

SUPERVISION OF CHILDREN

QUALITY AREA 2 | ELAA version 1.0



Working in partnership with Cancer Council Victoria, ELAA has aligned this policy to the key policies and guidelines of the Healthy Early Childhood Services Achievement Program

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 Leslie Moorhead Pre-School Centre Inc.



POLICY STATEMENT

VALUES

Leslie Moorhead Pre-School Centre Inc. is committed to:

- providing 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 Leslie Moorhead Pre-School Centre Inc.
- maintaining a duty of care (*refer to Definitions*) to all children at Leslie Moorhead Pre-School Centre Inc.
- 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.

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 Leslie Moorhead Pre-School Centre Inc. including during offsite excursions and activities.

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
Complying with the legislated ECT/educator-to-child ratios at all times (<i>National Law: Sections 169</i>) (<i>Regulations 123</i>)	✓	✓	✓		

Counting only those educators who are working directly with children at the service in the educator-to-child ratios (<i>Regulation 122</i>)	√	√	√		
Keeping a record of ECT/educators working directly with children (<i>Regulation 151</i>)	√	√			
Ensuring any educator under the age of 18 is not left to supervise children on their own (<i>Regulation 120</i>)	√	√	√		
Ensuring an unauthorised person is under the direct supervision of an ECT/educator whilst at the service (<i>National Law: Section 170 (2)</i>)	√	√	√		
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>)	√	√	√		
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>)	√	√	√		
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>)	√	√	√		√
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>)	√	√	√		
Ensuring supervision standards are maintained during ECT/educator breaks, including during lunch breaks	√	√	√		
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	√	√	√		
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"> 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>) 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>) 	√	√			
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>)					
Reporting notifiable incidents (<i>refer to Definitions</i>) to Worksafe Victoria	√	√			
Evaluating supervision procedures regularly	√	√	√		
Complying with the service's <i>Excursions and Service Events, Road Safety and Safe Transport and Water Safety Policy</i>	√	√	√	√	√
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	√	√	√		
Providing support to ECT/educators when children with challenging behaviours or additional needs 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	√	√	√		
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) (<i>Regulation 99</i>)		√	√	√	
Balancing supervision requirements with children's needs for privacy and independence		√	√		
Communicating with other educators regularly to ensure adequate supervision at all times		√	√		
Adhering to the <i>Child Sage Environment Policy</i>	√	√	√	√	√
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				√	
BOLD tick √ indicates legislation requirement					

BACKGROUND AND LEGISLATION



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.

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
- Commonwealth Legislation – Federal Register of Legislation: www.legislation.gov.au



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.



SOURCES AND RELATED POLICIES

SOURCES

- Kidsafe: www.kidsafe.com.au
- The Royal Children’s Hospital Community Information team (formerly Safety Centre) provides information on safety promotion and injury prevention: www.rch.org.au.
- WorkSafe Victoria: www.worksafe.vic.gov.au

- Guide to the National Quality Framework (ACECQA): <http://acecqa.gov.au/>
- Guide to the Education and Care Services National Law 2010 and the Education and Care Services National Regulations 2011 (ACECQA): <http://acecqa.gov.au/>

RELATED POLICIES

- Administration of First Aid
- Child Safe Environment
- Complaints and Grievances
- Dealing with Medical Conditions
- Delivery and Collection of Children
- Excursions and Service Events
- Incident, Injury, Trauma and Illness
- Interactions with Children
- Occupational Health and Safety
- Relaxation and Sleep
- Road Safety and Safe Transport
- Staffing
- Tobacco Alcohol and other Drugs
- Water Safety

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
- 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.



ATTACHMENTS

- Attachment 1: Supervision risk management template
- Attachment 2: National Law and Regulations in relation to this policy



AUTHORISATION

This policy was adopted by the approved provider of Leslie Moorhead Pre-School Centre Inc. on 21st March 2022

REVIEW DATE: May 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		

ATTACHMENT 2: NATIONAL REGULATIONS AND LAW RELATED TO THIS POLICY

Law	165	Offence to inadequately supervise children
	167	Offence relating to protection of children from harm and hazards
	169	Offence relating to staffing arrangements
	174	Offence to fail to notify certain information to Regulatory Authority

Reg	101	<p>Conduct of risk assessment for excursion</p> <p>(1) A risk assessment for an excursion must—</p> <ul style="list-style-type: none"> (a) identify and assess risks that the excursion may pose to the safety, health or wellbeing of any child being taken on the excursion; and (b) specify how the identified risks will be managed and minimised. <p>(2) Without limiting subregulation (1), a risk assessment must consider—</p> <ul style="list-style-type: none"> (a) the proposed route and destination for the excursion; and (b) any water hazards; and (c) any risks associated with water-based activities; and (d) if the excursion involves transporting children— <ul style="list-style-type: none"> (i) the means of transport; and (ii) any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported; and (iii) the process for entering and exiting— <ul style="list-style-type: none"> (A) the education and care service premises; and (B) the pick-up location or destination (as required); and (iv) procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking; and (e) the number of adults and children involved in the excursion; and (f) given the risks posed by the excursion, the number of educators or other responsible adults that is appropriate to provide supervision and whether any adults with specialised skills are required; and <ul style="list-style-type: none"> Example—Specialised skills could include life-saving skills. (g) the proposed activities; and (h) the proposed duration of the excursion; and (i) the items that should be taken on the excursion. <ul style="list-style-type: none"> Example—A mobile phone and a list of emergency contact numbers for children on the excursion.
	168	<p>Education and care service must have policies and procedures</p> <p>(1) The approved provider of an education and care service must ensure that the service has in place policies and procedures in relation to the matters set out in subregulation (2).</p> <p>(2) Policies and procedures are required in relation to the following—</p> <ul style="list-style-type: none"> (a) health and safety, including matters relating to— <ul style="list-style-type: none"> (i) nutrition, food and beverages, dietary requirements; and (ii) sun protection; and (iii) water safety, including safety during any water-based activities; and (iv) the administration of first aid; and (v) sleep and rest for children; (b) incident, injury, trauma and illness procedures complying with regulation 85; (c) dealing with infectious diseases, including procedures complying with regulation 88;

		<p>(d) dealing with medical conditions in children, including the matters set out in regulation 90;</p> <p>(e) emergency and evacuation, including the matters set out in regulation 97;</p> <p>(f) delivery of children to, and collection of children from, education and care service premises, including procedures complying with regulation 99;</p> <p>(g) excursions, including procedures complying with regulations 100 to 102;</p> <p style="padding-left: 20px;">(ga) if the service transports or arranges transportation of children other than as part of excursions, transportation including procedures complying with Division 7 of Part 4.2 of Chapter 4;</p> <p>(h) providing a child safe environment;</p> <p>(i) staffing, including—</p> <p style="padding-left: 20px;">(i) a code of conduct for staff members; and</p> <p style="padding-left: 20px;">(ii) determining the responsible person present at the service; and</p> <p style="padding-left: 20px;">(iii) the participation of volunteers and students on practicum placements;</p> <p>(j) interactions with children, including the matters set out in regulations 155 and 156;</p> <p>(k) enrolment and orientation;</p> <p>(l) governance and management of the service, including confidentiality of records;</p> <p>(m) the acceptance and refusal of authorisations;</p> <p>(n) payment of fees and provision of a statement of fees charged by the education and care service;</p> <p>(o) dealing with complaints.</p>
	176	<p>Time to notify certain information to Regulatory Authority</p> <p>(1) For the purposes of section 174(3) of the Law, a notice must be provided within 7 days of the relevant event or within 7 days of the approved provider becoming aware of the relevant information.</p> <p>(2) For the purposes of section 174(4) of the Law, a notice must be provided—</p> <p style="padding-left: 20px;">(a) in the case of a notice under section 174(2)(a)—</p> <p style="padding-left: 40px;">(i) in the case of the death of a child, as soon as practicable but within 24 hours of the death, or the time that the person becomes aware of the death; and</p> <p style="padding-left: 40px;">(ii) in the case of any other serious incident, within 24 hours of the incident or the time that the person becomes aware of the incident;</p> <p style="padding-left: 20px;">(b) in case of a notice under section 174(2)(b) or a notice of a matter referred to in regulation 175(2)(b), within 24 hours of the complaint or incident;</p> <p style="padding-left: 20px;">(ba) in the case of a notice under regulation 175(2)(ca), within 24 hours of the commencement of the attendance of the child or children at the education and care service;</p> <p style="padding-left: 20px;">(c) in any other case, within 7 days of the relevant event or within 7 days of the approved provider becoming aware of the relevant information.</p>

NQS Quality Standard	Children’s Health and Safety	
	2.3	Each child is protected
	2.3.1	Children are adequately supervised at all times