**FAMILY DAY CARE EDUCATOR**

**COMPLIANCE MONITORING CHECKLIST**

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

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

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

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

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

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

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

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

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

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

***Should the residence have a pool, spa or water feature, the AO must refer to Appendix A.***

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

| **Law/**  **Reg** | **Item** | **Yes** | **No** | **Not**  **Determ**  **ined** | **Comments** |
| --- | --- | --- | --- | --- | --- |
|  | ***HYGIENE AND SAFE FOOD*** |  |  |  |  |
| **R.77**  *CD – AP*  *INF – AP, NS, FDCE* | Health, hygiene and safe food practices  (3) The FDC educators implements:   1. adequate health and hygiene practices 2. ensure safe practices for handling, preparing and storing food |  |  |  |  |
| **R.78**  *CD - AP* | **Food and beverages**  (3) Does the FDC educator ensure children:   1. have access to safe drinking water at all times. 2. are offered food and beverages on a regular basis throughout the day. |  |  |  |  |
| **R.79**  *CD – AP* | **Service providing food and beverages**  Is FDC educator be providing meals for children?  **If YES:**  Can the FDC educator explain how they ensure food or beverage provided is:  (2)(a) nutritious and adequate in quantity; and  (2)(b) is chosen having regards to the dietary requirements of individual children including -  (i) growth and development needs  (ii) specific cultural, religious or health requirements. |  |  |  |  |
| **R.80**  *CD – AP*  *INF – AP, NS* | **Weekly menu**  (3)(a) Is there a weekly menu displayed in a place that is accessible to parents?  (3)(b) Does the displayed menu accurately describe the food and beverages provided each day? |  |  |  |  |
|  | ***SAFETY, HEALTH & WELLBEING*** |  |  |  |  |
| **R.84A**  *CD – AP* | **Sleep and rest**  (3) How has the FDC Educator taken reasonable steps to ensure the needs for sleep and rest for children are met having regard to the ages, developmental stages and individual needs of children. |  |  |  |  |
| **R.84C**  *CD – AP* | **Risk assessment for purposes of sleep and rest policies and procedures**  Has a sleep and rest risk assessment been conducted within the last 12 months?  At each FDC residence or approved venue, does the risk assessment consider:  (2) A risk assessment must consider the following —   1. the number, ages and developmental stages of children 2. the sleep and rest needs of children (including health care needs, cultural preferences, sleep and rest needs of individual children and requests from families about a child’s sleep and rest) 3. the suitability of staffing arrangements to adequately supervise and monitor children during sleep and rest periods; 4. the level of knowledge and training of staff supervising children during sleep and rest periods; 5. the location of sleep and rest areas, including the arrangement of cots and beds within the sleep and rest areas 6. the safety and suitability of any cots, beds and bedding equipment, having regard to the ages and developmental stages of the children who will use the cots, bed and bedding equipment; 7. any potential hazards —   (i) in sleep and rest areas; or  (ii) on a child during sleep and rest periods;  (h) the physical safety and suitability of sleep and rest environments (including temperature, lighting and ventilation)   1. in the case of a FDC service that provides overnight care to a child, any risk that the overnight care provided at the FDC residence or approved venue may pose to the safety, health and wellbeing of the child.   (4) The approved provider must keep a record of each risk assessment conducted. |  |  |  |  |
| **R.84D** | (3) Are there any bassinets on the premises? |  |  |  | [Sleep and rest legislative requirements | ACECQA](https://www.acecqa.gov.au/resources/supporting-materials/infosheet/safe-sleep-and-rest-practices#Bass)  *The following are examples of what a bassinet may look like:*  photos to demonstrate what a bassinette may look likephotos to demonstrate what a bassinette may look like |
| **R.89(2)**  *INF – AP, FDCE* | **First aid kits**  Are there an appropriate number of accessible first aid kits that are:   * suitably equipped. * easily recognisable * readily accessible to adults |  |  |  |  |
| **S.165** | **Offence to inadequately supervise children.**  (3) How does the FDC Educator ensure that any child being educated and cared for by the educator is adequately supervised?  Please consider:   * Supervision and policies * Plans * risk assessments. * Environment (blind spots). * Individual needs of children. |  |  |  |  |
| **S.167** | **Offences relating to protection of children from harm and hazards.**  Does the FDC Educator have processes in place to ensure every reasonable precaution is taken to protect children from harm and hazard?  Consider:  OH&S checks   * Hot surfaces (use heat gun to check – record temperature & take photo) * hot liquids (what is their process/how is this managed) * Storage of chemicals * Child safe environment policy * Access to non-approved areas in the residence. * Pools and water hazard checks completed monthly by *service* ***\*please refer to the separate appendix (Appendix A) for water hazards and pool checks\**** |  |  |  |  |
| **R.97**  *R.97 (3), (4)*  *CD- AP*  *R.97 (4)*  *INF - AP* | **Emergency evacuation procedures**  The FDC Educator must:  (3)(ab) Ensure emergency and evacuation procedures are rehearsed at least every three months by each FDC Educator.  (3)(b) ensure rehearsals are documented.   1. Ensure both the emergency and evacuation floor plan and instructions are displayed in a prominent position near each identified emergency exit.   **Please note:** if documented rehearsal records are not available at the visit, please request these to be provided as they are not prescribed records which must be available at the visit. |  |  |  |  |
|  | 1. Is the service located in a multi-storey building shared with other occupants? |  |  |  | If YES move to Question 2  If NO move to next regulation |
| **R.103**  *CD – AP* | 1. If yes,   assess that emergency and evacuation procedures include the following:  (i) all possible evacuation routes from each storey on which the premises is located; and (ii) the evacuation routes that are proposed to be used in an evacuation; and (iii) how all children will be safely evacuated from the premises, including non-ambulatory children; and (iv) the stages in which an evacuation will be carried out; and (v) the identity of the person in charge of an evacuation; and (vi) the roles and responsibilities of staff members during an evacuation; and (vii) the arrangements made with the other occupants of the multi-storey building in relation to the evacuation of the multi-storey building. |  |  |  |  |
|  | ***BUILDING/FACILITIES*** |  |  |  |  |
| **R.103**  *CD – AP* | **Premises, furniture and equipment to be safe, clean and in good repair**  What processes are in place to support educators to identify and manage maintenance of a safe and clean environment? |  |  |  |  |
| **R.105**  *CD – AP* | **Furniture, materials and equipment**  Is there sufficient furniture, materials and developmentally appropriate equipment for children? |  |  |  |  |
| **R.109** | **Toilet and hygiene facilities**  Are there adequate, developmentally and age-appropriate toilet facilities, washing and hand drying facilities available for safe use by the children, and convenient access? |  |  |  |  |
| **R.110**  *CD – AP* | **Ventilation and natural light**  Do all rooms used by children have:   * good ventilation; * adequate natural light; and * provisions to maintain a temperature that ensures the safety and wellbeing of children. |  |  |  |  |
| **R.117**  *CD – AP* | **Glass** (1) The approved provider of a family day care service must ensure that any glazed area of a residence or approved family day care venue of the service complies with subregulation (2) if the area — (a) is accessible to children; and (b) either — (i) is 1 metre or less above floor level; or  (ii) if the residence or family day care venue was approved before 1 December 2014, is 0·75 metres or less above floor level. (2) The glazed area must be — (a) glazed with safety glass, if the Building Code of Australia requires this; or (b) in any other case — (i) treated with a product that prevents glass from shattering if broken; or (ii) guarded by barriers that prevent a child from striking or falling against the glass. |  |  |  |  |
| **R.373A** | **Telephones or other communication equipment at family day care residences and approved family day care venues**  Does the FDC Educator have:   1. ready access to at least 2 operating telephones or other similar means of communication; and 2. at least 1 of the telephones or other similar means of communication referred to in paragraph (a) is kept in a fixed location at the residence or venue. |  |  |  |  |
|  | ***STAFFING*** |  |  |  |  |
| **R.136**  *CD - AP* | **First aid qualifications**  Does the FDC Educator and (where applicable) the FDC Educator Assistant hold and ACECQA approved:     * first aid qualification. * emergency asthma management training * anaphylaxis management training |  |  |  |  |
| **R.124** | **Number of children who can be cared for by FDC educator.**  How many children are in attendance with the FDC Educator today?  Under preschool age: \_\_\_\_\_\_\_\_\_\_\_\_\_  Over preschool age: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Absent children: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |  |  |  |
| **R.127** | **Family day care educator qualifications**  AO to sight the FDC educator’s (and where applicable FDC Educator Assistant) approved certificate III level education and care qualification. |  |  |  |  |
| **R.144** | **Family day care educator assistant** Does a FDC Educator Assistant assist the FDC Educator?  If so, under what circumstances? Refer to the below.  (4) An approved family day care educator assistant may assist the family day care educator — (a) in the absence of the family day care educator, to transport or escort a child between the family day care residence or approved family day care venue and — (i) a school; or (ii) another education and care service or children’s service; or (iii) the child’s home; or (b) in the absence of the family day care educator, in emergency situations, including when the educator requires urgent medical care or treatment; or (c) in the absence of the family day care educator, to enable the educator to attend an appointment (other than a regular appointment) in unforeseen or exceptional circumstances, if — (i) the absence is for less than 4 hours; and (ii) the approved provider of the family day care service has approved that absence; and (iii) notice of that absence has been given to the parents of the child; or (d) while the educator is educating and caring for children as part of the family day care service.  No qualifications required for FDC Educator Assistant (except First Aid) |  |  |  |  |
|  | ***PRESCRIBED INFORMATION/RECORDS*** |  |  |  |  |
| **R.75**  *CD – AP* | **Educational Program**  Is a copy of the educational program on display at the premises in a place that is accessible to family members and available for inspection on request? |  |  |  |  |
| **R.88(3)** | **Infectious diseases**  Can the FDC educator explain how parents are notified of the occurrence of infectious diseases. |  |  |  |  |
| **R.86**  *INF – AP*  **R.87** | **Notification to parents of incidents, injury, trauma and illness**  Can the FDC educator explain how parents are notified of any incidents, illness, injury or trauma?  How does the educator inform the approved provider of incidents, injury, trauma and illness?  **(2) Incident, injury, trauma and illness record**  Does the FDC educator keep records of incidents, illness, injury or trauma? |  |  |  |  |
| **R.159** | **Children’s attendance records kept by family day care educator**   * records the child’s full name; AND * records the times that the child arrived/departed care; AND * Is signed at the time of arrival/departure by the person who delivers or collects the child. OR the FDC educator. |  |  |  |  |
| **S.172**  *INF - AP* | **Prescribed information to be displayed as per Regulation 173**  Is this information visible from the main entrance?   * Approved Provider: * name * provider number * conditions * Approved Service * name * service number * conditions * names of all nominated supervisors * current ratings for each Quality Area in the National Quality Standard and overall rating of the service. * any temporary or service waivers granted – including duration. * centre’s hours and days of operation * name and phone number of the person to be contacted to receive a complaint. * name of the educational leader * contact details for the Regulatory Authority. * in the case of a family day care residence or approved family day care venue, a notice stating that a child who has been diagnosed as at risk of anaphylaxis-   (A) is enrolled at the family day care service; and (B) attends the family day care residence or family day care venue;   * In the case of a family day care residence or approved family day care venue, a notice stating that there has been an occurrence of an infectious disease at the family day care residence or family day care venue. |  |  |  |  |
| **R. 180** | **(2) Evidence of prescribed insurance**  Is evidence of the FDC Educator’s current public liability insurance available at the residence/venue for inspection. |  |  |  |  |
| **S. 175** | **(3) Offence relating to requirement to keep enrolment records and other documents**   * Are prescribed documents available for inspection by AO? (as detailed in R.178 and below)   + Must, to the extent practicable, be kept at the premises, if relation to operation of service, staff, children.   + In any other case, must be kept in a place/manner that is readily accessible to AO.   **Prescribed enrolment and other documents to be kept by FDC educator.**  Is there accurate documentation available on the following:  (a) the documentation of child assessments or evaluations for delivery of the educational program as set out in regulation 74; (b) an incident, injury, trauma and illness record as set out in regulation 87; (c) a medication record as set out in regulation 92; (d) a children’s attendance record as set out in regulation 159; (e) child enrolment records as set out in regulation 160; (f) a record of visitors to the family day care residence or approved family day care venue as set out in regulation 165. |  |  |  |  |
| **R. 165** | **Record of visitors to residences**  (2) Does the FDC Educator keep a record of all visitors to their residence/venue while children are being educated and cared for (3) Does the record of visitors include the signature of the visitor and the time of the visitor’s arrival and departure? |  |  |  |  |
| **R.164**  *CD - AP* | **(2) Requirement for notice in relation to persons at residence** Has the FDC Educator notified the Approved Provider of (where applicable) — (a) any new person aged 18 years or over who resides, or intends to reside, at the educator’s residence; (please record the names of all residents over 18 years present at the time of the visit) and (b) any circumstance relating to a person who resides, or intends to reside, at the educator’s residence that may affect whether the person is a fit and proper person to be in the company of children. |  |  |  |  |
| **R.162** | **Health information to be kept in enrolment record. (as pertains to children’s medical conditions and dietary requirements)**  (c) details of any –  (i) specific healthcare needs of the child, including any medical condition; and  (ii) allergies, including whether the child has been diagnosed as at risk of anaphylaxis; and  (d) any medical management plan, anaphylaxis medical management plan or risk minimisation plan to be followed with respect to a specific healthcare need, medical condition or allergy referred to in paragraph (c) and  (e) details of any dietary restrictions for the child. |  |  |  |  |
|  | ***POLICIES & PROCEDURES*** |  |  |  |  |
| **R.90**  **(1)(c)** | **Medical conditions policy**  Does this policy include details about:  (1)(c)(i) (ii) a medical management plan provided by parent to be followed in the event of an incident.  (iii) risk minimisation plan in consultation with the parents developed; and  (iv) a communications plan developed. |  |  |  |  |
| **R.84B** | **Sleep & rest**  The sleep and rest policies and procedures required under regulation 168(2)(a)(v) must address — (a) how children will be protected from any risks identified in a risk assessment conducted under regulation 84C; and (b) how the sleep and rest needs of children being educated and cared for by the service are met, including how the ages, developmental stages and the sleep and rest needs of individual children are considered; and (c) how the health care needs of individual children being educated and cared for by the service are met; and (d) how requests from families about a child’s sleep and rest and cultural preferences are considered; and (e) supervision and monitoring during sleep and rest periods, including:   1. the method and frequency of checking the safety, health and wellbeing of children during sleep and rest periods; and 2. the documentation of sleep and rest periods; and   (f) how the sleep and rest practices at the service are consistent with any current health guidelines on the best practices to adopt to ensure the safety of children during sleep and rest; and (g) the induction, training and knowledge of staff who educate and care for children at the service in relation to best practices for children’s sleep and rest; and (h) the location and arrangement of sleep and rest areas at the service and how this meets the sleep and rest needs of children being educated and cared for by the service; and (i) safety and suitability of cots, bedding and bedding equipment, having regard to the ages and developmental stages of children who will use the cots, bedding and bedding equipment; and (j) management of potential hazards –  (i) in sleep and rest areas; and (ii) on a child during sleep and rest periods; and  (k) management of physical safety and suitability of sleep and rest environments (including temperature, lighting and ventilation); and (l) in the case of a **family day care service** that provides overnight care, management of risks relating to overnight care at each family day care residence or approved family day care venue of the service; and  (m) communication of the sleep and rest policies and procedures to a parent or family member. |  |  |  |  |
| **R.171**  *CD - AP* | **Policies and procedures as per R.168 and R.169 to be kept available.**  Are current policies and procedures readily available to parents/ guardians/ nominated supervisors/ staff/ and volunteers at the service?  **List of policies**:  R. 168(2)  (a) health and safety, including matters relating to —  (i) nutrition, food and beverages, dietary requirements; and  (ii) sun protection; and  (iii) water safety, including safety during any water‑based activities; and  (iv) the administration of first aid; and  (v) sleep and rest for children including the matters set out in regulation 84B;  (b) incident, injury, trauma and illness procedures complying with regulation 85;  (c) dealing with infectious diseases, including procedures complying with regulation 88;  (d) dealing with medical conditions in children  (e) emergency and evacuation including the matters set out in R.97 (above)  (f) delivery of children to, and collection of children from, education and care service premises, including procedures complying with S.165A  (g) excursions, including procedures complying with regulations 100 to 102 (below)  (ga) if the service transports or arranges transportation of children other than as part of excursions, transportation including procedures complying with Chapter 4 Part 4.2 Division 7 (below);  (gb) the safe arrival of children who travel between an education and care service and any other education or early childhood service within the meaning of regulation 102AA, including the matters set out in regulation 102AAB;  (h) providing a child safe environment;  (i) staffing, including —  (i) a code of conduct for staff members; and  (ii) determining the responsible person present at the service; and  (iii ) the participation of volunteers and students on practicum placements;  (j) interactions with children, including the matters set out in regs 155 and 156;  (k) enrolment and orientation;  (l) governance and management of the service, including confidentiality of records;  (m) the acceptance and refusal of authorisations;  (n) payment of fees and provision of a statement of fees charged by the education and care service;  (o) dealing with complaints.  R. 169(2)  (a) assessment of proposed family day care venues and proposed family day care residences and reassessment of approved family day care venues and family day care residences, including matters to meet the requirements of regulation 116; (b) engagement or registration of family day care educators; (c) keeping of a register of family day care educators, family day care co-ordinators and family day care educator assistants under regulation 153; (d) monitoring, support and supervision of family day care educators, including how the service will manage educators at remote locations; (e) assessment of family day care educators, family day care educator assistants and persons residing at family day care residences, including the matters required under regulation 163; (f) visitors to family day care residences and venues while education and care is being provided to children as part of a family day care service; (g) the provision of information, assistance and training to family day care educators; (h) the engagement or registration of family day care educator assistants. |  |  |  |  |
|  | ***EXCURSIONS*** |  |  |  |  |
| **R.100** | **Risk assessment must be conducted before excursion – Conduct of risk assessment for excursion** |  |  |  |  |
| 1. Does the FDC Educator conduct excursions or regular outings? |  |  |  | If YES move to Question 2  If NO move to next section. |
| 1. If the FDC Educator does conduct excursions or regular outings:   (3) The FDC Educator must carry out a risk assessment in accordance with **R.101** before seeking authorisation for an excursion. The risk assessment must-   * Identify any risks to health/safety of children and identify how they will be managed and minimised. * Consider as part of the assessment- * route and destination * water based risks and hazards. * transport to-from * the means of transport * any requirements for seatbelts or safety restraints under WA law * the process for entering and exiting the service premises and the pick-up locations or destination. * procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking. * number of adults/children * given the risks, the number of educators or other adults required to provide supervision. * are adults with special skills required? * proposed activities. * duration of excursion * items/equipment required. * a risk assessment for a regular outing was prepared not more than 12 months ago.   Review a completed risk assessment for the most recent excursion/regular outing. |  |  |  |  |
| **R.102** | **Authorisation for excursions**  Written authorisations have been gained for all excursions (including regular outings) which include the following information:  (4)(a) the child’s name.  (b) the reason the child is being taken from the premises.  (c) if for a regular outing a description of when the child will be taken on regular outings  (ca) the date of the excursion  (d) a description of the proposed destination  (e)(i) the means of transport  (e)(ii) any requirements for seatbelts or safety restraints under WA law  (f) proposed activities.  (g) the period the child will be away from the premises.  (h) anticipated no of children attending.  (i) anticipated ratio of educators attending  (j) anticipated no of staff and any other adults accompanying and supervising  (k) that a risk assessment has been prepared and is available at the service  *Please note: This does not include school runs as this is considered transportation rather than an excursion.* |  |  |  |  |
|  | ***SAFE ARRIVAL OF CHILDREN*** |  |  |  | Travel indicates the movement of the child as opposed to transportation that includes children walking from class to an OSHC Service for example |
| **R.102AA** | **Does the educator collect the children from school or another education and care service?** |  |  |  | If YES move to next question  If NO move to next section ‘Transport’. |
| **R.102AAC** | **Is there a risk assessment for the purposes of safe arrival of children policies and procedures?** (1) For the purposes of preparing the safe arrival of children policies and procedures under regulation 102AAB(1), the AP must ensure that a risk assessment is conducted in accordance with this regulation.  (2) The approved provider must conduct a risk assessment — (a) at least once every 12 months; and (b) as soon as practicable after becoming aware of any circumstance that may affect the safe arrival of children travelling between an education and care service and any other education or early childhood service.  (3) A risk assessment must — (a) identify and assess any risks that a child’s travel between an education and care service and any other education or early childhood service may pose to the safety, health or wellbeing of the child; and (b) specify how the identified risks will be managed and minimised.  (4) Without limiting subregulation (3), a risk assessment must consider the following, in respect of a child who travels between an education and care service and any other education or early childhood service — (a) the age, developmental stage and individual needs of the child; (b) the role and responsibilities of the following persons (if applicable) — (i) in the case of a child who leaves the service premises to travel to an education and care service premises of another education and care service — the nominated supervisor of each service; (ii) the child’s parent; (iii) an authorised nominee named in the child’s enrolment record; (iv) a person authorised by — (A) the child’s parent; or (B) an authorised nominee named in the child’s enrolment record; (c) the role and responsibilities of the service the care of which the child is entering or leaving; (d) the communication arrangements between the service the child is leaving and the service the child is entering, including any communication arrangements if the child is missing or cannot be accounted for during the child’s travel; (e) the procedure to be followed by the service if the service has identified that the child is missing or cannot be accounted for during the child’s travel; (f) given the risks posed by the child’s travel, the number of educators or other responsible adults that are appropriate to provide supervision; (g) the proposed route and destination, including any proximity to harm and hazards; (h) the process for entering and exiting — (i) the service premises; and (ii) the pick-up location or destination (as required); (i) the procedure to be followed by the service to ensure the child leaves the service premises in accordance with section 165A(4)(b) of the Law as applying in Western Australia.  (5) If, after conducting a risk assessment, a risk relating to a child’s travel is identified, the approved provider must make any necessary updates to the safe arrival of children policies and procedures as soon as practicable.  (6) The approved provider must keep a record of each risk assessment conducted under this regulation. |  |  |  |  |
|  | ***TRANSPORT*** |  |  |  | Transport does not include walking transportation.  Transport is for REGULAR transport NOT for an excursion |
| **R.102B** | **Does the service provide regular transportation for children?** |  |  |  | If YES move to R.102C  If NO checklist is complete. |
| **R.102C**  *CD - AP* | **Has the service conducted a risk assessment for transporting of children by education and care service?**  A risk assessment must consider:  (a) the proposed route and duration of the transportation; and  (b) the proposed pick‑up location and destination; and  (c) the means of transport; and  (d) any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported; and  (e) any water hazards; and  (f) the number of adults and children involved in the transportation; and  (g) given the risks posed by transportation, the number of educators or other responsible adults that is appropriate to provide supervision and whether any adults with specialised skills are required; and  (h) whether any items should be readily available during transportation; and  Example for this paragraph:  A mobile phone and a list of emergency contact numbers for the children being transported.  (i) the process for entering and exiting-  (i) the education and care service premises; and  (ii) the pick‑up location or destination (as required);  and  (j) procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking.   * a risk assessment for a regular transportation of a child was prepared not more than 12 months ago. |  |  |  |  |
| **R.102D** | **Authorisation for service to transport children.**  The authorisation must be given by a parent, or other person named in the child’s enrolment record as having authority given by a parent to authorise the child being transported by the service or on transportation arranged by the service, and must state:  (a) the child’s name; and  (b) the reason the child is to be transported;  and  (c) if the authorisation is for regular transportation, a description of when the child is to be transported; and  (d) if the authorisation is not for regular transportation, the date the child is to be transported; and  (e) a description of the proposed pick‑up location and destination; and  (f) the means of transport; and  (g) the period of time during which the child is to be transported; and  (h) the anticipated number of children likely to be transported; and  (i) the anticipated number of staff members and any other adults who will accompany and supervise the children during the transportation; and  (j) any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported; and  (k) that a risk assessment has been prepared and is available at the education and care service; and  (l) that written policies and procedures for transporting children are available at the education and care service.   * If the transportation is regular transportation, the authorisation is only required to be obtained once in a 12-month period. |  |  |  |  |

**Comments/Discussion:**

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**APPENDIX A**

**Family Day Care Educator Water Hazard Checklist**

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

***Should the residence have a pool, spa or water feature, the AO must refer to Appendix A.***

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

| **Law/**  **Reg** | **Item** | **Yes** | **No** | **Not determined** | **Comments** |
| --- | --- | --- | --- | --- | --- |
|  | ***SAFETY, HEALTH & WELLBEING*** |  |  |  |  |
|  | Take photos of the Pool/Spa area, including gates and fencing |  |  |  |  |
|  | Is the educator aware of the condition that every time a child is outside near the water hazard, they need to be directly supervised? |  |  |  |  |
| **S 167 (3)** | **Offence relating to protection of children from harm and hazards.**  Every reasonable precaution is taken to protect a child from harm and from any hazard likely to cause injury.   * fencing, gates and latches in working order * gates must swing away from the pool/spa * no tempting objects floating in the pool/spa * no furniture, objects or equipment inside or outside the pool fenced area that could help a child access the pool area * no climbable structures attached to or located near the pool fencing   What safety precautions does the educator take regarding the pool/water hazard area? (the area should be checked for safety prior to every occasion the children go outside) |  |  |  |  |
| **R.116** | **Assessments of family day care residences and approved family day care venues**  (2)(d) Has the existence of the water hazard, water feature or swimming pool at or near the residence/venue been considered and assessed as part of the annual assessment of the FDC residence/venue? |  |  |  |  |
| **R373DA** | **Condition on service approval: Safety devices for swimming pools and outdoor spas**.  Does the FDC residence/venue have at least one safety device for the swimming pool or outdoor spa? (please see definition of safety device in terms used below) |  |  |  |  |
| **R.373E** | **Condition on service approval: water hazard safety inspections.**  (2) Has a water hazard safety inspection been conducted each month since 1 Sept 2022?  Please record the dates of each virtual inspection and each physical inspection conducted over the past 12 months (calendar year).  *(4)(5) NB. No more than 2 consecutive virtual inspections may be undertaken, no more than 6 virtual inspections per calendar year.*  (3) Have the water hazard safety inspections been conducted by someone who is not the FDC Educator, or a person who resides at the residence/venue?  (6)(a) Has a water hazard safety inspection checklist been completed for each inspection,  (6)(b) and included in a written report prepared and provided to the approved provider:   1. within 24hours if a safety issue has been identified or 2. in any other case, within 7 days of the inspection being completed?   (7)(8) Does the water hazard safety inspection checklist include the following information:  (a) the address of the residence or venue;  (b) the date and time of the inspection;  (c) the full name of the person who conducted the inspection and the person’s signature;  (d) whether the inspection was a virtual inspection;  (e) the type and condition of each safety device for a swimming pool or outdoor spa that is at the residence or venue;  (f) whether any safety issue relating to a swimming pool, outdoor spa or hazardous water feature was identified and, if so —  (i) a description of the safety issue; and  (ii) whether the safety issue was rectified during the inspection; and  (iii) if the safety issue has not been rectified, the action that the person who conducted the inspection considers should be taken to rectify it and mitigate risks associated with it before it is rectified; and  (iv) if relevant, an estimate of the time that is needed to complete the action referred to in subparagraph (iii);  (g) any other information required by the form determined under subregulation (7)(a). |  |  |  |  |
| **R.373G** | **Offences relating to water hazard safety inspection reports: Family Day Care Educator**   1. Has the FDC Educator kept water hazard safety inspection reports for at least 3 years after completion? 2. Are these water hazard safety inspection reports made available to the Regulatory Authority upon request? 3. Are these water hazard safety inspection reports made available to the parent of a child upon request? |  |  |  |  |
| **R 171** | Has the educator read or have a copy of the Services water safety policy? |  |  |  |  |

##### 373B. Terms used

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

(a) situated outdoors; and

(b) more than 300 mm deep; and

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

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

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

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

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

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

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

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

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