**Top 10 Non-Compliances**

**Self-Audit Tool for Services**

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

**Education and Care Services National Regulations 2012**

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

Name of the Approved Provider: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Nominated Supervisor (NS): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of person completing the audit: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Completed audit provided to (NS/AP): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| **R.103** | **Premises, furniture, and equipment to be safe, clean and in good repair*** Is the building, furniture and equipment well maintained with no damage or excessive wear and tear?
* Are the approved spaces free from rubbish and clutter?
* Are all dangerous products inaccessible to children?
* Does furniture and equipment comply with the Australian Safety Standards?
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| **R.97** | **Emergency and evacuation procedures*** Do your emergency and evacuation procedures include instructions and a floor plan?
* Are these displayed in a prominent position near each identified emergency exit?
* Has a risk assessment been completed to identify potential emergencies relevant to the service?
* Have ALL identified emergency and evacuation procedures been rehearsed and documented at least every 3 months?

**Please note,** potential emergency and evacuation scenarios may include: * Fire
* Gas leak
* Medical emergency (e.g. anaphylaxis)
* Intruder/Aggressive Person
* Bomb threat
* Building damage
* Snake or animal on premises
* Cyclone
* COVID-19
* Hazardous materials incident
* Community disturbance/violence
* Hostage / Custody dispute

Services are encouraged to engage the services of a relevant authority to assist with the development of their risk assessment and subsequent procedures (QA 2.2.2) |  |  |  |
| **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?
* Are all educators and staff aware of the supervision policy and expected practices?
* Is supervision adapted:
* During periods of increased risk
* To the ages, needs and capabilities of children
* During routines and transitions
* During excursions and transportation
* For new children and staff

Is the environment free from visual barriers? Are there areas where children can hide/retreat to unsupervised?Do educators and staff communicate their movements to maintain supervision? Has the approved provider provided professional development on this topic?Is there a process for educators and staff to raise issues regarding supervision with confidence? |  |  |  |
| **R.173** | **Prescribed information to be displayed*** Approved Provider:
* name
* provider number
* conditions
* Approved Service
* name
* service number
* conditions
* name of nominated supervisor
* 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 and position of the responsible person in charge at any given time
* name of the educational leader
* contact details for the Regulatory Authority.
* if applicable a notice stating that a child at risk of anaphylaxis is enrolled at the service
* if applicable a notice of an occurrence of an infectious disease at the service.

Is the information positioned so that it is clearly visible to anyone from the main entrance? (S.172)Does the service have a process (such as part of the open shift checklist as a weekly task) for checking that all prescribed information is displayed and current?Is this information displayed in a way, so it’s not easily removed or covered up? |  |  |  |
| **R.123-R.369** | **Educator to child ratios – WA specific*** Do rosters reflect correct educator to child ratio planning?
* Are rosters updated when educators are absent?
* Is there a staffing plan to access relief educators as required?
* When educators are not working directly with children are they replaced and is this recorded? This includes lunch breaks, non-contact, meetings with parents/staff, using a computer etc…
* Is there a system in place to monitor ratios during arrival and departure times when attendance may vary?
* Is there a process for educators and staff to raise issues regarding ratios with confidence?
* Have children being counted as transitioning been adequately assessed and considered to be developmentally ready to transition by the AP or NS?
* Is there documented evidence of this and agreement with the decision by the parent?
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| **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? * Are hot beverages/liquids consumed/used around children?
* Are outdoor environments checked multiple times throughout the day for hazards?
* Are poisonous plants accessible to children?
* In warmer months are equipment and safety mats stored out of the sun and temperature checked prior to use?
* Is there adequate shade?
* Are children’s inclusion needs facilitated to reduce risk to others?
* Do all staff, visitors and students have a current WWCC? (if required)
* Are areas such as the laundry and kitchen inaccessible to children?
* Are all hazardous materials and products inaccessible to children?
* Are children directly supervised around animals?
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| **R.170** | **Policies and procedures to be followed*** How does the AP ensure the NS, staff members, educators and volunteers follow policies and procedures?
* Are all staff and volunteers guided and mentored through the policies and procedures as part of the induction process?
* Is there a quiz or similar practice to determine a person’s understanding of policies and procedures?
* Do all staff, including educators participate in policy reviews?
* Can staff, educators and volunteers challenge policies and procedures?
* Do ALL staff, educators and volunteers always follow policies even when it may impact operations? (e.g. exclusion of a staff members unwell child)
 |  |  |  |
| **S. 175**  | **Offence relating to requirement to keep enrolment and other documents*** Are all prescribed documents available at the premises for inspection by an authorised officer? (rosters, incident records etc…)
* Are all documents relating to the operation of the service accessible?
* Are all staff members records accessible?
* Are children’s enrolment records accessible? (if they attended in the previous 12 months)
* Do all staff/educators who act in the role responsible person have access to the records – paper &/or electronic?
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| **R. 117A****117B** | **Placing a person in day to day charge*** Has the person been placed in day to day charge of the service by the approved provider or nominated supervisor?
* Has the person consented to the placement in writing?

**Minimum requirements for a person in day to day charge**The approved provider or nominated supervisor must not place a person in day to day charge unless the person:* has attained the age of 18 years
* has adequate knowledge and understanding of the provision of education and care
* has an ability to effectively supervise and mange an education and care service

The AP or NS must have regard to the persons history of compliance with the National Law and Regulations, any former Law or education lawand;Any decision under the Law to refuse, refuse to renew, suspend or cancel a licence, approval, registration, certification or other authorisation granted under the Law, any former law or education law. The AP or NS must have a system in place to document how they have assessed and confirmed the above information. This may include:* documented reference checks
* verified academic qualifications
* resume to demonstrate work history and experience
* ACECQA prohibition declaration or similar
* ACECQA compliance history statement or similar
* Knowledge assessment of the National Law and Regulations
* Interview questions and responses

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**Notes / Follow Up Actions:**

1. [↑](#footnote-ref-1)