

Early Learning

Acceptance and Refusal of Authorisations Policy

Policy Statement

Uniting Early Learning is committed to ensuring:

- The health, safety and wellbeing of children is our number one priority. Our range of safeguards include policies and procedures for the acceptance and refusal of authorisations
- Our families are part of the service decision-making process
- Educators and staff are provided with the necessary training and support to act in accordance with authorisations provided
- We prioritise good governance and quality management
- Our acceptance and refusal of authorisations processes are effective and transparent and meet all regulatory requirements.

Executive Summary

A fundamental requirement of an early childhood service is to ensure that every reasonable precaution is taken to protect children from harm and hazard likely to cause injury, whilst attending services including associated activities such as excursions and nature program. Parent's or legal guardian's written authorisation for a variety of circumstances will enable service staff to meet their obligations set out in the law.

Authorisations in writing, signed and dated by a parent or authorised person must be obtained and properly maintained in relation to a child: being administered medication while attending the service; participating in an excursion or leaving the service premises and emergency notification if parents are unable to be contacted.

All parents must complete the authorisation section of their child's enrolment form (refer to *Enrolment and Orientation Policy*), and sign and date this before the child is enrolled at the service.

There may be circumstances where a service refuses to accept an authorisation if it does not meet the requirements. In such a case, reasons why the authorisation cannot be accepted must be explained immediately and an appropriate alternative authorisation provided as soon as possible.

Current Environmental Context

Under the *National Law and Regulations*, early childhood services are required to obtain written authorisation from parents and/or authorised nominees (refer to *Definitions*) in some circumstances, to ensure that the health, safety, wellbeing and best interests of the child are met. These circumstances include but are not limited to:

- Self-administration of medication (if applicable) (*Regulation 96*)
- Children leaving the service premises (*Regulation 99*)
- Children being taken on excursions (*Regulation 102*)
- Transport provided or arranged by the service (*Regulation 102D*)
- Seeking medical treatment for children and transportation by an ambulance service (*Regulation 161*).

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Specific service policies (*including the Administration of Medication Policy, Delivery and Collection of Children Policy, Enrolment and Orientation Policy and Excursions and Service Events Policy*) should include details of the conditions under which written authorisations will be accepted. However, there may be instances when a service refuses to accept a written authorisation. The *Education and Care Services National Regulations 2011 (Regulation 168(2) (m))* specify that services are required to develop a policy in relation to the acceptance and refusal of authorisations to help educators/staff and parents understand exactly what they need to do.

This policy outlines procedures to be followed when refusing a written authorisation from a parent or person authorised and named in the enrolment record. As an example, the *National Law* does not specify the minimum age of a person who is authorised to collect a child from the service premises. After consulting with parents and families, the approved provider may adopt a policy position accepting authorisations for persons over the age of 16 to collect a child from the service. This decision will then be outlined in the service's *Delivery and Collection of Children Policy*. In the event that the service receives written authorisation for a person under the age specified in its *Delivery and Collection of Children Policy*, to collect a child from the service, the procedures outlined within this policy for refusing this written authorisation would be enacted.

Reference/Sources

This policy should be read in conjunction with:

Uniting Child Safety Policy – Uniting adopts the Uniting Church Australia National Child Safety Policy Framework, 2019 and the principles of this Policy Framework.

Administration of Medication Policy	Anaphylaxis Appendix Policy
Asthma Appendix Policy	Child Safety policy Child Safety – Code of Conduct
Dealing with Medical Conditions Policy	Delivery and Collection of Children Policy
Diabetes Appendix Policy	Emergency and Evacuation Policy
Enrolment and Orientation Policy	Epilepsy Appendix Policy
Excursions Regular Outings and Service Events Policy	Incident, Injury, Trauma and Illness Policy

- Australian Children’s Education and Care Quality Authority (ACECQA): www.acecqa.gov.au/
- Children, Youth and Families Act 2005 (Vic) Child Wellbeing and Safety Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic) (Part 2: Principles for Children)
- Family Law Act 1975 (Cth)
- Children’s Services amendment Act 2019
- Children’s Services Regulations 2020
- Education and Care Services National Law Act 2010: Section 167
- Education and Care Services National Regulations 2011: Regulations 96, 99, 102, 160, 161, 168(2)(m), 170
- National Quality Standard, Quality Area 2: Children’s Health and Safety
- Tasmanian Licensing Standards for Centre Based Child Care Class 5 (October 2014). Standard 4,15c, d, e.

Note: Volunteers and students, while at the service, are responsible for following this policy and its procedures.

Authorisation This policy was adopted by Uniting Early Learning on: 11/12/2023

Review This policy is to be reviewed by: 19/3/2025

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Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	ECT, Educators, FDC educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					
Ensure that all service policies are accessible and available for inspection at the service Click here <i>Regulation 168, 169, 171</i>	R	✓	✓		
Ensure that all staff and educators follow the policies and procedures of the service <i>Regulation 170</i>	R	✓	✓		
Complete and sign the authorised nominee section (<i>refer to Definitions</i>) of their child's enrolment form (<i>refer to Enrolment and Orientation Policy</i>) before their child commences at the service				✓	
Sign and date permission forms for excursions				✓	
Sign the attendance record (<i>refer to Definitions</i>) as the child arrives at and departs from the service				✓	
Provide written authorisation where children require medication to be administered by educators/staff, and sign and date it for inclusion in the child's medication record (<i>refer to Definitions</i>)				✓	
Ensure that all parents complete the authorisation section of their child's enrolment form in Xap/Harmony, and it is authorised and dated before the child commences at the service (<i>refer to Enrolment and Orientation Policy</i>) <i>Regulation 161</i>	R	✓	✓		
Ensure the authorisations are kept up-to-date <i>Regulation 161</i>	R	✓	✓	✓	
Ensure that all parents have completed the authorised nominee section of their child's enrolment form (<i>refer to Enrolment and Orientation Policy</i>), for authorisation for seeking medical treatment and transportation of the child by an ambulance service <i>Regulation 160 (1) (b)</i>	R	✓	✓		
Ensure that where children require medication to be administered by educators, this is authorised in writing, signed and dated by a parent or authorised nominee, and included with the child's medication record (<i>refer to Definitions</i>) (<i>refer to Administration of Medication Policy and Dealing with Medical Conditions Policy</i>) <i>Regulations 92(3)(b)</i>	R	✓	✓		
Ensure educators do not administer medication without the authorisation of a parent or authorised nominee, except in the case of an emergency, including an asthma or anaphylaxis emergency (<i>refer to Administration of Medication Policy, Dealing with Medical Conditions Policy, Incident, Injury, Trauma and Illness Policy, Emergency and Evacuation Policy, Asthma Policy and Anaphylaxis Policy</i>)	R	✓	✓		

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Ensure that all parents have completed the authorised nominee section of their child's enrolment form (<i>refer to Enrolment and Orientation Policy</i>), for authorisation for the transportation of the child or arranging transportation of the child <i>Regulation 161</i>	R	✓	✓		
Ensure that permission forms for excursions are provided to the parent or authorised nominee prior to an excursion/regular outing and they are authorised by the (<i>refer to Excursions and Service Events Policy</i>) <i>Regulation 102</i>	R	R	✓		
Ensure educators allow a child to participate in an excursion or regular outings only with the written authorisation of a parent or authorised nominee (refer to Definitions) <i>including</i> details required under <i>Regulation 102(4)(5), 161</i> (<i>refer to Excursions and Service Events Policy</i>) prior to the excursion/regular outing	R	R	✓		
Ensure the service is aware of any contact orders prohibiting an adult from contacting an enrolled child, and keeping a copy of the court orders with the child's enrolment record <i>Regulation 160</i>	R	R	✓	✓	
Ensure processes are in place for circumstances where authorisations are refused/not applicable. For example: <ul style="list-style-type: none"> Where the service is asked to administer medication that is not in its original container <i>Regulation 95</i> When leaving the service, the parent, authorised nominee or person as listed in <i>Regulation 99</i> does not appear to be fit to take the child <p>The child has been given authorisation to leave the service alone, however the environment they would be in is unsafe</p>	R	✓			
Ensure that an attendance record is maintained to account for all children attending the service <i>Regulation 158, 159</i>	R	✓	✓		
Ensure and check that parents or authorised persons sign the attendance record as their child arrives and departs from the service		✓	✓		
Ensure a written record of all visitors to the service, including time of arrival and departure, is kept <i>Regulation 165</i>	R	✓	✓		
Ensure that a child is allowed to depart from the service only with a person who is the parent or authorised nominee (<i>refer to Glossary</i>), or with the written authorisation of one of these, except in the case of a medical or other emergency (<i>refer to Delivery and Collection of Children Policy and Child Safe Environment Policy</i>) <i>Regulation 99, 160, National Law: Section 167</i>	R	✓	✓		
Ensure that there are procedures in place if an inappropriate person (<i>refer to Glossary</i>) attempts to collect a child from the service (refer to Attachment 4c – Procedures to ensure the safe collection of children in <i>Delivery and Collection of Children Policy</i>) <i>National Law: Section 167</i>	R	✓	✓		
Follow procedures if an inappropriate person (refer to <i>Glossary</i>) attempts to collect a child from the service. (Refer to Attachment 4c – Procedures to ensure the safe collection of children in <i>Delivery and Collection of Children Policy</i>) <i>National Law: Section 167</i>	R	✓	✓		

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Procedures for refusing an authorisation:

On receipt of an authorisation that does not meet the requirements outlined in relevant service policies:

The Approved Provider/delegate will:

- Immediately explain to the parent that the authorisation contravenes service policy, and that it cannot be accepted
- Ensure that the parent is provided with a copy of the relevant service policy and that they understand the reasons for the refusal of the authorisation
- Request that an appropriate alternative authorisation is provided by the parent that complies with the requirements of the relevant service policy
- Ensure that procedures outlined in the relevant service policy are followed where a parent cannot be immediately contacted to provide an alternative authorisation
- Follow-up with the parent, where required, to ensure that an appropriate authorisation is obtained.

Document the process of refusal including:

- Details of the authorisation
- Why the authorisation was refused
- Actions taken by the service (e.g. if the service refused an authorised nominee named in the child's enrolment record to collect the child from the service because they were under the influence of alcohol, what action was taken to ensure that the child was collected)
- Inform the Approved Provider.

Examples of circumstances in which an authorisation might be refused

Decisions to refuse an authorisation will be made on a case-by-case basis by the service.

Following are some examples of why an authorisation might be refused.

Delivery and Collection of Children:

The service could refuse to accept an authorisation if:

- The sibling or older child authorised to take another child out of the service does not appear to be capable
- The child is given authorisation to leave the service alone, however they do not appear to be capable or the environment they would be in alone is unsafe
- The parent or authorised person does not appear to be fit to take care of the child.

Administration of Medication:

The service could refuse to accept an authorisation if:

- Someone who has not been authorised to consent to the administration of medication to the child asks the service to administer medication to that child
- The service is asked to administer medication to a child that is not in accordance with the legislative requirements, for example the medication is not in its original container, does not have the original label with the child's name, or has passed the expiry date
- Written authorisation has not been provided by a person with the authority to consent to the self-administration of medication.

Excursions

The service could refuse to accept an authorisation if the authorisation received for the excursion does not appear to have been signed by a person authorised to sign.

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