

# Intereach Children's Services

## Authorised Access to Children Procedure



<b>Applies to</b>	Intereach Family Day Care (FDC) and Intereach Out Of School Hours (OOSH)				
<b>Policy</b>	NQS Two: Children's Health and Safety Policy				
<b>Version</b>	2.0	<b>Date approved</b>	29/9/2022	<b>Next review date</b>	29/9/2025

### 1. Objective

Intereach, as the Approved Provider, recognises the diversity of families within the community and the complexities of family situations. Intereach Children's Services educators and staff will safeguard the children's safety in the service by ensuring that only authorised people have access to the children who are provided with education and care in the service. Children's enrolment records will include details of any court orders, parenting orders or parenting plans in relation to the child or access to the child.

A parent or legal guardian of a child may enter a service's premises at any time the child is being educated and cared for by the service except when:

- permitting entry would pose a risk to the safety of the children and staff of the service;
- permitting entry would conflict with any duty of the provider, supervisor or educator under the National Law; and,
- Intereach reasonably believes permitting entry would contravene a court order.

Intereach Children's Services will not facilitate Access Visits at any of their services.

This procedure, regarding access to children, should clarify for educators, staff and parents the circumstances in which a person may be denied access.

### 2. Responsibilities

It is the responsibility of the Nominated Supervisor to:

- ensure all educators and staff are aware and implement all relevant policies and procedures as required
- the parents/guardians are provided access to all service policies and procedures.
- ensure parents/guardians have signed the authorised nominee section of their child's enrolment form.

It is the responsibility of staff and educators to:

- ensure the service is contactable at any time during service operational hours;
- reserve the right to deny a parent/guardian access to the service if they pose a risk to the safety of children, educators and staff; (Refer to *Visitors to service procedure*)
- provide the opportunity to exchange information about the child with a parent/guardian at a mutually convenient time on an ongoing basis;
- seek independent legal advice for clarification, if required, and this is the advice that will be followed;
- seek a Restraining Order/AVO if required to ensure the safety of children, educators, staff and other families;
- reserve the right to have parents/guardians who are physically or verbally aggressive and intimidating, removed by the police. This is to ensure the safety of all children, educators, staff and visitors to the service;
- contact the residential parent/guardian as soon as possible and advise them of the situation; and,

- report to the state Regulatory Authority where a decision to refuse access arose as a result of circumstances which posed a risk to the health, safety and wellbeing of children;

It is the responsibility of parents/guardians of children attending Intereach Children's Services to:

- provide copies of any current court orders to the Nominated Supervisor of the service. (Copies will be passed on to educators.); and,
- provide written copies of any changes to court orders to the service, to ensure currency of information. Only court orders that are on file at the service can be followed.

### **3. Procedure**

A child will only depart from the service with a person who is the parent/guardian or Authorised Nominee, or with the written authorisation of one of these, except in the case of a medical or other emergency (Refer to *Delivery and Collection of Children Procedure*)

#### **3.1. Children with Court Orders**

- A person who has been forbidden by court order will be prevented from having contact with a child attending the service.
- Any information or documents relating to the child will not be provided to the restricted person/s on the court order.
- The person named on the court order, where possible will be prevented from entering the premises of the service while the child is attending the service and where possible prevented from collecting the child from the service. (Refer to *Visitors to the centre procedure*)
- Opportunities will be provided to discuss all relevant issues with the legal custodian concerning the situation;
- Educators and staff will act only on court orders that they have on file at the service.
- Educators and staff will immediately contact police if a parent/guardian arrives at the service in breach of a court order and advise Intereach of the incident as soon as possible.

#### **3.2. Children in Care of the Minister**

- When a child enrolled at the service is in the care of the Minister, it is ensured the correct procedures will be followed by the services as per the order of the Children's Court under the following legislation:
  - Children and Young Persons (Care and Protection) Act 1998 and are requested to release the child from their care for a supervised access visit, authorised by the NSW Department of Communities and Justice (DCJ) and,
  - Children, Youth and Families Act 2005 (Victoria) and are requested to release the child from their care for a supervised access visit, authorised by the Department of Health and Human Services (DHHS).
- If children are collected by and DCJ or DHHS nominated worker from the services to facilitate access visits, the parent or guardian is requested to update the child's enrolment form to include the relevant DCJ or DHHS nominated worker's name and contact details
  - the authorised person must show identification in the form of their licence and/or staff identification tag at the time of the child being picked up; and,
  - the authorised person picking up the child, is instructed to sign the child out of the service, stating the time the child leaves the service and then upon drop off, the time the child returns to the service.

- If the Approved Provider or Nominated Supervisor from the service believes that permitting a parent or authorised person entry to the service will contravene a court order, access will be denied.

### **3.3. Video Surveillance**

- Approval from the Nominated Supervisors/Coordination and signed consent from parents are obtained before using video monitoring or surveillance equipment at the service/premises.
  - FDC – obtain approval for use of video monitoring or surveillance from the Children's Services Coordination Unit
  - OOSH – obtain approval for use of video monitoring or surveillance from the Nominated Supervisor
- Recorded data will not be used by the services to view children or staff from a place other than the approved and consented premises.

## **4. National Quality Framework**

<b>Element</b>	<b>Concept</b>	<b>Description</b>
<b>.2.2</b>	Safety	Each child is protected
<b>.2.2.1</b>	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard
<b>2.2.2</b>	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented
<b>2.2.3</b>	Child protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
<b>7.1.2</b>	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service

## **5. Context**

<b>5.1. Standards or other external requirements</b>	Australian Children's Education and Care Quality Authority (2017), National Quality Standards Australian Children's Education and Care Quality Authority (2017), Guide to the National Quality Framework Department of Education, Employment and Workplace Relations, Childcare Service Handbook 2018-2019 Early Childhood Australia (2016), Code of Ethics Child Safe Standards NSW Child Safe Standards VIC
<b>5.2. Legislation or other requirements</b>	Education and Care Services National Regulations consolidated 2017 Education and Care Services National Law Act 2010 Family Law Act 1975 Children and Young Persons (Care and Protection) Act 1998 (NSW) Children, Youth and Families Act 2005 (Victoria)

<b>5.3. Internal Documentation</b>	Intereach Child Safe policy Delivery and Collection of Children Procedure Enrolment and Orientation Procedure Visitors to the Service Procedure Attendance Record Communication Plan Enrolment Form Enrolment Update Form Relief Care Consent Form - FDC Visitor Attendance Record
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<b>6. Document control</b>			
<b>Version</b>	<b>Date approved</b>	<b>Approved by</b>	<b>Next review date</b>
1.0	13/12/2019	R. Phillips - Acting Senior Manager, Children and Family Services	13/12/2022
2.0	29/09/2022	M.Tai, General Manager, Operations	29/09/2025