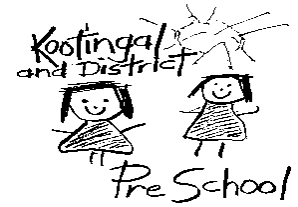


# Quality Area 7: Governance and leadership

## Acceptance and Refusal of Authorisations



### Introduction

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Our service has a responsibility to protect the health, safety and wellbeing of each child at all times. Educators require authorisation for actions such as administration of medications, collection of children, excursions, and transportation of children. This policy outlines the processes in place to manage these authorisations.

### Goals – What are we going to do?

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We aim to ensure that all educators, staff, students and volunteers are consistent in how authorisations are managed and understand what does or does not constitute a correct authorisation, which consequently may lead to a refusal. Our governance and quality management processes are effective and transparent and meet all regulatory requirements. Decisions around refusing an authorisation will be made on a case-by-case basis by the service in accordance with the Nominated Supervisor, Police, Regulatory Authority or other authorities.

### Strategies – To achieve our goals

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Our service will ensure we comply with the current *Education and Care Services National Regulations*, and have policies and procedures in place in relation to the acceptance and refusal of authorisations which require parent or guardian written authorisation to be provided in matters including:

- Administration of medication to children
- Administration of medical treatment, dental treatment, and general first aid treatment
- Emergency Ambulance transportation
- Transportation – including regular outings, regular transportation
- Safe arrival of children to the service
- Excursions, including regular outings
- Preschool program/events attendance
- Taking of photographs by people other than educators
- Water-based activities
- Enrolment of children, including providing details of persons nominated to authorise consent for medical treatment, to collect children from the service, or to provide authority for the child to be taken outside the service
- Children leaving the premises in the care of someone other than a parent or guardian

Parents/guardians are provided with adequate information and support to complete and maintain written authorisations.

Parent/guardians are informed of their right to refuse authorisations and the impacts of a refusal.

### Keeping Authorisations in the Enrolment Record

Authorisations must be kept in the enrolment record (Regulation 161). There are:

- An authorisation, completed by a parent or a person named in the enrolment record as authorised to consent to medical treatment of the child, for the Approved Provider, a Nominated Supervisor, or an Educator to seek:

- Medical treatment for the child from a registered medical practitioner, hospital or ambulance service
- Transportation of the child by an ambulance service
- If relevant, an authorisation given under Regulation 102 for the education and care service to take the child on regular outings.

## Refusal of Authorisations

All authorisations which are incomplete or incorrectly recorded are to be returned to the parent or guardian for required adjustments. Written or verbal authorisation may be refused if the authorisation does not comply with National Regulations or Child Protection Legislation. The approved provider or nominated supervisor will inform the parent or guardian the reason why the written or verbal authorisation does not meet National Regulations or policy procedures.

The parent or guardian will be provided a copy of this *Acceptance and Refusal of Authorisations* policy and procedure. Management will discuss an alternative arrangement with the family following the refusal of authorisation. If an authorisation is refused by the service, it is best practice to document details surrounding the refusal.

Examples when an authorisation may be refused include:

- Requests relating to dietary restrictions that are not related to medical reasons
- An authorised person collecting the child appears to be under the influence of drugs or alcohol
- The authorisation breaches a parenting order
- The authorisation breaches a policy (person under the age of 16 collecting a child)
- Medication to be provided to a child that is not in original container or prescribed to the child or other breach of *Administration of Medication* policy
- A breach of *Excursion/Preschool Program and Events* policy where the person providing consent for the excursion is not listed as a parent/guardian or authorised nominee on the enrolment form.

## Roles and Responsibilities

Role	Authority / Responsibility For
Approved Provider	<ul style="list-style-type: none"> <li>➤ Ensure that obligations under the Education and Care Services National Law and National Regulations are met.</li> <li>➤ Ensure that an enrolment record is kept for each child that includes authorisations signed by a parent or a person authorised to consent to the medical treatment of the child if relevant, in relation to:               <ul style="list-style-type: none"> <li>○ seeking medical treatment from a registered medical practitioner, hospital or ambulance service</li> <li>○ transportation by an ambulance service</li> <li>○ regular outings and transportation (Regulations 160, 161).</li> </ul> </li> <li>➤ Ensure that a medication record is kept that includes the authorisation to administer medication signed by a parent or a person named in the enrolment record (Regulation 92).</li> <li>➤ Ensure that medication is only administered or self-administered if authorised or, in an emergency, authorisation is provided verbally by:               <ul style="list-style-type: none"> <li>○ a parent or a person named in the enrolment record</li> <li>○ a registered medical practitioner or an emergency service if the parent or person named in the enrolment record cannot be contacted (Regulations 93, 96)</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ in the case of an anaphylaxis or asthma emergency, medication may be administered without authorisation (Regulation 94).</li> <li>➤ Ensure that children only leave the service premises, with a parent, an authorised nominee named in the enrolment record, or a person named in the enrolment record to collect the child (Regulation 99).</li> <li>➤ Ensure all children have appropriate authorisation to leave the service on an excursion or regular outing (Regulation 102).</li> <li>➤ Ensure no child is transported by the service without authorisation from a parent or other person named in the enrolment record (Regulation 102D).</li> <li>➤ Ensure systems requiring authorisations are in place for other legal requirements or quality practices, e.g. photos of children and privacy.</li> <li>➤ Ensure authorisations are kept up-to-date</li> <li>➤ Ensure all staff understand circumstances that may lead to refusal of an authorization</li> <li>➤ Where a child requires medication to be administered by educators, an <i>Administration of Medication Record</i> is completed, and authorization provided by the parent/guardian or authorized nominee and included within the child’s record</li> <li>➤ Educators and staff only allow a child to participate in regular outings and regular transportation with the written authorisation of a parent/guardian or authorised nominee name in the child’s enrolment record</li> <li>➤ Maintain a written record of all visitors to the service, including time of arrival and departure and reasons for visit is documented</li> <li>➤ Educators allow a child to depart the service only: <ul style="list-style-type: none"> <li>- With a person who is the parent/guardian or authorized nominee named in the child’s enrolment record</li> <li>- With a person authorised by a parent or authorised nominee</li> <li>- In accordance with the written authorisation of the parent or authorised nominee</li> <li>- On an excursion</li> <li>- In the case of a medical emergency or another emergency</li> </ul> </li> </ul>
<p>Nominated Supervisor with support of Administrative Assistant</p>	<ul style="list-style-type: none"> <li>➤ Provide supervision, guidance, and advice to ensure adherence to the policy at all times.</li> <li>➤ Ensure all authorisations will be retained within the Enrolment Record, original copy and will include: <ul style="list-style-type: none"> <li>○ the name of the child enrolled in the service</li> <li>○ the date</li> <li>○ the signature of the child’s parent/guardian or nominated contact person who is on the enrolment form</li> <li>○ the original form/letter/register provided by the service.</li> </ul> </li> <li>➤ Apply these authorisations to the collection of children, medical treatment of or administration of medication, excursion, transportation of children, access to records and transportation via ambulance.</li> <li>➤ Ensure authorisations are stored with each individual child’s enrolment record.</li> <li>➤ Ensure that all parents/guardians have completed the authorised nominee section of their child’s enrolment form and that the form is signed and dated before the child is enrolled at the service.</li> <li>➤ Implement and oversee authorisations systems for other legal requirements or quality practices, eg. photos of children and privacy</li> </ul>

	<ul style="list-style-type: none"> <li>➤ Ensure authorisations are kept up to date</li> <li>➤ Implement processes for circumstances where authorisations may be refused/not applicable</li> </ul>
Early Childhood Educators/ Responsible Person	<ul style="list-style-type: none"> <li>➤ Follow the policies and procedures of the service</li> <li>➤ Ensure that written authorisation is provided by the parent/guardian or other person named in the child’s enrolment record for a regular outing or regular transportation</li> <li>➤ Ensure that parents/guardians sign and date permission/authorisation forms for excursions prior to the excursion being implemented</li> <li>➤ Allow a child to participate in an excursion only with the written authorisation of a parent/guardian or authorised nominee</li> <li>➤ Check that parents/guardians or an authorised nominee sign the attendance record as their child arrives and departs from the Service</li> <li>➤ Administer medication only with the written authorisation of a parent/guardian or authorised nominee as per the Administration of Medication Record, except in the case of an emergency, including asthma or anaphylaxis</li> <li>➤ Allow a child to depart from the Service only: <ul style="list-style-type: none"> <li>- with a person who is the parent/guardian or authorised nominee named in the child’s enrolment record</li> <li>- in accordance with the written authorisation of the parent; or authorised nominee</li> <li>- on an excursion</li> <li>- in the case of a medical emergency or another emergency (Refer to Delivery of Children to, and collection from Education and Care Service Premises Policy and Emergency Evacuation Policy).</li> </ul> </li> <li>➤ Follow procedures if an inappropriate person attempts to collect a child from the service and poses a risk to the safety of the children and staff (for example, an intoxicated person) (Regulation 99)</li> <li>➤ Inform the approved provider when a written authorisation does not meet the requirements outlined in service’s policies</li> </ul>
Families	<ul style="list-style-type: none"> <li>➤ Read and comply with the policies and procedures of the service</li> <li>➤ Complete the authorised nominee section of their child's enrolment form before their child commences at the service</li> <li>➤ Ensure that changes to nominated authorised persons are provided to the service in a timely manner</li> <li>➤ Advise nominated authorised persons that they will require photo identification (such as a driver’s license) in order to collect their child from the service</li> <li>➤ Sign and date permission/authorisation forms for regular transportation and regular outings</li> <li>➤ Sign and date permission/authorisation forms for excursions</li> <li>➤ Sign the attendance record as their child arrives and departs from the service</li> <li>➤ Provide written authorisation on the <i>Administration of Medication Form</i> when their child requires medication to be administered by educators/staff, including signing and dating it for inclusion in the child's medication records</li> <li>➤ Provide completed medical management plans and/or Action Plans where relevant for their child</li> <li>➤ Be familiar with circumstances where authorisations may be refused/not applicable.</li> </ul>

## Monitoring, Evaluation and Review

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Management and staff will monitor and review the effectiveness of the Acceptance and Refusal of Authorisations policy regularly. Updated information will be incorporated as needed.

This policy will be monitored to ensure compliance with legislative requirements and unless deemed necessary through the identification of practice gaps, the service will review this policy every 12 months.

Families and staff are essential stakeholders in the policy review process and will be given opportunity and encouragement to be actively involved.

In accordance with Regulation 172 of the *Education and Care Services National Regulations*, the service will ensure that families of children enrolled at the service are notified at least 14 days before making any change to a policy or procedure that may have significant impact on the provision of education and care to any child enrolled at the service; a family's ability to utilise the service; the fees charged or the way in which fees are collected.

## Links to other policies:

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Administration of First Aid

Child Protection

Child Safe Code of Conduct

Delivery and Collection of Children

Emergency Management

Enrolment and Orientation

Excursion/Preschool Program and Events

Governance and Management

Incident, Injury, Trauma and Illness

Medication Administration

Medication and Health

Nutrition

Privacy and Confidentiality

Privacy Collection Statement

Transportation of Children

Water Safety

Safe Sleep, Rest and Relaxation

Sun Protection

## Related Legislation:

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### NQS

Quality Area 2	Children's health and safety
Quality Area 7	Governance and leadership

# National Law

Section	165	Offence to inadequately supervise children
Section	167	Offence relating to protection of children from harm and hazards
Section	175	Offence relating to requirement to keep enrolment and other documents

# National Regulations

Reg	92	Medical record
Reg	93	Administration of medication
Reg	94	Exception to authorisation requirements - anaphylaxis or asthma emergency
Reg	99	Children leaving the education and care service premises
Reg	102	Authorisation for excursions
Reg	102C	Conduct a risk assessment for transporting children by the education and care services
Reg	102D	Authorisation for service to transport children
Reg	157	Access for parents
Reg	160	Child enrolment records to be kept in enrolment record
Reg	161	Authorisations to be kept in enrolment record
Reg	168	Education and care service must have policies and procedures
Reg	170	Policies and procedures to be followed
Reg	171	Policies and procedures to be kept available
Reg	172	Notification of change to policies or procedures

## Sources:

- Australian Children’s Education and Care Quality Authority (ACECQA) - [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Education and Care Services National Law Act 2010: Section 167
- Education and Care Services National Regulations
- Family Law Act 1975 [cth], as amended 2011
- Children and Young Persons [Care and Protection] Act 1998
- Education and Care Services National Amendment Regulations 2020
- Cancer Council. Preventing cancer: Sun protections - <https://www.cancer.org.au/preventing-cancer/sun-protection/>
- Early Childhood Australia Code of Ethics (2016)

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