

## WATER SAFETY POLICY

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**Mandatory – Quality Area 2**

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

<b>Quality Area 2.1.2</b>	<b>Health practices and procedures – illness, management &amp; hygiene practices</b>
<b>Quality Area 2.2</b>	<b>Safety – Each child is protected</b>
<b>Quality Area 2.2.1</b>	<b>Supervision – Reasonable precautions &amp; adequate supervision</b>
<b>Quality Area 2.2.2</b>	<b>Incident &amp; Emergency Management – Plans to effectively manage incidents</b>

### Legislative Requirements/ Educational & Care National Regulations

<b>National Law Section 51(1)(a)</b>	Ensures the safety, health and wellbeing of the children being educated and cared for by the service;
<b>National Law Section 165</b>	Offence to inadequately supervise children
<b>National Law Section 167</b>	Offence relating to protection of children from harm and hazards
<b>National Law Section 169</b>	Offence relating to staffing arrangements
<b>National Law Section 174(2)(b)</b>	You must notify the regulatory authority <u>within 24 hours</u> of any complaint alleging that a serious incident has occurred while the child is educated and cared for or complaints alleging that the Law has been contravened.
<b>National Law Section 175</b>	Offence relating to requirement to keep enrolment and other documents
<b>Regulation 12</b>	Meaning of serious incident
<b>Regulation 84</b>	Awareness of child protection law
<b>Regulation 85</b>	Incident, injury, trauma and illness policies and procedures
<b>Regulation 86</b>	Notification to parents of incident, injury, trauma and illness- <b>but not later than 24 hours after the occurrence</b> , if the child is involved in any incident, injury, trauma or illness while at the service
<b>Regulation 87</b>	Incident, injury, trauma and illness record
<b>Regulation 122</b>	Ensuring children are actively supervised at all times
<b>Regulation 103</b>	Premises, furniture and equipment to be safe, clean and in good repair
<b>Regulation 123</b>	Educator to <b>child ratios</b> —centre-based services
<b>Regulation 136</b>	First aid qualifications
<b>Regulation 161</b>	Authorisation to be kept in enrolment record
<b>Regulation 162</b>	Health information to be kept in enrolment record
<b>Regulation 168</b>	Education and care service must have policies and procedures
<b>Regulation 175</b>	Prescribed information to be notified to Regulatory Authority
<b>Regulation 176</b>	Time to notify certain information to Regulatory Authority
<b>Regulation 183(2)</b>	Storage of records and other documents The records must be kept—

(a) if the record relates to an **incident, illness, injury or trauma suffered by a child** while being educated and cared for by the education and care service, until the child is aged **25 years**;

(b) if the record relates to an incident, illness, injury or trauma suffered by a child that may have occurred following an incident while being educated and cared for by the education and care service, until the child is aged **25 years**;

(c) if the record relates to the death of a child while being educated and cared for by the education and care service or that may have occurred as a result of an incident while being educated and cared for, until the end of **7 years after the death**;

(d) in the case of any other record relating to a child enrolled at the education and care service, until the end of **3 years after the last date** on which the child was educated and cared for by the service;

(e) if the record relates to the approved provider, until the end of 3 years after the last date on which the approved provider operated the education and care service;

- (f) if the record relates to a nominated supervisor or staff member of an education and care service, until the end of **3 years** after the last date on which the nominated supervisor or staff member provided education and care on behalf of the service;
- (g) in case of any other record, until the end of **3 years after the date** on which the record was made.

#### **Related Service policies**

- *Administration of First Aid Policy*
- *Emergency and Evacuation Policy*
- *Excursions and Service Events Policy*
- *Nutrition and Active Play Policy*
- *Incident, Injury, Trauma and Illness Policy*
- *Occupational Health and Safety Policy*
- *Supervision of Children Policy*

### **PURPOSE**

This policy will outline the procedures that apply to managing water safety, including safety during any water-based activities at Precious Gems Childcare.

### **POLICY STATEMENT**

#### **1. VALUES**

Precious Gems Childcare is committed to:

- providing opportunities for children to explore their natural environment including through water play
- ensuring that children are protected from the risks associated with drowning or non-fatal drowning experiences
- ensuring that curriculum planning incorporates water safety awareness
- providing information to educators, staff, parents/guardians, volunteers and others at the service about water safety.

#### **2. SCOPE**

This policy applies to the Approved Provider, Nominated Supervisor, Certified Supervisor, educators, staff, students on placement, volunteers, parents/guardians, children and others attending the programs and activities of Kids Haven Childcare, including during offsite excursions and activities.

#### **3. PROCEDURES**

**The Approved Provider or Persons with Management and Control is responsible for:**

- ensuring that children are adequately supervised (refer to *Definitions*) at all times when near water hazards (refer to *Definitions*)
- ensuring that educator-to-child ratios are maintained at all times (*Education and Care Services National Law Act 2010*: Sections 169(1),(2)&(3), *Education and Care Services National Regulations 2011*: Regulations 123,
- conducting a risk assessment in relation to any water hazards on or near the premises that may be accessible to children
- ensuring permission is obtained from parents/guardians for an excursion to a location where there is a water hazard (Regulation 99) (refer to *Excursions and Service Events Policy*)
- ensuring that water hazards and risks associated with water-based activities are considered in a risk assessment prior to conducting excursions and other offsite events (Regulation 101)
- ensuring increased levels of supervision for an excursion to a location where there is a water hazard (refer to *Supervision of Children Policy*)

- conducting a regular safety check of the service premises (refer to *Occupational Health and Safety Policy*)
- ensuring any water hazards that are not able to be adequately supervised at all times are isolated from children by a child-resistant barrier or fence (particularly large bodies of water including swimming pools, rivers, ponds etc.)
- ensuring that an educator with a current approved first aid qualification (refer to *Definitions*) is in attendance and immediately available at all times children are being educated and cared for by the service (Regulation 136)
- ensuring that details of current approved first aid qualifications (refer to *Definitions*) are filed with each staff member's record
- reporting serious incidents (refer to *Definitions*) to DET
- reporting notifiable incidents (refer to *Definitions*) to WorkSafe Victoria
- ensuring that water safety awareness is embedded in the curriculum
- providing current information to parents about water safety.

**The Nominated Supervisor or Persons in Day to Day Control is responsible for:**

- assisting the Approved Provider to implement the *Water Safety Policy*
- ensuring parents/guardians are informed of the *Water Safety Policy* on enrolment
- ensuring permission is obtained from parents/guardians for an excursion to a location where there is a water hazard (refer to *Excursions and Service Events Policy*)
- ensuring information on water safety (refer to *Sources*) is incorporated into the educational program
- ensuring that children are adequately supervised (refer to *Definitions*) and protected from hazards and harm at all times
- ensuring that water hazards and risks associated with water-based activities are considered in a risk assessment prior to conducting excursions and other offsite events (Regulations 100, 101)
- ensuring permission is obtained from parents/guardians for an excursion to a location where there is a water hazard (refer to *Excursions and Service Events Policy*)
- ensuring increased levels of supervision for an excursion to a location where there is a water hazard (refer to *Supervision of Children Policy*)
- ensuring that an educator with a current approved first aid qualification (refer to *Definitions*) is in attendance and immediately available at all times children are being educated and cared for by the service
- ensuring that all educators' current approved first aid qualifications meet the requirements of the National Regulations and are approved by ACECQA (refer to *Administration of First Aid Policy*)
- informing the Approved Provider immediately if any serious or notifiable incidents (refer to *Definitions*) occur at the service.

**All staff are responsible for:**

- providing adequate supervision (refer to *Definitions*) at all times
- undertaking a risk assessment prior to an excursion to a location where there is a significant water hazard (refer to *Excursions and Service Events Policy*)
- adjusting supervision strategies to suit the activities being undertaken (refer to *Supervision of Children Policy*)
- obtaining parental permission for an excursion to a location where there is a water hazard (refer to *Excursions and Service Events Policy*)
- maintaining a current approved first aid qualification (refer to *Definitions*)
- ensuring gates and other barriers restricting access to water hazards are closed at all times and that fences are kept clear at all times

- ensuring that containers of water (including nappy buckets and cleaning buckets) are sealed with child-proof lids
- ensuring wading/paddling pools, water play containers and portable water courses are emptied immediately after each use and stored in a manner that prevents the collection of water when not in use
- checking the outdoor learning environment at the beginning and end of each day for puddles or filled containers that could pose a potential risk to small children after heavy rain
- providing water safety education as a part of the service's program
- informing the Approved Provider immediately if any serious or notifiable incidents (refer to *Definitions*) occur at the service.

**Parents/guardians are responsible for:**

- supervising children in their care, including siblings, while attending or assisting at the service
- ensuring that doors, gates and barriers, including playground gates, are closed after entry or exit to prevent access to water hazards
- informing themselves about water safety
- ensuring their children understand the risks associated with water
- recognising when resuscitation is required and obtaining assistance
- considering undertaking approved first aid qualifications, as resuscitation skills save lives.

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

## **4. BACKGROUND AND LEGISLATION**

### **Background**

The supervision and safety of children with and around water is of paramount importance.

Learning spaces and environments should offer an array of possibilities and connect children with natural materials. Water is one experience that offers children sensory-rich, open-ended experiences that engage children's curiosity and imagination. Children may encounter these resources in the service environment and/or when on excursions. These experiences, especially those conducted with and near water, will be carefully supervised ensuring the safety of children and adults.

Water safety relates to access to water in the building, the playground or on excursions, and also to the availability of drinking water for children.

It is imperative that educators remain vigilant in their supervision of children in and around water, and are alert to potential risks in everyday practice in the learning environment.

Drowning is a leading cause of death for children in Victoria, with infants and toddlers the group most at risk. Non-fatal drowning incidents can result in permanent brain damage and disability. Knowledge of potential hazards associated with water will assist educators to provide a safe, stimulating environment for preschool children.

Drowning hazards include large bodies of water such as swimming pools, rivers, creeks, dams and ponds. Smaller bodies of water, including nappy buckets, water containers, pet water bowls and poor drainage which allows water to collect can also present drowning hazards for young children. Children can drown in as little as a few centimetres of water.

Keep Watch is a public education program of Royal Life Saving Society – Australia, aimed at preventing the drowning deaths of children under 5 years of age in all aquatic locations. The program has four key actions:

- **supervise** children constantly around water
- **restrict access** to water hazards by using child-proof barriers and fences

- provide **water awareness** training to children
- **resuscitation** saves lives – ensure that staff have completed current first aid training.

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

- Victorian Legislation – Victorian Law Today: <http://www.legislation.vic.gov.au/>
- Commonwealth Legislation – ComLaw: <http://www.comlaw.gov.au/>

## 5. DEFINITIONS

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the *General Definitions* section of this manual.

**Adequate supervision:** (In relation to this policy) **supervision** 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).

**Approved first aid qualification:** A list of approved first aid qualifications, anaphylaxis management and emergency asthma management training is published on the ACECQA website: [www.acecqa.gov.au](http://www.acecqa.gov.au)

**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.

**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 while being educated and cared for by the service
- any **incident involving serious injury or trauma to a child** 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:** In some cases (for example rural and remote locations) a General Practitioner conducts consultation from the hospital site. Only treatment related to serious injury, illness or trauma is required to be notified, not other health matters.

- any emergency for which **emergency services** attended

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 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.

Notifications of serious incidents should be made to the regulatory authority (DET) through the [NQA IT System](#). If this is not practicable, the notification can be made initially in whatever way is best in the circumstances.

NOTE: some of serious incidents above are also reportable incidents under the *Occupational Health and Safety Act 2004* and require notification to WorkSafe.

**Water hazard:** (in relation to this policy) can lead to drowning or non-fatal drowning incidences. Drowning hazards include large bodies of water such as swimming pools, rivers, creeks, dams and ponds. Smaller bodies of water, including nappy buckets, water containers, pet water bowls and poor drainage which allow water to collect can also present drowning hazards for young children.

## EVALUATION

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

- regularly seek feedback from educators, staff, parents/guardians, children, management and all affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- 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 change to this policy or its procedures.

## ATTACHMENTS

Nil

## AUTHORISATION

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

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