responsibilities of everyone involved.

Written policies are an essential basis for effective and consistent communication among carers, staff of the co-ordination unit, the approved registration body operator, and families. Written policies facilitate continuity of the approved registration body's practices and procedures, and assist carers and staff to act in accordance with the approved registration body's intentions.

Carers must know, accept and agree to abide by the approved registration body's policies and procedures. It is expected that the approved registration body has a procedure in place to inform new staff and carers of the approved registration body's policies, practices and procedures.

Parents have a right to know the approved registration body's policies and procedures. It enables them to make an informed decision on the appropriateness of that service for their child. Policies should be readily available to parents at all times.

Some parents may have specific literacy or language requirements. The approved registration body must consider strategies to encourage these parents to become familiar with the policies, e.g. use of a translator.

Policies are more effective when based on the approved registration body's philosophy, goals and objectives. Policies should be regularly reviewed, with carers, staff and parents having the opportunity to contribute to this process.

This is an area where licensing is closely linked to quality assurance—what is required for licensing?

Policies required for licensing essentially cover the safety, welfare and protection of children, the programs, and the administration of the approved registration body.

An approved registration body is definitely not limited to the range of policies required for licensing, and it is expected that an approved registration body will have additional policies and procedures in place to implement quality assurance and workplace/professional requirements.

What must an approved registration body have in place in relation to the placement of children with registered carers?

The Home Based Care Standard for carer:child ratio will allow for greater flexibility with the care arrangements for younger children and family groupings such as multi-birth families.

The approved registration body is responsible to ensure maintenance of quality care through its policies and procedures about the placement of children and implementation of the carer:child ratio, including:

- the carer's capacity, including their qualifications, to care for younger children effectively;
- the needs of each child being cared for;
- the layout of the home, including space;
- implementation of the 'sunset clause' (i.e. no carer must reduce the total number of children they care for until those particular children grow older or as families change their care arrangements); and
- overlaps, as appropriate.

Explanatory Notes: Standard 4

The approved registration body's policies and procedures, including monitoring procedures particularly for children under five years of age, will be assessed by the Child Care Unit as part of the licensing process.

What must an approved registration body have in place in relation to disciplinary action, suspension, and de-registration of carers?

The approved registration body's written policy/procedures must cater for situations ranging from non-dangerous, to serious breaches and emergencies.

Refer to Approved Registration Bodies, Standard 3, Explanatory Notes for further information.

Can we obtain help if we are unsure of the process of developing policies or of policy content?

Yes. Peak child care organisations produce resources to assist management, staff and carers in their consideration of policies.

Several training organisations are able to tailor training programs on policy development to suit the particular approved registration body. It is important that an approved registration body modify and adapt the policies to suit the operation and the venue.

For example, it is a licensing requirement that the approved registration body have a policy on medication, for the reference and use of carers—this must include the approved registration body's approach to authorisation and administration of medication and the records carers must keep.

However, the policy could also include, for example, the approved registration body's decision about the use/non-use of 'over the counter' medications, the use of Panadol, the use of Ventolin or antihistamines in an emergency, and other related matters that the approved registration body considers important. It may reflect medical/legal advice that the approved registration body has obtained.

It is recommended that parents be advised of the approved registration body's exclusion policy, particularly in relation to unvaccinated children, as part of the enrolment procedure.

A further example is parent access to their child/ren—this policy could include a section and/or procedures on the visiting rights of the non-custodial parent, to assist carers deal with potentially difficult situations, and to protect children.

For licensing, the approved registration body will need to provide the following documents:

- A copy of the ARB philosophy.
- A copy of the policies and procedures listed in the standard.

APPROVED REGISTRATION BODY, Class I

Standard 4: PHILOSOPHY, POLICIES AND PROCEDURES

Self-Assessment Guide

Standard 4: The approved registration body must develop appropriate policies to ensure staff and families are well informed, duty of care is met, and clear practices and procedures are maintained.

Ref	Standard	How to meet standard	Are documents prepared?	We understand /comply with standard?		Comments	Time frame
				Yes	No		
4.1	<p>Philosophy The approved registration body's philosophy is to contain the values and beliefs about the care and rights of children, and any other matters of ethical importance to the approved registration body.</p>	<p>The licensee must ensure that the approved registration body has developed a philosophy</p> <p>Assessment by Child Care Unit Copy of approved registration body's philosophy is submitted with licence application</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
4.2	<p>The approved registration body is to implement written policies and/or written procedures for each of the following areas:</p> <p>a) Emergency situations and evacuation Relevant emergencies, including the removal of a child from a registered care situation in an emergency.</p> <p>b) Registration, support and monitoring of carers</p> <ul style="list-style-type: none"> i) recruitment and assessment of carers, their primary residence or non-primary premises, and members of carers' households; ii) registration and re-registration in accordance with the <i>Home Based Care Standards</i>; iii) monitoring the quality of care provision and appropriate means to support carers, e.g. through home visits, etc; iv) development of carers' knowledge and skills, including <ul style="list-style-type: none"> a. pre-service and in-service training, b. professional development, and c. networking; v) relief/support carers; vi) ensuring that the needs of children are met, having regard to <ul style="list-style-type: none"> a. the development, best interests and wellbeing of the individual child b. the views of the child's parents, and c. advice provided by specialist advisers; and vii) assist parents to make informed decisions about the placement of their child. <p>c) Breaches of the Act, the Regulations, the Home Based Care Standards, or Conditions of Registration requiring disciplinary action, including suspension or de-registration</p> <ul style="list-style-type: none"> i) an outline of situations/circumstances which may result in the approved registration body taking disciplinary action; ii) notification of disciplinary action to the carer; iii) the nature of the disciplinary action; iv) the steps in the disciplinary process; v) appropriate grounds for referring the situation to other authorities, including the Department of Education (Child Care Unit), Tasmania Police, etc; vi) grounds for reinstatement of registration, where relevant; and 	<p>The licensee must ensure that written policies/procedures are in place for</p> <p>a) Emergency situations and evacuation Relevant emergencies, including removal of a child, etc</p> <p>b) Registration, support and monitoring of carers</p> <ul style="list-style-type: none"> i) recruitment and assessment of carers, their premises, and members of carers' households ii) registration and re-registration in accordance with the <i>Home Based Care Standards</i> iii) strategies to support carers, and monitor the quality of care provision iv) strategies to support carers through training, etc v) relief/support carers vi) strategies to assist carers with appropriate programming, etc vii) strategies to communicate effectively with parents <p>c) Breaches of the Act, Regulations, Standards, or Conditions of Registration requiring disciplinary action, including suspension or de-registration</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

	<ul style="list-style-type: none"> xi) storage of poisons, dangerous items, chemicals, etc; xii) excursions and transport; xiii) weather/sun protection; xiv) animals; and xv) plants and vegetation. <p>c) Administration</p> <ul style="list-style-type: none"> i) bookings, cancellations, and fees; ii) delivery and collection of children, including late collection of children; iii) confidentiality and privacy; iv) parent access to child; and v) complaints/grievance procedures for parents and staff. <p>d) General</p> <ul style="list-style-type: none"> i) Carer/child interactions; ii) behaviour guidance; iii) supervision; iv) diversity and inclusion; and v) equity and anti-bias issues. <p>e) Planning for children</p> <p>The ARB's policies about planning for children are to complement its philosophy, and encourage carers to provide for the continuing developmental needs of each child. Policies are to include planning, implementation and evaluation.</p>	<ul style="list-style-type: none"> x) general cleaning and maintenance; xi) storage of poisons, dangerous items and chemicals, etc; xii) excursions and transport; xiii) weather/sun protection; xiv) animal; xv) plants and vegetation; <p>c) Administration:</p> <ul style="list-style-type: none"> i) bookings, cancellations, and fees; ii) delivery and collection of children, including late collection of children; iii) confidentiality and privacy; iv) parent access to child; and v) complaints/grievance procedures for parents and staff. <p>d) General:</p> <ul style="list-style-type: none"> i) carer/child interactions; ii) behaviour guidance; iii) supervision; iv) diversity and inclusion; and v) equity and anti-bias issues. <p>e) Planning for children</p> <p>Copy of all relevant policies</p> <p>Note: For a new licence application, a copy of written policies and procedures is to be submitted with the application for licensing For an existing ARB, a copy of any new or updated policy or procedure is to be submitted with application for re-licensing</p> <p>Assessment by Child Care Unit</p> <p>Documentation to be assessed with application</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
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4.4	<p>Maintenance of Policies The approved registration body is to have procedures to review and update policies and procedures.</p>	<p>The licensee must ensure that policies are reviewed on a regular basis and updated as required.</p> <p>Assessment by Child Care Unit Discussion</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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EXPLANATION

- 1. Documentation Column: Applicant may complete prior to the licensing assessment.
- 2. Comments Column: Applicant may complete prior to the licensing assessment.

SCHEDULE 1: HOME BASED CARE IN PREMISES OTHER THAN THE CARER'S PRIMARY RESIDENCE

1. The *Child Care Act 2001* makes provision for this in Section 3 (2).

The Secretary—

- (a) *by written notice to a person who is providing child care, or intends to provide child care, in premises, may approve those premises as providing a homelike environment.*

2. The Secretary has established the following criteria for the 'in principle' approval of premises other than the carer's primary residence for the purpose of provision of home based care.

- *the proposed premises provide a homelike environment, i.e. it is a domestic dwelling which reflects a family or domestic environment and routines.*
- *A sole person will provide the care at any one time.*
- *The proposed premises and child care service will provide a suitable child care option to meet the needs of local families.*
- *The proposed premises may not be used until in principle approval has been given and the normal FDC registration process completed.*

Note: The assessment of submissions and giving of in principle approval has been delegated to the Child Care Unit.

3. The approval process for a carer to be registered as a Home Based Carer in other than the carer's home residence covers:
- 3.1 Enquiry from carer to Family Day Care Scheme/approved registration body.
 - 3.2 If necessary, the Scheme inspects the carer's primary residence and the proposed premises and assesses whether the proposed premises meet the criteria for approval as outlined.
 - 3.3 The Scheme writes to the Child Care Unit outlining the proposal, requesting that approval in principle be given, subject to the carer meeting the *Home Based Care Standards 2004*.
 - 3.4 When in principle approval is given by the Secretary, the normal FDC registration process will be completed.

SCHEDULE 2: RELIEF AND SUPPORT CARE

Relief and support care, as authorised by the approved registration body, may be provided as a support to the primary home-based carer.

Rationale

In order to support home-based carers and ensure the safety of children, relief and support care may be provided under conditions approved by the approved registration body.

Provision of relief and support care is a positive occupational health and safety measure for home-based carers working in isolation, and encourages self-care and professional development.

I. RELIEF CARE

I.1 Responsibilities of the Approved Registration Body

- a) The approved registration body is to implement written policies and/or written procedures for the provision of relief care (refer to ARB Standard 4.2 b) v)).
- b) The approved registration body is to register relief carers, and ensure that relief carers:
 - i) meet the criteria for Home Based Care, Standard I, Fit and Proper;
 - ii) hold current First Aid and CPR (including child CPR) certificates;
 - iii) demonstrate a thorough knowledge of the *Tasmanian Home Based Care Standards*; and
 - iv) hold/are covered by public liability insurance as required in Home Based Care, Standard 15.2.
- c) The approved registration body must monitor and support relief carers.

I.2 Relief Carer—Description

- a) A relief carer receives remuneration for the care they provide.
- b) A relief carer may hold either a standard registration or an extended registration.

Note 1: A relief carer with extended registration must hold or be working towards an approved qualification.

Note 2: It is expected that where a relief carer covers for a carer with an extended registration for an ongoing period, e.g. over a week, then the relief carer must hold a qualification to demonstrate they have the knowledge and capacity to care for five children under five years of age.

- c) The relief carer must meet all criteria outlined above in I.1 b) i)–iv).

I.3 Relief Carer—Function

The relief carer may be approved to come in to and operate as a carer in the registered premises of another carer, for a period of time specified by the approved registration body.

1.4 Relief Carer—Responsibilities

- a) The relief carer must adhere to the Tasmanian Home Based Care Standards whenever responsible for children in care.
- b) The relief carer is responsible for completion of relevant paper work in relation to care of children.
- c) Parents must be made aware, on enrolment with the primary carer, that there is a carer registered to be a relief carer and the conditions linked to this.
- d) The relief carer is to attend a minimum amount of in-service training per annum, as specified by the approved registration body.

2. SUPPORT CARE

2.1 Responsibilities of the Approved Registration Body

- a) The approved registration body is to implement written policies and/or written procedures for the provision of relief care (refer to ARB Standard 4.2 b) v)).
- b) The approved registration body is to register support carers, and ensure that support carers:
 - i) meet the criteria for Home Based Care, Standard I, Fit and Proper;
 - ii) hold current First Aid and CPR (including child CPR) certificates; and
 - iii) demonstrate a thorough knowledge of the *Tasmanian Home Based Care Standards*.
- c) The approved registration body will approve both the number of children and the period of time that the support carer can care for children on their own.

2.2 Support Carer—Description

- a) A support carer can be **either** the spouse/partner **or** an adult family member of the primary carer, **or** another adult approved by the approved registration body. The support carer usually resides in the home of the primary carer.
- b) The support carer does not receive payment for the service provided.
- c) The support carer assists with the provision of care for short periods of time as set down by the approved registration body.
- d) The support carer must meet all criteria outlined above in 2.1 b) i)–iii).
- e) The support carer is automatically covered in the public liability policy of the primary carer.

2.3 Support carer—Function

The support carer will work co-operatively with the primary carer.

2.4 Support carer—Responsibilities

- a) The support carer must adhere to the Child Care Standards for Home Based Care while responsible for children in care.
- b) The support carer must attend a minimum amount of in-service training, if/as specified by the approved registration body.
- c) Parents must be made aware, on enrolment with the carer, that there is a carer registered to be a support carer and the conditions linked to this.