Family Day Care

Safe Transport AND ROAD SAFETY EDUCATION Policy

*Best Practice – Quality Area 2 (and 6)*

How does road trauma affect young people?

Road trauma is one of the leading causes of death among young Australians [[1]](#footnote-1). Young children are at risk as passengers in motor vehicles, as pedestrians and as cyclists. They are particularly vulnerable because:

* of their small size and changing needs as they grow
* their cognitive and perceptual skills are still developing.

**How can Family Day Care providers help children become safer road users?**

Very high participation rates in Family Day Care programs enables service providers and educators to contribute to making children safer road users by:

* adopting best practice in the use of child restraints in motor vehicles – using the right type of restraint and using it correctly
* ensuring children wear bicycle helmets correctly where bicycles or wheeled toys are part of the program
* adopting safe practices when children are pedestrians and/or are using public transport while attending a Family Day Care service.

**How can Family Day Care providers ensure they follow safe transportation practices**?

Service providers and educators can adopt best practice in their programs by:

* selecting and using the safest possible child restraints
* adopting the safest possible behaviours when transporting children in motor vehicles
* adopting the safest possible pedestrian and cycling behaviours.

**What is Family Day Care providers’ duty of care?**

Under duty of care obligations, services must develop appropriate procedures to guide educators and

other staff to address situations where a child is observed to be at risk while being transported to or

from the Family Day Care residence/venue.

This may include instances where a child is observed to be:

* travelling unrestrained,
* in an inappropriate restraint
* riding a bicycle or wheeled toy without a helmet,
* instances where a parent/guardian is in an unfit state to drive due to intoxication or impairment.

**What are the legal obligations of Family Day Care providers regarding road safety education?**

Under the *Education and Care Services National Law Act 2010* (Section 167), Family Day Care educators are required to protect children from harm and hazards likely to cause injury.

With the introduction of the *National Quality Standard* (NQS), all Family Day Care service providers and educators may now be assessed on how road safety education initiatives are incorporated into the program.

The Victorian Road Safety Act 1986 and associated rules and regulations are designed to improve safety for all road users. Specific legislation, regulations, rules and standards (refer to *Legislation and standards*) relate to motor vehicles, pedestrians and cyclists including the use of child restraints in motor vehicles and the wearing of bicycle helmets.

# purpose: Safe Transport AND ROAD SAFETY EDUCATION Policy

To define the responsibilities of the Approved Provider, the Nominated Supervisor and staff members to ensure that all children attending :

* are adequately supervised at all times
* are kept safe while travelling as pedestrians, cyclists or passengers in a vehicle.
* are able to participate in road safety education to assist them in being and becoming safe and responsible road users.

# POLICY STATEMENT

## VALUES

is committed to the Guiding Principles of the National Quality Framework, and also to:

* the rights of children to be active citizens in the community
* the rights of children to travel safely as passengers, pedestrians and cyclists
* an evidence-based approach in the provision of road safety education and practice
* the role of parents and families as children’s first and most influential teachers.

## SCOPE

This policy applies to the Approved Provider of Family Day Care, the Nominated Supervisor, Family Day Care coordinators, educators, assistants and other staff, parents/guardians, children and others attending .

The background to the policy including relevant legislation, source documents and useful resources can be found in Attachment 1.

# RESPONSIBILITIES

Each person has a specific set of responsibilities depending on their role. The following tables outline the responsibilities of the:

* Approved Provider
* Nominated supervisor
* Family Day Care coordinators, educators, assistants and other staff

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| **Responsibilities of Approved Provider** | |
| **EXCURSIONS** | |
| **Area of responsibility** | **Role specific responsibility** |
| Written authorisations | Ensuring that educators/staff only allow a child to participate in an excursion with the written authorisation of a parent/guardian or authorised nominee including details required under Regulation 102(4).  If the excursion is a regular outing, the authorisation is required to be obtained once every 12 months and kept with the child’s enrolment record (refer to *Excursions and Service Events Policy*).  Outings that involve vehicle travel must include details of the child’s restraint needs which, for regular outings, may need to be assessed more frequently than every 12 months.  Ensuring that ‘type of restraint’ is included on all excursion authorisation forms under *Method of transport to be used for the excursion* (Regulation 102(4)(e)).  Ensuring that if a child under 12 years needs to travel in the front seat that parents/guardians have provided informed consent (refer to Attachment 1, *Definitions*). |
| Risk assessment | Ensuring that a written risk assessment (refer to Attachment 1, *Definitions*) is undertaken prior to conducting excursions. This includes details of the:   * safest route for travel, * method of travel, * type of vehicle (if required) * required restraints |
| Supervision | Ensuring that all children are adequately supervised (refer to Attachment 1, *Definitions*) at all times, including while on excursions and regular outings.  Ensuring that educators/drivers are aware that they are not to leave children unattended in a vehicle at any time and that vehicles are not to be refuelled whilst educating and caring for children. |
| **DRIVERS & VEHICLE USE** | |
| **Area of responsibility** | **Role specific responsibility** |
| Authorised drivers | Ensuring that Family Day Care authorised drivers (refer to Attachment 1, *Definitions*) hold a current full Australian Drivers Licence or assessing the suitabilityprobationary licence holders to be authorised drivers.  Note: It is not recommended that first year probationary drivers be authorised drivers due to their high crash risk.  Monitoring authorised drivers driving history to ensure that high driving standards are maintained. |
| Vehicles and their maintenance and use | Maintaining a register of vehicles and authorised drivers that includes the following information:   * motor vehicle registration * insurance and licence details, * details of any driving offences, * updating this annually or more frequently as required.   Due to the increased risk of injury to child passengers in the event of a crash, ensure that  children under the age of 12 years do not travel in the front seat of a vehicle if there are rear seats available.,  If all rear seats are being used by children aged under 7 years, children aged 4 years to under 7 years are permitted to travel in the front seat, provided they use a booster seat. If the car has frontal air bags, the seat should be moved back as far as possible.  Written informed consent is required from parents/guardian if this occurs. |
| Vehicle crash or transport-related injury | Ensuring that appropriate procedures are followed in the event of a vehicle crash or transport-related injury involving Family Day Care children or staff (refer to *Incident, Injury, Trauma and Illness Policy*). |
| CHILD RESTRAINTS | |
| **Area of responsibility** | **Role specific responsibility** |
| Training, installation and use | Ensuring that educators, coordinators, authorised drivers, Family Day Care educator assistants and staff members receive training on how to correctly install and use child restraints and booster seats.  Ensuring that educators use child restraints and booster seats in accordance with the manufacturer’s instructions.  Ensuring that any child restraints and booster seats are no more than 5 years old and replaced if involved in a crash. |
| Crash protection rating | Ensuring that child restraints and booster seats, with at least a four-star crash protection rating as determined by the Child Restraint Evaluation Program (CREP) (refer to Attachment 1, *Definitions*), are used by the Family Day Care service. |
| Accessories | Ensuring that child restraint accessories, including child safety harnesses (refer to Attachment 1, *Definitions*), are not used unless prescribed by a health professional such as an occupational therapist. |
| Child restraints for children with a disability | Ensuring that parents/guardians of children with disabilities or medical conditions are aware that a health professional, such as an occupational therapist, can prescribe a child restraint appropriate for their child’s needs.  They may be able to provide guidance on accessing and using special restraints. |
| Non-permissible items: Additional/dickie seats and booster cushions | Ensuring that children are not transported in additional/dickie seats (refer to Attachment 1, *Definitions*) due to safety concerns with these types of seats in the event of a crash.  Ensure that children are not transported using booster cushions (refer to Attachment 1, *Definitions*) as they do not meet the Australian/New Zealand Child Restraint Standard AS/NZ 1754 2010, 2013 and are no longer allowed to be manufactured in Australia. |
| BICYCLE HELMETS | |
| **Area of responsibility** | **Role specific responsibility** |
| Bicycle helmets | Ensuring the availability (in good condition) and use of bicycle helmets which meet Australian/New Zealand Standard 2063 for bicycles and wheeled toys (refer to Attachment 1, *Definitions*). |
| ROAD SAFETY INFORMATION AND EDUCATION | |
| **Area of responsibility** | **Role specific responsibility** |
| Location-specific road safety information | Ensuring the provision of location-specific road safety information (e.g. details about where to park safely when delivering and collecting children and local area speed limits etc.) to parents/guardians and visitors. |
| General road safety information | Ensuring the provision of general road safety information about transporting children to and from the service (which might include using the ‘safety door’ (the rear kerbside door), driveway safety, child restraint information and role modelling safe road use) to parents/guardians. |
| Provision of road safety education | Ensuring the provision of Road safety education, based on the *National Practices for Early Childhood Road Safety Education* (Attachment 2). |
| Access to this policy and its attachments by parents/guardians | Ensuring that parents/guardians have access to this policy and its attachments. |
| Inclusion of all children in road safety education (refer to inclusions and equality) | Ensuring that all children attending the service are included in road safety education. |
| Professional development/training in road safety | Ensuring access of educators and staff to regular professional development/training in road safety and that they are kept up to date with current legislation, regulations, rules, standards and best practice information. |
| Unsafe transport of a child | Establishing and implementing agreed procedures for educators/staff to follow where a child is observed being transported to or from the premises in an unsafe manner (refer to Attachment 3 for a sample procedure). |

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| **Responsibilities of Nominated Supervisor** | |
| **EXCURSIONS** | |
| **Area of responsibility** | **Role specific responsibility** |
| Written authorisations | Ensuring that educators/staff only allow a child to participate in an excursion with the written authorisation of a parent/guardian or authorised nominee including details required under Regulation 102(4).  If the excursion is a regular outing, the authorisation is required to be obtained once every 12 months and kept with the child’s enrolment record (refer to *Excursions and Service Events Policy*).  Outings that involve vehicle travel must include details of the child’s restraint needs which, for regular outings, may need to be assessed more frequently than every 12 months. |
| Risk assessment | Ensuring that educators undertake a written risk assessment (refer to Attachment 1, *Definitions*) prior to conducting excursions.  The risk assessment should include details of the:   * safest route for travel * method of transport * type of vehicle (if required) required restraints. |
| Supervision | Ensuring that educators adequately supervise (refer to Attachment 1, *Definitions*) children at all times, including while on excursions and regular outings  Ensuring that educators/drivers are aware that they are not to leave children unattended in a vehicle at any time and that vehicles are not to be refuelled whilst educating and caring for children. |
| **DRIVERS & VEHICLE USE** | |
| **Area of responsibility** | **Role specific responsibility** |
| Authorised drivers | Ensuring that Family Day Care authorised drivers (refer to Attachment 1, *Definitions*) hold a current full Australian Drivers Licence or assessing the suitabilityprobationary licence holders to be authorised drivers. Note: It is not recommended that first year probationary drivers be authorised drivers due to their high crash risk.  Monitoring authorised drivers driving history to ensure that high driving standards are maintained. |
| Vehicles and their maintenance and use | Assessing and documenting how many children can be transported in an educator/authorised driver’s vehicle. |
| Vehicle crash or transport-related injury | Ensuring that children under the age of 12 years do not travel in the front seat of a vehicle if there are rear seats available, due to the increased risk of injury to child passengers in the event of a crash.  If all rear seats are being used by children aged under 7 years, children aged 4 years to under 7 years are permitted to travel in the front seat, provided they use a booster seat.  If the car has frontal air bags, the seat should be moved back as far as possible. Written informed consent is required from parents/guardian if this occurs. |
| Vehicle crash or transport-related injury | Assessing and documenting how many children can be transported in an educator/authorised driver’s vehicle. |
| CHILD RESTRAINTS | |
| **Area of responsibility** | **Role specific responsibility** |
| Training, installation and use | Ensuring that educators, coordinators, authorised drivers, Family Day Care educator assistants and staff members receive training on how to correctly install and use child restraints and booster seats.  Ensuring that educators use child restraints and booster seats in accordance with the manufacturer’s instructions.  Ensuring that educators check that child restraints and booster seats are safe, clean and in good repair, and are no more than five years old and are replaced in involved in a crash. |
| Crash protection rating | Ensuring that children travel in restraints that are suitable for the child’s age/size, and that the restraint has achieved at least a four-star safety rating under the Child Restraint Evaluation Program (refer to Attachment 1, *Definitions*). |
| Accessories | Ensuring that educators do not use child restraint accessories, including child safety harnesses (refer to Attachment 1, *Definitions*), unless prescribed by a health professional such as an occupational therapist. |
| Child restraints for children with a disability | Ensuring that parents/guardians of children with disabilities or medical conditions are aware that a health professional, such as an occupational therapist, can prescribe a child restraint appropriate for their child’s needs, and may be able to provide guidance on accessing and using special restraints. |
| Non-permissible items: Additional/dickie seats and booster cushions | Ensuring that children are not transported in additional/dickie seats (refer to Attachment 1, *Definitions*) due to safety concerns with these types of seats in the event of a crash.  Ensuring that children are not transported using booster cushions (refer to Attachment 1, *Definitions*) as they do not meet the Australian/New Zealand Child Restraint Standard AS/NZ 1754 2010, 2013 and are no longer allowed to be manufactured in Australia. |
| BICYCLE HELMETS | |
| **Area of responsibility** | **Role specific responsibility** |
| Bicycle helmets | Ensuring the availability (in good condition) and use of bicycle helmets which meet Australian/New Zealand Standard 2063 for bicycles and wheeled toys (refer to Attachment 1, *Definitions*) |
| ROAD SAFETY INFORMATION AND EDUCATION | |
| **Area of responsibility** | **Role specific responsibility** |
| Location-specific road safety information | Ensuring that educators provide parents/guardians and visitors with location-specific road safety information. |
| General road safety information | Ensuring that educators provide parents/guardians with information about road safety. |
| Provision of road safety education | Ensuring the embedding in the curriculum of Road safety education, based on the *National Practices for Early Childhood Road Safety Education* (Attachment 2)*.* |
| Access to this policy and its attachments by parents/guardians | Ensuring that parents/guardians have access to this policy and its attachments. |
| Inclusion of all children in road safety education (refer to inclusions and equality) | Developing appropriate strategies to ensure all children attending the service are included in road safety education. |
| Professional development/training in road safety | Organising access of educators and staff to regular professional development/training in road safety and that they are kept up to date with current legislation, regulations, rules, standards and best practice information.  Providing educators with access to a broad range of road safety education resources. |
| Unsafe transport of a child | Ensuring that educators understand and follow the service’s procedures where a child is observed being transported to or from the premises in an unsafe manner. |

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| **Responsibilities of Family Day Care coordinators,**  **educators, assistants and other staff** | |
| **EXCURSIONS** | |
| **Area of responsibility** | **Role specific responsibility** |
| Written authorisations | Allowing a child to participate in an excursion only with the written authorisation of a parent/guardian or authorised nominee.  Checking that parents/guardians or authorised nominees sign and date permission forms prior to an excursion.  Sighting the signed informed consent (refer to Attachment 1, *Definitions*) provided by a parent/guardian if a child under 12 years needs to travel in the front seat. |
| Risk assessment | Undertaking a written risk assessment (refer to Attachment 1, *Definitions*) prior to conducting excursions, including details of the safest route for travel (whether walking, riding or driving), type of vehicle and required restraints. |
| Supervision | Providing adequate supervision (refer to Attachment 1, *Definitions*) of children at all times including while on excursions and regular outings.  Ensuring that no child is left unattended in a vehicle at any time.  Ensuring that vehicles are not refuelled whilst educating and caring for children. |
| **DRIVERS & VEHICLE USE** | |
| **Area of responsibility** | **Role specific responsibility** |
| Authorised drivers | Allowing a child to participate in an excursion only with the written authorisation of a parent/guardian or authorised nominee.  Checking that parents/guardians or authorised nominees sign and date permission forms prior to an excursion.  Sighting the signed informed consent (refer to Attachment 1, *Definitions*) provided by a parent/guardian if a child under 12 years needs to travel in the front seat. |
| Vehicles and their maintenance and use | Ensuring vehicle/s are suitably maintained, roadworthy, safe for children, registered and adequately insured.  Adhering to national and state laws and safety standards regarding motor vehicle safety.  Only transporting the number of children approved by the Nominated Supervisor.  Keeping vehicle/s locked and inaccessible to children when not in use.  Ensuring that children under the age of 12 years do not travel in the front seat of the vehicle if there are rear seats available, due to the increased risk of injury to child passengers in the event of a crash.  If all rear seats are being used by children aged under 7 years, children aged 4 years to under 7 years are permitted to travel in the front seat, provided they use a booster seat.  If the car has frontal air bags, the seat should be moved back as far as possible.) Written informed consent is required from parents/guardian if this occurs. |
| Vehicle crash or transport-related injury | Following appropriate procedures in the event of a vehicle crash involving Family Day Care children (refer to *Incident, Injury, Trauma and Illness Policy*) including notifying the Nominated Supervisor and Approved Provider as soon as possible after the event. |
| Vehicle crash or transport-related injury | Ensuring vehicle/s are suitably maintained, roadworthy, safe for children, registered and adequately insured.  Adhering to national and state laws and safety standards regarding motor vehicle safety.  Only transporting the number of children approved by the Nominated Supervisor.  Keeping vehicle/s locked and inaccessible to children when not in use.  Ensuring that children under the age of 12 years do not travel in the front seat of the vehicle if there are rear seats available, due to the increased risk of injury to child passengers in the event of a crash.  If all rear seats are being used by children aged under 7 years, children aged 4 years to under 7 years are permitted to travel in the front seat, provided they use a booster seat.  If the car has frontal air bags, the seat should be moved back as far as possible.)  Written informed consent is required from parents/guardian if this occurs. |
| CHILD RESTRAINTS | |
| **Area of responsibility** | **Role specific responsibility** |
| Training, installation and use | Undertaking training/professional development on how to correctly install and use child restraints and booster seats.  Checking that child restraints and booster seats are used in accordance with the manufacturer’s instructions.  Checking that child restraints and booster seats are safe, clean and in good repair, and are no more than five years old and are replaced if involved in a crash. |
| Crash protection rating | Using restraints that are appropriate for the child’s age and size, and that have achieved at least a four-star crash protection rating as determined by the Child Restraint Evaluation Program (CREP) (refer to Attachment 1, *Definitions*). |
| Accessories | Only using child restraint accessories, including child safety harnesses (refer to Attachment 1, *Definitions*), which have been prescribed by a health professional such as an occupational therapist. |
| Child restraints for children with a disability | Undertaking training/professional development on how to correctly install and use child restraints and booster seats.  Checking that child restraints and booster seats are used in accordance with the manufacturer’s instructions.  Checking that child restraints and booster seats are safe, clean and in good repair, and are no more than five years old and are replaced if involved in a crash. |
| Non-permissible items: Additional/dickie seats and booster cushions | Using restraints that are appropriate for the child’s age and size, and that have achieved at least a four-star crash protection rating as determined by the Child Restraint Evaluation Program (CREP) (refer to Attachment 1, *Definitions*). |
| BICYCLE HELMETS | |
| **Area of responsibility** | **Role specific responsibility** |
| Bicycle helmets | Using bicycle helmets which meet Australian/New Zealand Standard 2063 and ensuring that that they are correctly fitted where bicycles or wheeled toys (refer to Attachment 1, *Definitions*) are used |
| ROAD SAFETY INFORMATION AND EDUCATION | |
| **Area of responsibility** | **Role specific responsibility** |
| Location-specific road safety information | Providing parents/guardians and visitors with location-specific road safety information. |
| General road safety information | Providing parents/guardians with information about road safety including information to parents/guardians about child restraints, booster seats and other road safety topics, such as the law regarding bicycle use, as required and actively communicating this information to families. |
| Provision of road safety education | Delivering road safety education, based on the *National Practices for Early Childhood Road Safety Education* (Attachment 2). |
| Access to this policy and its attachments by parents/guardians | Providing parents/ guardians with access to this policy and its attachments and actively communicating this information to families. |
| Inclusion of all children in road safety education (refer to inclusions and equality) | Including all children attending the service in road safety education. |
| Professional development/training in road safety | Participating in regular professional development/training in road safety and keeping up to date with current legislation, regulations, rules, standards and best practice information.  Using a broad range of resources to support the delivery of road safety education. |
| Unsafe transport of a child | Following the service’s procedures where a child is observed being transported to or from the premises in an unsafe manner. |

**PARENTS/GUARDIANS ARE RESPONSIBLE FOR**:

* being aware of all location-specific and general road safety requirements including details about:
* where to park to deliver and collect children, observing speed limits, using the ‘safety door’, observing driveway safety practices and role modelling safe road use
* communicating any issues or concerns relating to their child’s safety or wellbeing to the Family Day Care educator and/or service provider
* being aware of this policy and of the Family Day Care service’s procedures relating to the safe transportation of children to and from the service.
* providing consent consent to the type of restraint required on all permission forms for excursions and regular outings and signing and dating permission forms prior to excursions and regular outings
* communicating any issues or concerns relating to their child’s safety or wellbeing to the Family Day Care educator and/or service provider

**Where parents/guardians provide child restraints/booster seats for use at Family Day Care, they are responsible for ensuring that the restraints:**

* Have at least a four-star safety rating under the Child Restraint Evaluation Program (CREP) (refer to *Definitions*)
* are appropriate for their child’s age and size
* are in good repair
* have not been in use at the time of a crash, and have no signs of damage, tears or stress
* are not more than five years old

# EVALUATION

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

* regularly seek feedback from parents/guardians, children, educators, 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 a policy review cycle, or as required
* notify parents/guardians at least 14 days before making any changes to the policy or its procedures (this is a requirement under Regulation 172 of the National Regulations for policies mandated by law and would be considered best practice for all policies and procedures).

# ATTACHMENTS

* Attachment 1: Background, Definitions and Source documents
* Attachment 2: National Quality Standard linkages to road safety
* Attachment 3: Sample procedure when a child is observed to be at risk of harm while being transported to or from a Family Day Care premises

# AUTHORISATION

This policy was adopted by the Approved Provider of on .

# REVIEW DATE: //

Annual or more frequently in response to legislative and/or other changes.

# ACKNOWLEDGEMENT

This policy was developed by Early Learning Association Australia in consultation with VicRoads and the Family Day Care sector as part of the VicRoads Starting Out Safely program.

attachment 1

Definitions and Source documents

1. Definitions

**Additional seats (or dickie seats)**: Seats that are added to a vehicle after its production to enable more people to be carried in the vehicle.

**Adequate supervision**: Supervision refers to constant and active supervision of every child at the family day care residence or venue, on excursion or during a regular outing.

* Adequate supervision requires educators to always be in a position to observe each child so that they are in sight and/or hearing of an educator at all times
* Legislative requirements for educator-to-child ratios must be complied with at all times

**Variables affecting supervision levels include:**

* number, age and abilities of children
* positioning of the educator
* 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.

**Approved Provider**: An individual or organisation that has completed an application and been approved by the Regulatory Authority as fit and proper (in accordance with Sections 12, 13 and 14 of the National Law) to operate one or more education and care services. The Approved Provider has overall responsibility to ensure that every part of the National Law, Regulations and National Quality Standard are met.

**Authorised driver**: A driver that has been approved by the Family Day Care service provider to drive children attending a specified Family Day Care residence/venue.

**Authorised nominee**: A person who has been given written authority by the parents/guardians of a child to collect that child from the Family Day Care educator. These details will be on the child’s enrolment form.

The National Law and National Regulations do not specify a minimum age limit for an authorised nominee. Each service provider will need to determine if a person under the age of 18 is able to be an authorised nominee and, if so, what constitutes the minimum acceptable age.

**Booster cushion**: A device used to raise the child’s seating position for use with an adult lap-sash seatbelt, but has no back and no top tether strap.

**Booster seat**: A device used for raising the child’s position in the motor vehicle and adapting an adult lap-sash seatbelt to make it suitable for a child. A booster seat has a back above the seating plane and may have a top tether strap.

**Child restraint**: A device used in conjunction with an adult seatbelt or ISOFIX-compatible lower attachment connectors, to restrain a child passenger of a motor vehicle in the event of a vehicle impact and thus minimise the risk of bodily injury.

**Child Restraint Evaluation Program (CREP)**: An assessment program that provides information and ratings on the levels of protection from injury in a crash provided by child restraints, and the ease with which these restraints can be used correctly – [www.childcarseats.com.au](http://www.childcarseats.com.au)

**Child safety harness**: An accessory that is a harness worn by the child. It attaches to an anchor point in the motor vehicle and is held in place by a lap-only belt.

**Coordinators** (also known as Field Workers or Resource Support Officers): Support educators on visits to Family Day Care residences/venues to ensure the National Law, Regulations and National Quality Standard are met.

**Dickie (or Dikkie) seats**: Refer to definition of Additional seats.

**Duty of care**: A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury.

**Informed consent**: (In relation to this policy) a written agreement to do something or to allow something to happen, only after all the relevant facts, including the alternatives and the possible consequences of the action/s, are known.

**Nominated Supervisor** (could also be known as Coordinator/Director/Team Leader): A person who is a Certified Supervisor and has been nominated by the Approved Provider of the service under Part 3 of the Act to be the Nominated Supervisor of that service, and who has consented to that nomination. The Nominated Supervisor has day-to-day responsibility for the service in accordance with the National Regulations. All services must have a Nominated Supervisor.

**Risk assessment**: A risk assessment must be carried out in accordance with Regulation 101. ACECQA provides a sample *Excursion Risk Management Plan*. Details of the safest route for travel, type of vehicle and required restraints can be included under *Method of transport, including proposed route*. The plan can be downloaded at: <http://www.acecqa.gov.au/library>

**Wheeled toy**: A child's pedal car, skateboard, scooter (other than a motorised scooter) or tricycle or a similar toy, but only when it is being used by a child who is under 12 years old.

1. Legislation and standards

The *Road Safety and Safe Transport Policy Early Childhood Policy* is informed by legislation, acts, regulations, Road Safety Rules and relevant Australian/New Zealand Standards including but not limited to:

**Acts**

* Road Safety Act 1986

**Regulations**

* Education and Care Services National Regulations 2011: Regulations 99, 100, 101, 102, 159, 160, 161

**Rules**

* Road Safety Road Rules 2009 (Vic)
* National Quality Standard (refer to Attachment 2 for road safety links to the NQS)
* Quality Area 2: Children’s Health and Safety
* Quality Area 6: Collaborative Partnerships with Families and Communities

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

* Victorian Legislation – Victorian Law Today: [http://www.legislation.vic.gov.au](http://www.legislation.vic.gov.au/)
* Commonwealth Legislation – Federal Register of Legislation: [https://www.legislation.gov.au](https://www.legislation.gov.au/)
* Early Learning Association Australia: [www.elaa.org.au](http://www.elaa.org.au)
* Road Safety Education Victoria: [www.roadsafetyeducation.vic.gov.au](http://www.roadsafetyeducation.vic.gov.au)
* VicRoads: [www.vicroads.vic.gov.au](http://www.vicroads.vic.gov.au)
* National Practices for Early Childhood Road Safety Education

1. Related policies

* Acceptance and Refusal of Authorisations Policy
* Child Safe Environment Policy
* Curriculum Development Policy
* Delivery and Collection of Children Policy
* Excursions and Service Events Policy
* Inclusion and Equity Policy
* Occupational Health and Safety Policy
* Supervision of Children Policy

Useful resources

1. Sources

* Child Road Safety: <http://childroadsafety.org.au/>
* Transportation of Children with Additional Needs: <http://www.rch.org.au/tocan/>

Best practice guidelines for the safe restraint of children travelling in motor vehicles. www.neura.edu.au/crs-guidelines/

**attachment 2**

**National Practices for Early Childhood Road Safety Education**

The *National Practices for Early Childhood Road Safety Education* have been developed by early childhood education and road safety experts across Australia and New Zealand.

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| **Holistic approaches** | Recognise that children’s learning is integrated and interconnected when making curriculum decisions about road safety education. |
| **Responsiveness to children** | Deliver road safety education which is responsive to individual children and extends children’s strengths, knowledge and interests. |
| **Learning through play** | Through play-based learning seek opportunities to address road safety in a way that expands children’s thinking and encourages problem solving. |
| **Intentional teaching** | Engage in intentional teaching which extends and expands children’s learning about road safety. |
| **Learning environments** | Provide opportunities in the learning environment, including the local community, for safe and meaningful interaction with children, parents and carers about road safety. |
| **Cultural competence** | Implement road safety education that is culturally relevant for the diversity of children, their families and the community. |
| **Continuity of learning and transitions** | Use the opportunity of transitions, in active partnership with children, families and the local community, for road safety education. |
| **Assessment for learning** | Together with children and families, reflect on each child’s learning and application of road safety to plan for future learning. |

The eight national practices are based on research and are aligned with the Early Years Learning Framework. The national practices guide early childhood educators and policy makers to develop, implement and evaluate evidence-based road safety programs that support children’s and families learning about road safety. Refer to http://roadsafetyeducation.vic.gov.au/resources/early-

Attachment 3

Sample procedure when a child is observed to be at risk of harm while being transported to or from a Family Day Care premises

Service providers have a duty of care to ensure the safety of children is paramount. Service providers must also comply with their obligations under state or territory child protection laws.

Where a parent/guardian or authorised nominee (refer to Definitions) is observed not using a child restraint, using the wrong child restraint, using a child restraint inappropriately or engaging in other unsafe behaviours such as parking illegally or not using a bicycle helmet, the **Family Day Care educator should**:

* talk with the parent/guardian/authorised nominee about the importance of safe transport procedures, including the correct use of child restraints and/or relevant road safety behaviours
* provide/refer the parent/guardian/authorised nominee to relevant information regarding safe transport
* inform the Family Day Care service provider.

If the parent/guardian or authorised nominee persists with unsafe behaviours, the Family Day Care educator must notify the **Family Day Care service provider, who should**:

* contact the parent/guardian/authorised nominee directly and discuss the importance of child restraint use and/or safe road user behaviour, including legal requirements and implications
* provide the parent/guardian/authorised nominee with a copy of this policy
* offer/provide assistance to the parent/guardian/authorised nominee with the choice/purchase/installation/fitment of the correct restraint or bicycle helmet for their child
* follow up with the parent/guardian/authorised nominee, where required, to ensure that they have the most appropriate restraint for their child and that it is being used correctly.

If a parent/guardian or authorised nominee appears to be impaired or intoxicated when arriving to collect their child, the **Family Day Care educator should**:

* encourage the parent/guardian or authorised nominee to use an alternative form of transport or contact another authorised person to collect the child. If the parent/guardian or authorised nominee is not willing to use an alternative form of transport, the educator cannot prevent the parent/guardian or authorised nominee from taking the child.
* notify the police and/or child protection authorities immediately if the educator is of the opinion that the child may not be safe in the care of the parent/guardian or authorised nominee.

1. Australian Institute of Health and Welfare (AIHW) (2012) *A picture of Australia’s children 2012* (Cat. No PHE167). Canberra, Australia: AIHW. [↑](#footnote-ref-1)