ACCEPTANCE AND REFUSAL OF AUTHORISATIONS

QUALITY AREA 2 | ELAA version 1.0

PURPOSE

This policy outlines procedures to be followed when:

- obtaining written authorisation from a parent/guardian or person authorised and named in the enrolment record
- refusing written authorisation from a parent/guardian or person authorised and named in the enrolment record.

POLICY STATEMENT

The safety, health, wellbeing, rights and best interests of every child are the paramount consideration and must guide all decisions, actions and practices of educators within the education and care service.

VALUES

Middle Park Kindergarten is committed to:

- ensuring the safety and wellbeing of all children attending the service
- meeting its duty of care obligations under the law.

SCOPE

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers [ECT], educators, staff, students, volunteers, parents/guardians, children, and others attending the programs and activities of Middle Park Kindergarten.

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					
1. Ensuring that parents/guardians are provided access to all service policies	R	√	√		
2. Ensuring that all staff and parents/guardians follow the policies and procedures of the service	R	√	√	√	
3. Ensuring the authorisations are kept up-to-date	R	√		√	

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4. Ensuring that all parents/guardians have completed the authorised nominee section of their child's enrolment form *(refer to Enrolment and Orientation Policy)*, and that the form is signed and dated before the child commences at the service *Regulation 161*	R	√	√		
5. Ensuring that permission forms for excursions are provided to the parent/guardian or authorised nominee **prior** to the excursion *(refer to Excursions and Service Events Policy)*	R	R	√		
6. Ensuring ECT/educators/staff allow a child to participate in an excursion or regular outings only with the written authorisation of a parent/guardian or authorised nominee *(refer to Definitions)* including details required under *Regulation 102(4)(5), 161 (refer to Excursions and Service Events Policy)*	R	R	√		
7. Ensuring that where children require medication to be administered by ECT/educators/staff, this is authorised in writing, signed and dated by a parent/guardian or authorised nominee, and included with the child's medication record *(refer to Definitions) (refer to Administration of Medication Policy and Dealing with Medical Conditions Policy) Regulations 92(3)(b)*	R	√	√		
8. Ensuring ECT/educators/staff do not administer medication without the authorisation of a parent/guardian or authorised nominee, except in the case of an emergency, including an asthma or anaphylaxis emergency *(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)*	R	√	√		
9. Ensuring that all parents/guardians have completed the authorised nominee section of their child's enrolment form *(refer to Enrolment and Orientation Policy)*, for authorisation for seeking medical treatment and transportation of the child by an ambulance service *Regulation 160 (1) (b)*	R	√	√	√	
10. Ensuring that all parents/guardians have completed the authorised nominee section of their child's enrolment form *(refer to Enrolment and Orientation Policy)*, for authorisation for the transportation of the child or arranging transportation of the child *Regulation 120D, 160 (3) (vi)*	R	√	√	√	
11. Ensuring that an attendance record *(refer to Definitions)* is maintained to account for all children attending the service	R	√	√		
12. Keeping a written record of all visitors to the service, including time of arrival and departure	R	√			
13. Ensuring the approved provider is informed when a written authorisation does not meet the requirements outlined in service policies		√	√		
14. Ensuring children depart from the service only with a person who is the parent/guardian or authorised nominee, or with the written authorisation of one of these, except in	R	R	√		

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the case of a medical or other emergency *(refer to Delivery and Collection of Children Policy and Child Safe Environment Policy)* *Regulation 99, 160, National Law: Section 167*					
15. Ensuring 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 *(Regulation 160).*	R	R	√		
16. Ensuring processes are in place for circumstances where authorisations are refused/not applicable. For example: • where the service is asked to administer medication that is not in its original container *(Regulation 95)* • when leaving the service, the parent, authorised nominee or person as listed in *Regulation 99* does not appear to be fit to take the child • the child has been given authorisation to leave the service alone, however the environment they would be in is unsafe	R	√			
17. Ensuring that there are procedures in place if an inappropriate person *(refer to Definitions)* attempts to collect a child from the service *(refer to Delivery and Collection of Children Policy and Child Safe Environment Policy)* *National Law: Section 167*	R	R			
18. Enacting procedures for dealing with a written authorisation that does not meet the requirements outlined in service policies *(refer to Procedures)*	R	√	√		
19. Completing and signing the authorised nominee section *(refer to Definitions)* of their child's enrolment form *(refer to Enrolment and Orientation Policy)* before their child commences at the service				√	
20. Signing and dating permission forms for excursions				√	
21. Signing the attendance record *(refer to Definitions)* as their child arrives at and departs from the service				√	
22. Providing written authorisation where children require medication to be administered by educators/staff, and signing and dating it for inclusion in the child's medication record *(refer to Definitions)*				√	

PROCEDURES

Procedures for refusing a written authorisation

On receipt of a written authorisation from a parent/guardian that does not meet the requirements outlined in the related service policy and *Regulation 161*, the approved provider will:

- immediately explain to the parent/guardian that their written authorisation contravenes service policy, and that it cannot be accepted
- ensure that the parent/guardian 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 written authorisation is provided by the parent/guardian that complies with the requirements of the relevant service policy

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- ensure that procedures outlined in the relevant service policy are followed where a parent/guardian cannot be immediately contacted to provide an alternative written authorisation
- follow up with the parent/guardian, where required, to ensure that an appropriate written authorisation is obtained.

BACKGROUND AND LEGISLATION

BACKGROUND

Under the *National Law and Regulations*, early childhood services are required to obtain written authorisation from parents/guardians, 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).

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/guardians understand exactly what they need to do.

This policy outlines procedures to be followed when refusing a written authorisation from a parent/guardian 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/guardians 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.

LEGISLATION AND STANDARDS

Relevant legislation and standards include but are not limited to:

- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic) (Part 2: Principles for Children)
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- Family Law Act 1975 (Cth)
- National Quality Standard, Quality Area 2: Children's Health and Safety

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

- Victorian Legislation – Victorian Law Today: www.legislation.vic.gov.au
- Commonwealth Legislation – Federal Register of Legislation: www.legislation.gov.au

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DEFINITIONS

The terms defined in this section relate specifically to this policy. For regularly used terms e.g. Approved provider, Nominated supervisor, Notifiable complaints, Serious incidents, Duty of care, etc. refer to the Definitions file of the PolicyWorks catalogue.

Inappropriate person: A person who may pose a risk to the health, safety or wellbeing of any child attending the education and care service, or whose behaviour or state of mind make it inappropriate for them to be on the premises e.g. a person under the influence of drugs or alcohol *(National Law: Section 171(3))*

SOURCES AND RELATED POLICIES

SOURCES

- Australian Children's Education and Care Quality Authority (ACECQA): www.acecqa.gov.au

RELATED POLICIES

- Administration of First Aid
- Administration of Medication
- Child Safe Environment and Wellbeing
- Dealing with Medical Conditions
- Delivery and Collection of Children
- Emergency and Evacuations
- Enrolment and Orientation
- Excursions and Service Events
- Governance and Management of the Service
- Incident, Injury, Trauma and Illness
- Nutrition, Oral Health and Active Play
- Road Safety Education and Safe Transport

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
- 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
- notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk *(Regulation 172 (2))*.

ATTACHMENTS

- Nil

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AUTHORISATION

This policy was adopted by the approved provider of Middle Park Kindergarten on 15th June 2026.

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