

<b>Applies to</b>	Intereach Family Day Care (FDC)				
<b>Policy</b>	NQS Two: Children's Health and Safety Policy				
<b>Version</b>	2.0	<b>Date approved</b>	23/12/2025	<b>Next review date</b>	23/12/2028

### 1. Objective

To ensure the timely, accurate, and consistent reporting of serious incidents within Family Day Care services, in accordance with regulatory requirements. This procedure aims to safeguard the wellbeing of children, support educators and families, and maintain compliance with the National Law and Regulations by outlining clear steps for identifying, documenting, and notifying relevant authorities of serious incidents.

### 2. Background

Family Day Care services operate under the National Quality Framework (NQF), which mandates the reporting of serious incidents to ensure the safety, wellbeing, and protection of children in care. Serious incidents may include injury, illness, trauma, death, missing children, or any situation requiring emergency services. Accurate and timely reporting is essential not only for regulatory compliance but also for continuous improvement in service delivery and risk management.

The ACECQA National Decision Tree assists approved providers, nominated supervisors and educators to identify when and how to notify the regulatory authority. This interactive tool provides clear guidance on required notifications, detailing specific incidents or events that mandate notification and the timeframes within which they must be reported. The National Decision Tree aims to streamline compliance, ensuring that all necessary regulatory requirements are met promptly and accurately [National Decision Tree | ACECQA](#)

### 3. Definitions

Serious incidents can include:

- the death of a child while that child is being educated and cared for at the service or following an incident while that child was being cared for by the service;
- a serious injury or trauma while the child is being educated and cared for, which:
  - required urgent medical attention from a registered medical practitioner; or
  - the child attended or should have attended a hospital\* (e.g. a broken limb).
- any incident involving serious illness at the service, where the child attended or should have attended a hospital\* (e.g. severe asthma attack, seizure or anaphylaxis);
- any circumstance where a child appears to be missing or cannot be accounted for;
- any circumstance where a child appears to have been taken or removed from the service premises by someone not authorised to do this;
- any circumstance where a child is mistakenly locked in or locked out of the service premises or any part of the premises; and/or,
- any emergency for which emergency services attended. (It does not mean an incident where emergency services attended as a precaution).

*\*NOTE: In some rural or remote locations a General Practitioner conducts consultations from a hospital site. Only treatment related to serious injury, trauma or illness is required to be notified.*

1. A serious injury, illness or trauma includes:

## *Intereach Children's Services Notification of Serious Incidents Procedure*

- Amputation;
- Anaphylactic reaction requiring hospitalisation;
- Asthma requiring hospitalisation;
- Broken bone/Fractures;
- Bronchiolitis;
- Burns;
- Diarrhoea requiring hospitalisation;
- Epileptic seizures;
- Head injuries;
- Measles;
- Meningococcal infection;
- Sexual assault; or,
- Witnessing violence or a frightening event.
- Inappropriate conduct by an educator, staff member, volunteer, or visitor that compromises child safety or wellbeing, as defined under the amended National Law (effective 2026) are considered as a serious incident. Examples include: hitting, pushing, slapping, pinching or biting a child
- force-feeding a child
- yelling at or belittling a child
- humiliating a child
- physically dragging a child
- locking children away (or isolating them)
- depriving a child of food or drink
- unreasonable restraining of a child (this may include
- restraint in a high chair)
- excluding children from events
- consistently moving children to the office or other space
- away from the play areas
- moving children to another room as punishment
- verbally or physically threatening a child
- Inappropriate conduct is defined as conduct a reasonable person would consider to be inappropriate in an education and care service.

Other examples of inappropriate practice are:

- • negative labelling of child or family
- • criticising a child's actions or behaviours
- • discouraging a child from taking part in activities
- • blaming or shaming a child
- • making fun of or laughing at or about a child
- • using sarcastic or cruel humour with or to a child
- excessive use of negative language to a child, such as, "no" "stop that!" "don't..." "you never..."

## 4. Responsibilities

It is the responsibility of the Nominated Supervisor to:

- Ensure Educators and staff are aware of their responsibilities under the Education and Care National Law and Regulation
- Ensure educators and staff adhere to the serious incident reporting procedures
- Report all serious incidents immediately upon becoming aware of the incident, in accordance with the *Intereach Incident management Policy*. Reporting must occur either immediately or within the specific timeframes outlined in the table below, depending on the type and severity of the incident

Serious Incident Type	Notification Requirement	Time Frame
Death of a person: whether an employee, contractor, or member of the public	Relevant Program Snr Mgr Executive Team Snr Mgr WHS & Quality (notifies State WHS Regulator)	Immediately
	Board	Within 2 hours
A serious injury or illness as defined by the WHS Regulator Or dangerous incident/occurrence that exposes any person to serious risk, even if no one is injured	Relevant Program Snr Mgr Snr Mgr WHS & Quality (notifies State WHS Regulator)	Immediately
	Executive Team	Within 2 hours
An injury, trauma or illness that is not defined as serious by the state WHS Regulator, however, requires urgent medical attention from a medical practitioner, the attendance of emergency services or where the person should have attended a hospital	Relevant Program Manager Program Manager, WHS	Immediately
	Relevant Program Snr Mgr Snr Mgr WHS & Quality	Within 4 hours
Privacy / Data Breach	Incident Response Team (notifies relevant funding body and regulator as appropriate to contractual requirements)	Immediately
	Quality Team	Within 24 hours
Any serious incident involving a child as per serious incidents identified in the Intereach Incident Management Policy (section 5.1 - 55)	Relevant Program and Senior Manager (notifies relevant funding body and regulator as appropriate to contractual requirements) Snr Mgr WHS & Quality	Immediately
	Executive Team	Within 2 hours
Any incident involving a Participant	Relevant Program Manager	Immediately

*Intereach Children's Services Notification of Serious Incidents Procedure*

	(Notifies relevant funding body and regulator as appropriate to contractual requirements)	
Any event that causes disruption to the ability to deliver services for any length of time	Executive Team (Notifies relevant funding body as appropriate to contractual requirements)  Relevant Program Snr Mgr	Immediately

- report to the regulatory authority through the NQA IT System within the specific time frames depending on the type and severity of the incident as indicated in the table below;

Section/Regulation	Serious Incident -details	Notification Time Frame
Section 174(2)(a) – Regulation 12(a)	Serious incident - Death of a child	As soon as practicable, but within 24 hours
Section 174(2)(a) – Regulation 12(c)	Any incident involving serious illness of a child while being educated and cared for which the child attended or ought reasonably to have attended a hospital	Within 24 hours of the incident or of becoming aware of the incident
Section 174(2)(a) Regulation 12(b)	Any incident involving serious injury or trauma to a child while being educated and cared for which the child attended or ought reasonably to have attended a hospital, or a reasonable person would consider that the child would require urgent attention from a registered medical practitioner	Within 24 hours of the incident
Section 174(2)(a) Regulation 12(d)	Any emergency for which emergency services attended	Within 24 hours of the incident
Section 174(2)(a) Regulation 12(e)(i) and 12(e)(ii)	A child appears to be missing or cannot be accounted for or appears to have been removed from the premises in a manner that contravenes the National Regulations	Within 24 hours of the incident
Section 174(2)(b) Regulation 12	Any complaint alleging that: - a serious incident has occurred or is occurring at an education and care service (refer to Serious Incidents outlined in table above), or - the National Law has been contravened	Within 24 hours of the complaint
Section 174(2)(c) Regulation 175(2)(b)	Any incident that requires the approved provider to close, or reduce the number of children attending the service for a period	Within 24 hours of the incident
Section 174(2)(c) Regulation 175(2)(c)	Any circumstance at the service that poses a risk to the health, safety or	Within 7 days

## *Intereach Children's Services Notification of Serious Incidents Procedure*

	wellbeing of a child attending the service	
Section 174(2)(cl) Regulation 175(2)(d) Regulation 176 (2)(bb)	Any incident where the approved provider reasonably believes that physical or sexual abuse of a child or children has occurred or is occurring while the child is being educated and cared for by the service	Within 24 hours of the allegation or within 24 hours of the approved provider becoming aware of the allegation
Section 174(2) (a) Section 176(2)(a)	Inappropriate conduct toward a child—NSW explicitly makes this an offence under the National Law (s 5AA), defining it as behaviour a reasonable person would consider inappropriate in an ECEC setting.	Within 24 hours

Educators will:

- Ensure they understand the Education and Care Services National Law and Regulations relating to serious incidents.
- Follow the Serious Incident Reporting Procedure.
- Report any of the following to the Nominated Supervisor as soon as possible:
- Any serious incident that occurs while a child is being educated and cared for.
- Any complaints alleging a serious incident has occurred or that the **National Law** has been contravened.
- Any circumstances at the residence or venue that may pose a risk to the health, safety, or wellbeing of children, including but not limited to:
- Renovations or structural changes to the residence or venue.
- Outbreaks of infectious diseases.
- Natural disasters such as bushfires, floods, or severe weather events.
- Provide appropriate first aid and immediate assistance to the child involved.
- Contact all relevant people and authorities, including:
  - Emergency services
  - The **Nominated Supervisor**
  - The child's parent or guardian
    - Complete and incident, injury, trauma and illness report as soon as practicable and have it signed by the parent/ guardian
- Notify service leaders if you observe, suspect or receive an allegation that someone is engaging or has engaged in inappropriate conduct

## 5. National Quality Framework

Element	Concept	Description
<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

## Intereach Children's Services Notification of Serious Incidents Procedure

Element	Concept	Description
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practised and implemented
2.2.3	Child Safety and Protection	Management, educators and staff are aware of their roles and responsibilities regarding child safety, including the need to identify and respond to every child at risk of abuse or neglect.
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service that is child safe

6. Context	
4.1 Standards or other external requirements	Australian Children's Education and Care Quality Authority (2017). <i>National Quality Standards</i> Australian Children's Education and Care Quality Authority (2017). <i>Guide to the National Quality Framework</i> Department of Education, Employment and Workplace Relations. <i>Childcare Service Handbook, 2017 - 2018</i>
4.2 Legislation or other requirements	Education and Care Services National Regulations consolidated 2017 Education and Care Services National Law Act 2010 NSW Public Health Act 2010 Occupational Health and Safety Act 2000 and Regulation 2001 (NSW)
4.3 Internal documents	Intereach Risk Management Policy Intereach Incident Management Policy Incident, Injury, Trauma and Illness Form Incident, Injury, Trauma and Illness Procedure

7. Document control			
Version	Date approved	Approved by	Next review date
1.0	12/12/2019	Joint Leadership Governance Group	12/12/2022
2.0	29/09/2022	M.Tai – General Manager, Operations	29/09/2025
1.0	03/09/2025	The Children's Services procedure separated to be a standalone procedure for FDC and approved by: J Farrow - Manager Education and Care	03/09/2028
2.0	23/12/2025	Process updated to include legislative changes – Approved by: K Hyde – General Manager, Operations	23/12/2028