

Policy title	2.14 Acceptance and Refusal of Authorisations
Policy type	Management
Group	Family and Children

1. Rationale

Under the *Education and Care Services National Regulations 2011* and the *Children's Services Regulations Victoria 2009* there are circumstances where a service provider must obtain authorisation from the authorised nominee. These include:

- the administration of medication (Regulation 92)
- the collection of children (Regulation 99), except in the case of emergency
- excursions (Regulation 102)
- photographing a children in an education and care service
- access to personal records
- children leaving the premises in the care of someone other than their parent/guardian (Regulation 99), except in the case of an emergency
- children being taken on excursions

Failure to obtain the correct authorisation can affect the health and safety of children and can result in penalties to the service for failing to comply with Regulations.

The purpose of this Policy is to ensure Moonee Valley City Council staff obtain correct authorisation as required by the *Education and Care Services National Regulations 2011* and the *Children's Services Regulations 2009* and refuse authorisations that do not comply.

2. Policy statement

Moonee Valley City Council is committed to:

- obtaining all correct authorisation as required in the *Education and Care Services National Regulations 2011*

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- obtaining verbal consent in situations where written authorisation cannot be obtained, provided details of this verbal consent are recorded by staff and shortly thereafter, confirmed in writing or via email by the parent/guardian
- refusing requested action if the correct authorisation is not obtained in advance

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Procedure	2.14 Acceptance and Refusal of Authorisations Procedure
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Action	Approved Provider	Responsible Person or Primary Nominee	Educator/contractor	Families	Education and Care Services National Regulations 2011	Education and Care Services National Law Act 2010	Children's Services Regulations 2009 & Children's Services Act 1996
Maintain a duty of care at all times by ensuring the service operates in line with <i>Education and Care Services National Regulations 2011</i> and the <i>Children's Services Regulations 2009</i> requirements for authorisations, and with this Policy and Procedures.		✓	✓		r.84 r.170 r.168 r.123 r.158-161 r.103 r.263	s.167 s.165 s.169 s.170-171 s.174-175	r.50 r.53 r.72 s.26 s.26A s.27 s.29 s.29A s.29B
Oversee and guide staff to ensure adherence to this Policy and Procedures.	✓	✓	✓		r.170 r.263	s.167 s.165 s.169 s.170-171 s.174-175	r.50 r.53 r.72 s.26 s.27 s.29A
Ensure that all parents/guardians have completed the following sections of their child's Enrolment Form, and that the form is signed and dated before the child is enrolled at the service: <ul style="list-style-type: none"> authorised persons authorisation to emergency medical treatment general consent 	✓	✓	✓	✓	r.99 r.158-161	s.167 s.170-171 s.174-175	r.31-35 r.72 r.83 s.29B s.32B

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Action	Approved Provider	Responsible Person or Primary Nominee	Educator/contractor	Families	Education and Care Services National Regulations 2011	Education and Care Services National Law Act 2010	Children's Services Regulations 2009 & Children's Services Act 1996
<ul style="list-style-type: none"> Privacy Collection Statement 							
<p>In this policy, the term parent/guardian or Responsible Person/Authorised Nominee does not include a parent/guardian who is prohibited by a court order from having contact with the child.</p>	✓	✓	✓		r.99 r.160-161	s.167 s.165 s.169 s.170-171 s.174-175	r.31-33 r.72 s.26 s.32B
<p>For verbal authorisations:</p> <ul style="list-style-type: none"> confirm the identity of the person providing the authorisation ensure the person is an authorised person on the child's enrolment record outline and record the nature of the authorisation being sought record the time and date of the verbal authorisation record the name of the person nominated by verbal authorisation, and how that person's identity was confirmed 	✓	✓	✓		r.160-161	s.167 s.165 s.169 s.170-171 s.174-175	r.72 r.50 r.53 r.75 r.83 r.86-88 s.26 s.29A s.29B s.32B
<p>Ensure all authorisations are retained in the child's enrolment record.</p>	✓	✓	✓		r.160-161	s.167 s.175	r.31-34 s.26

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							s.32B
Apply these authorisations to the collection of children, administration of medication, excursions, photographing of children, and access to records.	✓	✓	✓		r.160-161 r.99 r.90 r.92-96 r.181-182	s.167 s.165 s.169 s.170-171 s.174-175	r.72 r.50 r.53 r.75 r.83 r.86-88 s.26 s.26A s.29A s.29B
Exercise the right of refusal if written or verbal authorisations do not comply.	✓	✓	✓		r.99	s.167 s.175	r.72 s.26
Waive compliance where a child requires emergency medical treatment for conditions such as anaphylaxis or asthma, provided the parent/guardian is contacted as soon as practicable after the medication has been administered.	✓	✓	✓		r.90 r.99 r.85-87 r.89 r.92-96	s.167 s.165 s.169	r.75 r.83 s.26 s.29B
Correct authorisation or refusal is provided to the service when requested.	✓	✓	✓		r.99	s.167 s.175	r.31-33 r.72 r.75 r.83 s.26 s.32B
Keep child enrolment details current by confirming Authorised Persons /Responsible Person.			✓		r.177-179	s.167 s.175	r.31-33 s.26 s.32B
Inform service of current contact numbers to ensure you are contactable at all times.			✓		r.177-179	s.167 s.175	r.31-33 s.26 s.32B

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Ensure that when children require medication to be administered by staff/educators/contractors, you authorise this in writing, and sign and date it for inclusion in your child's Medication Record.			✓		r.90 r.92-96	s.167 s.175	r.83 r.88 s.26 s.29B
Ensure documentation relating to authorisation contains the name of the child enrolled in the service and the date of the authorisation.	✓	✓	✓		r.90 r.92-96 r.99 r.177-179	s.167 s.175	r.31-34 s.26 s.29B s.32B
For written authorisations, obtain the signature of the child's parent/guardian or the nominated contact person who is on the Enrolment Form.	✓	✓	✓		r.90 r.92-96 r.99 r.177-179	s.167 s.175	r.31-34 s.26 s.29B s.32B

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Link to Council policies

The *Council Plan 2013/ 2017* Council Plan 2013-17 (pdf, 3.52MB) consists of five themes, each comprising strategic objectives, strategies for achieving these objectives and strategic indicators. The themes of the Council Plan follow the Council's community vision:

- friendly and safe – a community where people feel connected and safe.
- green, clean and beautiful – a sustainable environment for future generations.
- sustainable living – clear direction for growth and development of the municipality.
- vibrant and diverse – opportunities for all.
- excellence in governance – dynamic, effective and accountable.

The Council's Public Health and Wellbeing Plan 2013-17 sets out how we intend to develop a healthier city over the next four years. Our vision is to shape a healthy city that works together to sustain our good health, respond to new and emerging issues and promote equitable health outcomes. The four key themes of the Council's Public Health and Wellbeing Plan (the Health Plan) are: healthy places; safe and connected communities; healthy people; and governance and partnerships.

This Policy and Procedures delivers on the 'Friendly and safe' goals in the *Council Plan* and Council's *Public Health and Wellbeing Plan* that promote safe and connected communities.

Resources and useful websites

This Policy and Procedures are aligned to the following National Quality Standard

www.acecqa.gov.au/national-quality-framework/the-national-quality-standard

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Family and Children's Services	Michele Leonard	2.14 Acceptance and Refusal of Authorisations Procedure	August 2015	June 2017