



## SUPERVISION OF CHILDREN POLICY

### Best Practice – Quality Area 2

Precious Gems Childcare Pty Ltd trading as "Kids Haven Childcare"

Quality Area 2.2	Safety – Each child is protected
Quality Area 2.2.1	Supervision – Reasonable precaution & Adequate Supervision
Quality Area 2.2.2	Incident & Emergency management- manage incidents & emergencies
Quality Area 2.2.3	Child Protection

### Legislative Requirements/ Educational & Care National Regulations

National Law Section 161	Offence to operate education and care service without nominated supervisor
National Law Section 162	Offence to operate education and care service unless responsible person is present
National Law Section 165(1)(2)	Offence to inadequately supervise children
National Law Section 167	Offence relating to protection of children from harm and hazards
National Law Section 169	Offence relating to staffing arrangements ( <b>Ratios -Reg123</b> )
National Law Section 170(2)	must ensure that a person does not remain at the education and care service premises while children are being educated and cared for at the premises, unless— (a) the person is an authorised person; or (b) the person is under the direct supervision of an educator or other staff member of the service.
Regulation 12	Meaning of serious incident
Regulation 13	Meaning of working directly with children
Regulation 100	Risk assessment must be conducted before excursion
Regulation 101	Conduct of risk assessment for excursion
Regulation 115	Premises are designed to facilitate supervision
Regulation 120	Educators who are under 18 to be supervised
Regulation 121	Application of Division 3
Regulation 122	Educators must be working directly with children to be in ratios
Regulation 123(1)	<b>Educator to child ratios – centre-based services</b> (a) for children from birth to 24 months of age—1 educator to 4 children; (c) for children aged 36 months of age or over (not including children over preschool age)—1 educator to 11 children; (d) for children over preschool age, 1 educator to 15 children
Regulation 126	Centre based services – general educator qualification
Regulation 136(1)	First aid Qualification (at least <b>one staff member or one nominated supervisor</b> of the service who holds a current approved first aid qualification, anaphylaxis management training <b>and</b> emergency asthma management training).
Regulation 151	Keeping a record of ECT/educators working directly with children
Regulation 158(1)	Children's Attendance record to be kept by approved provider
Regulation 166	Education and care services must have policies and procedures
Regulation 176	Time to notify certain circumstances to Regulatory Authorities
Regulation 264	General qualifications for educators – centre based
Regulation 273	Course in child protection
Regulation 356	Qualification for Educators – Children over preschool age
Regulation 357	Educator to child ratio—children aged over 24 months but less than 36 months

### Related Policies

Arrival and Departure Policy  
Emergency Evacuation Policy  
Code of Conduct Policy  
Child Protection Policy  
Interactions with Children Policy  
Excursions and Service Events Policy  
Dealing with Medical Conditions Policy

Sleeping and Rest Requirement Policy  
Incident, Illness and Trauma Policy  
Administration of Medication Policy  
Water Safety Policy  
Road Safety and Safe Transport Policy  
Complaints and Grievances Policy

## PURPOSE

This policy will provide guidelines to ensure:

- the adequate supervision of all enrolled children is maintained at all times.
- the provision of a safe and secure environment for all children at Kids Haven Childcare

## POLICY STATEMENT

### 1. VALUES

Kids Haven Childcare is committed to:

- Provide appropriate supervision for all enrolled children in all aspects of the service's program that is reflective of the children's needs, abilities, age and circumstances
- Ensuring all children are directly and actively supervised by educators employed or engaged by Kids Haven Childcare
- Maintaining a duty of care (*refer to Definitions*) to all children at Kids Haven Childcare
- Ensuring there is an understanding of the shared legal responsibility and accountability between, and a commitment by, all persons to implement the procedures and practices outlined in this policy.

### 2. SCOPE

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, staff, students, volunteers, parents/guardians, children, and others attending the programs and activities of Kids Haven Childcare including during offsite excursions and activities.

### 3. RESPONSIBILITIES

RESPONSIBILITIES	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					
Complying with the legislated ECT/educator-to-child ratios at all times ( <a href="#">National Law: Sections 169</a> ) ( <a href="#">Regulations 123</a> )	R	R	√		
Counting only those educators who are working directly with children at the service in the educator-to-child ratios ( <a href="#">Regulation 122</a> )	R	R	√		
Keeping a record of ECT/educators working directly with children ( <a href="#">Regulation 151</a> )	R	√			
Ensuring any educator under the age of 18 is not left to supervise children on their own ( <a href="#">Regulation 120</a> )	R	√	√		
Ensuring an unauthorised person is under the direct supervision of an ECT/educator whilst at the service ( <a href="#">National Law: Section 170 (2)</a> )	R	R	√		

Ensuring, in addition to ratio requirements, that a minimum of two educators are rostered on duty at all times children are in attendance at the service	✓	✓	✓		
Ensuring that children being educated and cared for by the service are adequately supervised ( <i>refer to Definitions</i> ) by being in sight and/or hearing of an educator at all times; including during eating, toileting, sleep, rest and transition routines ( <i>National Law: Section 165 (1), (2)</i> )	R	R	✓		
Considering the design and arrangement of the service environment to support active supervision ( <i>Regulation 115</i> ). This may be supported by a supervision plan ( <i>refer to Attachment 1</i> )	R	✓	✓		
Managing potential risk of abuse or harm to each child, including fulfilling duty of care ( <i>refer to Definitions</i> ) and legal obligations to protect children and prevent any reasonable, foreseeable risk of injury or harm ( <i>refer to Child Safe Environment Policy</i> )	R	R	R		R
Identifying high-risk activities, including excursions ( <i>refer to Excursions and Service Events Policy, Road Safety and Safe Transport Policy and Water Safety Policy</i> ), through a risk management process, and implementing strategies to improve children's safety e.g. Considering increasing adult-to-child ratios in line with the identified risks ( <i>Regulation 100, 101, 102B, 102C</i> )	R	R	✓		
Ensuring supervision standards are maintained during ECT/educator breaks, including during lunch breaks	R	R	✓		
Providing safe spaces for children, which allow for adequate supervision, and which include safe fall zones, good traffic flow, maintenance of buildings and equipment, and minimising trip hazards	R	✓	✓		
Implementing induction procedures to inform casual and relief staff about the supervision strategies outlined in this policy	✓	✓			✓
Notifying the Regulatory Authority (DET) within 24 hours of: <ul style="list-style-type: none"> <li>a serious incident (<i>refer to Definitions</i>) occurring at the service, including when a child appears to be missing or cannot be accounted for (<i>National Law: Section 174(2)(a)</i>), (<i>Regulations 176(2)(a)(ii)</i>)</li> <li>a complaint alleging that the health, safety or wellbeing of a child has been compromised or that the law has been breached (<i>National Law: Section 174(2)(b)</i>), (<i>Regulations 175(2)(c), 176(2)(b)</i>)</li> </ul>	R	✓			
Notifying parents/guardians of a serious incident ( <i>refer to Definitions</i> ) involving their child as soon as possible, but not more than 24 hours after the occurrence ( <i>Regulation 86, 87 (3)(e)</i> )	R	✓	✓		
Reporting notifiable incidents ( <i>refer to Definitions</i> ) to Worksafe Victoria	R	✓			
Evaluating supervision procedures regularly	R	✓	✓		
Complying with the service's <i>Excursions and Service Events, Road Safety and Safe Transport and Water Safety Policy</i>	R	R	✓	✓	✓
Identifying the potential for the risks of abuse or harm to each child, including fulfilling duty of care ( <i>refer to Definitions</i> ) and legal obligations to protect children and prevent any reasonable, foreseeable risk of injury or harm	R	R	R		

Providing support to ECT/educators when children with challenging behaviours or additional leads are involved	√	√			
Ensuring that all children are accounted for, including by referring to attendance records ( <i>refer to Definitions</i> ) at various times throughout the day, e.g. during indoor/outdoor programs		√	√		
Adjusting supervision strategies to suit the service environment, educator skills, and age mix, dynamics and size of the group of children being supervised and the activities being undertaken	R	R	√		
Maintaining a duty of care to children at all times (including when the child is on the premises but not signed into or signed out of the care of the service and the parent/guardian or person delivering or collecting the child is responsible for supervising that child)		R	R	R	
Balancing supervision requirements with children's needs for privacy and independence		√	√		
Communicating with other educators regularly to ensure adequate supervision at all times		R	√		
Adhering to the <i>Child Sage Environment Policy</i>	R	R	R	R	R
Ensuring doors and gates are closed at all times to prevent children from leaving the service unaccompanied or from accessing unsupervised/unsafe areas of the service	√	√	√	√	√
Deciding when to interrupt and redirect children's play to ensure safety at all times		√	√		√
Identifying opportunities to support and extend children's learning while also recognising their need to play without adult intervention		√	√		√
Conducting daily safety checks of the environment to assess safety and to remove hazards		√	√		
Supervising/being aware of children's daily arrival and departure from the service and being aware of the person who has authority to collect the child ( <i>refer to Delivery and Collection of Children Policy</i> )		√	√	√	
Supervising their own child/ren before signing them into the program and after they have signed them out of the program				√	
Enabling ECT/educators to supervise children at all times e.g. by making arrangements to speak with educators at a mutually suitable time				√	

#### 4. BACKGROUND

Supervision is essential in ensuring that children's safety is protected in the service environment. Children have a right to be protected from potential hazards and dangers posed by products, plants, objects, animals and people in the immediate and wider environment.

Supervision is an integral part of the care and education of children and requires staff members to make ongoing assessments of the child and the activities in which they are engaged; utilising range of skills such as positioning and peripheral vision. Active supervision assists in the development of positive relationships between educators, children and their families, and informs ongoing assessment and future planning. Adequate supervision (*refer to Definitions*) requires teamwork and good communication between educators.

#### 5. LEGISLATION AND STANDARDS

Relevant legislation and standards include but are not limited to:

- Child Safe Standards, Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- National Quality Standard, Quality Area 2: Children's Health and Safety
- Occupational Health and Safety Act 2004
- Occupational Health and Safety Regulations 2017
- Worker Screening Act 2020
- Worker Screening Regulations 2021 (Vic)

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)
- Commonwealth Legislation – Federal Register of Legislation: [www.legislation.gov.au](http://www.legislation.gov.au)

## 6. DEFINITIONS

**Adequate supervision:** (In relation to this policy) entails all children (individuals and groups) in all areas of the service, being in sight and/or hearing of an educator at all times including during toileting, sleep, rest and transition routines. Services are required to comply with the legislative requirements for educator-to-child ratios at all times. Supervision contributes to protecting children from hazards that may emerge in play, including hazards created by the equipment used.

Adequate supervision refers to constant, active and diligent supervision of every child at the service. Adequate supervision requires that educators are always in a position to observe each child, respond to individual needs, and immediately intervene if necessary. Variables affecting supervision levels include:

- number, age and abilities of children
- number and positioning of educators
- current activity of each child
- areas in which the children are engaged in an activity (visibility and accessibility)
- developmental profile of each child and of the group of children
- experience, knowledge and skill of each educator
- need for educators to move between areas (effective communication strategies).

**Attendance Record:** Kept by the service to record details of each child attending the service including name, time of arrival and departure, signature of person delivering and collecting the child or of the Nominated Supervisor or educator (Regulation 158(1)).

**Duty of care:** A common law concept that refers to the responsibilities of organisations and staff to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of education and care services and their staff to provide children with an adequate level of care and protection against foreseeable harm and injury.

**Hazard:** A source or situation with a potential for harm in terms of human injury or ill health, damage to property, damage to the environment or a combination of these.

**Incident, Injury, Trauma and Illness Record:** Contains details of any incident, injury, trauma or illness that occurs while the child is being educated and cared for by the service. Any incident, injury, trauma or illness must be recorded as soon as is practicable but not later than 24 hours after the occurrence. Details required include the:

- name and age of the child
- circumstances leading to the incident, injury, trauma or illness (including any symptoms)
- time and date
- details of action taken by the service including any medication administered, first aid provided or medical personnel contacted

- details of any witnesses
- names of any person the service notified or attempted to notify, and the time and date of this
- signature of the person making the entry, and time and date of this.

These details need to be kept for the period of time specified in Regulation 183. A sample *Incident, Injury, Trauma and Illness Record* is available on the ACECQA website.

**Notifiable incident:** An incident involving workplace health and safety that is required by law to be reported to WorkSafe Victoria. Notification is required for incidents that result in death or serious injury/illness, or dangerous occurrences. For a complete list of incidents that must be reported to WorkSafe Victoria, refer to the *Guide to Incident Notification* on the WorkSafe Victoria website: [www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)

**Serious incident:** A serious incident (Regulation 12) is defined as any of the following:

- the death of a child while being educated and cared for at the service or following an incident at the service
- any incident involving serious injury or trauma while the child is being educated and cared for, which
  - a reasonable person would consider required urgent medical attention from a registered medical practitioner; or
  - the child attended or ought reasonably to have attended a hospital e.g. a broken limb\*
- any incident involving serious illness of a child while that child is being educated and cared for by a service for which the child attended, or ought reasonably to have attended, a hospital e.g. severe asthma attack, seizure or anaphylaxis\*.

**^NOTE:** This means an incident, situation or event where there is an imminent or severe risk to the health, safety or wellbeing of a person/s at an education and care service. It does not mean an incident where emergency services attended as a precaution.

- a child appears to be missing or cannot be accounted for at the service
- a child appears to have been taken or removed from the service in a manner that contravenes the National Regulations
- a child was mistakenly locked in or out of the service premises or any part of the premises.

Examples of serious incidents include amputation (e.g. removal of fingers), anaphylactic reaction requiring hospitalisation, asthma requiring hospitalisation, broken bone/fractures, bronchiolitis, burns, diarrhoea requiring hospitalisation, epileptic seizures, head injuries, measles, meningococcal infection, sexual assault, witnessing violence or a frightening event.

If the approved provider is not aware that the incident was serious until sometime after the incident, they must notify the Regulatory Authority within 24 hours of becoming aware that the incident was serious.

Notifications of serious incidents should be made through the NQA IT System portal (<http://www.acecqa.gov.au>). If this is not practicable, the notification can be made initially in whatever way is best in the circumstances.

## EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- record and monitor complaints and incidents in relation to the supervision of children and amend the policy and procedures as required
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required

- notify parents/guardians at least 14 days before making any changes to this policy or its procedures, unless a lesser period is necessary because of a risk.

## ATTACHMENTS

- Attachment 1: Supervision risk management template

## AUTHORISATION

This policy was adopted by the Approved Provider of Precious Gems Childcare on 1st December 2022.

**REVIEW DATE:** 01/01/2024

### ATTACHMENT 1: SUPERVISION RISK MANAGEMENT TEMPLATE

This template is designed as a tool to be developed and used by all educators involved in the supervision of children at the service and should be reviewed regularly and made available to all staff working in the program. There may be additional areas that your service will want to include in the supervision risk management template.

Area/equipment	Potential supervision risk	Action to reduce or eliminate risk
For example: Fixed equipment e.g. swings, fixed climbing equipment, slides etc.		
For example: Layout of the internal and/or external areas of the service including a description of areas that provide challenges to supervision e.g. children's bathrooms, L-shaped playgrounds or playrooms, behind structures or features in the playground etc.		
For example: Staff supervision responsibilities including: quiet/active learning spaces; during indoor and outdoor programs; specific programmed experiences; and the supervision of students and volunteers		
For example: Potential hazards e.g. protruding tree roots, small pieces of equipment etc.		
For example: Arrival and departure of children		

