 Compliance Tool Name of Service :\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

This tool is provided for Nominated Supervisors to be able to check the compliance of their service under the Regulations. Completing this tool does not mean that your service is compliant with the Regulations.

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|  | | Regulation | Title | Requirements | Y or N | Comments/Action required | Initials |
| PART 4.1: EDUCATIONAL PROGRAM AND PRACTICE | | 73 (2) | Educational program | Does our program contribute to the five outcomes of the Early Years Learning Framework for each child? |  |  |  |
| 74 (1) (2)   | Documenting of child assessment or evaluations for delivery of educational program | 1. Evidence of each child’s developmental needs, interests and participation in the educational program? 2. Is documentation readily understandable by educators and parents? |  |  |  |
| 75   | Information about educational program to be kept available | (a) Is the program on display? |  |  |  |
| 76 | Information about educational program to be given to parents | Are parents provided with information about the program and their child’s participation? |  |  |  |
| PART 4.2: CHILDREN’S HEALTH AND SAFETY | Division 1: Health, safety and wellbeing of children | 77 (1) (2)   *  | Health, hygiene and safe food practices | 1. Is drinking water available at all times? 2. Is food and drink offered regularly? |  |  |  |
| 79 (1) (2)   *  | Service providing food and beverages | Are we providing children with adequate nutritious food? |  |  |  |
| 80 (1) (2) | Weekly menu | Is an accurate menu always on display? |  |  |  |
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| 81 (1) (2) | Sleep and rest | Do we cater for the individual sleep and rest needs of all children? |  |  |  |
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| PART 4.2: CHILDREN’S HEALTH AND SAFETY | Division 1: Health, safety and wellbeing of children | 82 (1)   | Tobacco, drug and alcohol- free environment | Is our environment free from the use of tobacco, alcohol and illicit drugs? |  |  |  |
| 83 (1) (2)   *  | Staff members and educators not to be affected by alcohol  or drugs | Do we ensure that all staff/volunteers are not affected by alcohol, and that alcohol is not consumed on the premises? |  |  |  |
| 84   | Awareness of child protection law | a) Are the nominated supervisor and all staff members aware of *Children and Young Persons (Care and Protection) Act 1998* No. 157? |  |  |  |
|  |  | b) Are all staffaware of all their obligations under this law and Keep Them Safe protocols? |
| 273 | Course in child protection | 1. The approved provider of an education and care service must ensure that the nominated supervisor of the service and any certified supervisor in day to day charge of the service has successfully completed a course in child protection approved by the NSW Regulatory Authority. No 273 2. Is there an up to date record of staff completing a course in Child Protection (every 3 years) ? |
| Division 2: Incidents, injury, trauma and illness | 85 | Incident, injury, trauma and illness policies  and procedures | Do we have a policy on handling injury, incident, illness or trauma? |  |  |  |
| 86   | Notification to parents of incident, injury, trauma and illness | Are parents notified within 24 hours? |  |  |  |
| 87   | Incident, injury, trauma and illness record | Do we keep accurate records? |  |  |  |
| 88 (1) (2)   | Infectious diseases | Do we take action to prevent the spread of infectious disease? Are parents notified of outbreaks? |  |  |  |
| 89 (1) | First aid kits | Are there enough suitably equipped first aid kits? |  |  |  |
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|  | | Regulation | Title | Requirements | Y or N | Comments/Action required | Initials |
| PART 4.2: CHILDREN’S HEALTH AND SAFETY | Division 3 – Medical conditions policy | 90 (1) (2) | Medical conditions policy | Do we have a medical conditions policy? Are parents and staff aware of this policy?  Do we minimise risks to children? |  |  |  |
| (3) |  |
| 91   | Medical conditions policy to be provided to parents | Has each parent been provided with a copy of the medical conditions policy document? |  |  |  |
| Division 4 – Administration of medication | 92 | Medication record | Does our Medical Record form contain the information required in Reg. 90? |  |  |  |
| 93  (1) (2) (3) | Administration of medication | Do we administer medication only after a signed medication form has been provided by parents? |  |  |  |
| *  |  |  |
| 95 | Procedure for administration of medication | If a child required emergency medication, do staff attempt to contact parents of the child first? |
| 94  (1) (2) (3) | Exception to authorisation requirement—anaphylaxis or asthma emergency | Are staff aware that in an emergency situation, medication for asthma and anaphylaxis can be given to a child without a signed Medication Record? |  |  |  |
| 96 | Self-administration of medication | Do staff realise that only school aged children can self-administer medication and that children in their service are not permitted to do so? |  |  |  |

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|  | | Regulation | Title | Requirements | Y or N | Comments/Action required | Initials |
| PART 4.2: CHILDREN’S HEALTH AND SAFETY | Division 5 – Emergencies and communication | 97  (1)(2)(3)(4) | Emergency and evacuation procedures | Are our emergency and evacuation procedures easy to understand, on a map, and on display at each exit? |  |  |  |
|  |  | Do we rehearse emergency evacuation procedures at least every 3 months? Are these documented? |
| 98   | Telephone or other communication equipment | Does the centre have access to an operating telephone at all times? |  |  |  |
| Division 6 – Collection of children from premises and excursions | 99  (1)(2)(4)(5)   *  | Children leaving the education and care service premises | Do children only leave the premises when being collected by an authorised person, attending an excursion, requiring medical attention or evacuating in an emergency situation? |  |  |  |
| 100   *  | Risk assessment must be conducted before excursion | Do staff conduct risk assessments for excursions? |  |  |  |
| 101   *  | Conduct of risk assessment for excursion | Does our risk assessment form comply with the requirements outlined in Regulation 101 (2) a-i? |  |  |  |
| 102  (1)(2)(4)(5) | Authorisation for excursions | Do we seek written consent from parents for children to attend excursions? |  |  |  |
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|  | | Regulation | Title | Requirements | Y or N | Comments/Action required | Initials |
| PART 4.3 — PHYSICAL ENVIRONMENT | Division 1 — Centre-based services and family day care services | 103 (1)   | Premises, furniture and equipment to be safe, clean and in good repair | Is all the equipment and furniture (indoor and outdoor) safe, clean and in good repair? |  |  |  |
| 104 (1)   | Fencing | Is the centre enclosed by a fence or barrier that prevents children going through, over or under it? |  |  |  |
| 105   | Furniture, materials and equipment | Does every child have access to appropriate furniture, materials and equipment? |  |  |  |
| 106 (1)(2)   | Laundry and hygiene facilities | Does the service have access to laundry facilities either on-site or off-site? |  |  |  |
| 107  (2)(3)(4) | Space requirements — indoor | Is there sufficient indoor play space for each child ? Minimum 3.25sqm/child. |  |  |  |
| (5) |  |  |
|  |  |  |
| 108  (2)(3)(4) | Space requirements — outdoor space | Is there sufficient outdoor play space for each child? Minimum 7sqm/child. |  |  |  |
| (5) |  |  |
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| 109 | Toilet and hygiene facilities | Do we have adequate toilet, hand-washing and drying facilities for children? |  |  |  |
| 110 | Ventilation and natural light | Are the indoor play space well ventilated with adequate natural light? |  |  |  |
|  |  | Are the rooms maintained at a comfortable temperature? |

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|  | | Regulation | Title | Requirements | Y or N | Comments/Action required | Initials |
| PART 4.3 — PHYSICAL ENVIRONMENT | Division 2 — Additional requirements for centre-based  services | 111   | Administrative space | Do we have an area(s) for administration and consultations/ private conversations? |  |  |  |
| 112  (1)(2)(3)(4)   | Nappy change facilities | Do we have adequate nappy changing facilities?  Are staff able to cleanse their hands after nappy changing? |  |  |  |
| 113   | Outdoor space—natural environment | Does our outdoor space allow children to explore and experience the natural environment? |  |  |  |
| 114   | Outdoor space— shade | Does our outdoor space have adequate shade? |  |  |  |
| 115   | Premises designed to facilitate supervision | Are all areas of the service (including toilet and nappy change facilities) supervised adequately and appropriately? |  |  |  |

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|  | | Regulation | Title | Requirements | Y or N | Comments/Action required | Initials |
| PART 4.4 — STAFFING ARRANGEMENTS | Division 1 — Educational leader | 118   | Educational leader | Do we have an educational leader who guides and implements the program? |  |  |  |
| Division 2 — Age and supervision requirements | 120   | Educators who are under 18 to be supervised | Have we ensured that any educator under the age of 18 does not work alone at the service, and is adequately supervised at all times by an adult educator? |  |  |  |
| Division 3 — Minimum number of educators required | 122 | Educators must be working directly with children to be included in ratios | Do educator-to-child ratios only include educators that are physically present with the children? |  |  |  |
| 123  (1)(2)(3)(4)  123 (1) (d) | Educator to child ratios— centre-based services  Educator to child ratio for children over preschool age | Are we complying at all times with the required educator to child ratios? i.e.:   * 1:4 ratio for children from birth to 24 months of age * 1:5 ratio for children 25-36 months of age * 1:10 ratio for children 36 months of age or over   When rooms have mixed ages in them (e.g. family grouping in the morning and afternoon), are we staffing educators according to the ratios required for the youngest children in the room?   * 1:15 ratio for children |  |  |  |

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| PART 4.4 — STAFFING ARRANGEMENTS | Division 4 — Educational qualifications for educators | 126 | Centre-based services— general educator Qualifications | Are 50% of our educators qualified with at least an approved Diploma qualification?  Are all other educators Certificate III qualified or are actively working towards obtaining a Certificate III? |  |  |  |
| Division 5 — Requirements for educators who are early childhood teachers | 130 | Requirement for early childhood teacher — centre-based services | Do we have the required number of early childhood teachers on the premises at all times?:   * 1 ECT for 20% of the time for fewer than 25 children per day? * 1 ECT for 6 hours (if operating 50 or more hours per week), or 60% of the time (if operating less than 50 hours a week) for 25-29 children? * 1 ECT for between 30 and 39 children? * 2 ECTs for between 40 and 59 children? * 3 ECTs for between 60 and 79 children? * 4 ECTs for more than 80 children? |  |  |  |
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| 136 | First aid qualifications | Do we have onsite at all times: |  |  |  |
| (1)(2)(3)(4) |  | * at least one staff member or one nominated supervisor of the service who holds a current approved\* first aid\*\* qualification? |
|  |  | * at least one staff member or one nominated supervisor of the service who has undertaken current approved\* anaphylaxis management training? |
|  |  | * at least one staff member or one nominated supervisor of the service who has undertaken current approved\* emergency asthma management training? |
|  |  | \*Approved by the National Authority (ACECQA) (Reg 137(e)) |

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| PART 4.4 — STAFFING ARRANGEMENTS | Division 7 — Approval  and determination of qualifications | 137 | Approval of qualifications | Are the qualifications held by staff approved by ACECQA? |  |  |  |
| (1)(2)(3)(4) |  |  |
| Division 9 — Staff and educator records — centre-based services | 145 | Staff record | Do we keep current staff records for all staff, including the nominated supervisor, responsible person, the educational leader and all volunteers and students?  Are these records readily accessible and updated as required? |  |  |  |
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| 151 | Record of educators working directly with children | Do we keep records of the names of each educator who works directly with the children, and the hours they have worked? |  |  |  |
| 152 | Record of access to early childhood teachers | For services that do not require a full-time ECT, do we have accessible and accurate records of when they have worked? |  |  |  |

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| PART 4.5 — RELATIONSHIPS WITH CHILDREN | 155 | Interactions with children | Are interactions between staff and children positive and respectful |  |  |  |
|  |  | at all times? |
| 156 | Relationships in groups | Do we give consideration to group sizes and group composition when |  |  |  |
| (1)(2) |  | staffing the service and supervising children? |
|  |  |  |
| PART 4.6 — COLLABORATIVE PARTNERSHIPS WITH FAMILIES AND COMMUNITIES | 157 | Access for parents | Are parents of enrolled children able to access the centre at any time? |  |  |  |
| (1)(2) |  |  |
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|  | | Regulation | Title | Requirements | Y or N | Comments/Action required | Initials |
| PART 4.7 — LEADERSHIP AND SERVICE MANAGEMENT | Division 1 — Management of services Subdivision 1 — attendance and enrolment records | 158 | Children’s attendance record to be kept by approved provider | Are our children’s sign in/out sheets accurate and current? |  |  |  |
| 160  161  162 | Child enrolment records to be kept by approved provider and family day care educator | Do we have an up-to-date enrolment record for each child enrolled at our service?  Do we have a medical treatment authorisation for each child, including GP contact details? |  |  |  |
|  | Authorisations to be kept in enrolment record | Are child immunisation records current? |
|  | Health information to be kept in enrolment record |  |
| Division 2 — Policies and procedures | 168   | Education and care service must have policies and Procedures | Does our service have the following policies:   * Nutrition, food/beverages, dietary requirements policy * Sun protection policy |  |  |  |
|  |  | * Water safety policy |
| 168 2a (v) |  | * Incident, injury, trauma and illness policy |
|  |  | * Infectious diseases policy |
|  |  | * Medical conditions policy |
|  |  | * Emergency and evacuation policy |
|  |  | * Delivery of children to and collection from the service |
|  |  | * Excursions policy |
|  |  | * First Aid |

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|  | | Regulation | Title | Requirements | Y or N | Comments/Action required | Initials |
| PART 4.7 — LEADERSHIP AND SERVICE MANAGEMENT | Division 2 — Policies and procedures | 168   | Education and care service must have policies and Procedures | * Providing a safe environment * Staffing policy (including staff code of conduct; responsible person and the participation of volunteers and students) * Interactions with children policy * Enrolment and orientation policy * Governance and management policy * Acceptance and refusal of authorisations policy * Payment of fees policy * Complaints policy * Sleep and rest Policy |  |  |  |
| 168 2a (v) | Sleep and rest for children |
| 170 (1)   | Policies and procedures to be followed | Are all staff aware of all policies, and following them consistently? |  |  |  |
| 171(1)(2)   | Policies and procedures to be kept available | Are the current policies and procedures accessible to staff, volunteers, parents and DEC? |  |  |  |
| 172  (1)(2)(3) | Notification of change to policies or procedures | Do we ensure that families are given 14 days’ notice about changes to policies and procedures? |  |  |  |
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|  | | Regulation | Title | Requirements | Y or N | Comments/Action required | Initials |
| PART 4.7 — LEADERSHIP AND SERVICE MANAGEMENT | Division 3 — Information and record-keeping requirements Subdivision 1 — Display and reporting of prescribed information | 173  (1)(2) | Prescribed information to be displayed | Do we ensure the following information is prominently displayed:   * Provider approval details? * Service approval details? * Nominated supervisor details? * Educational leader details? * Name and position of the responsible person in charge of the service at any given time? * Current NQS rating levels for each QA and overall rating (and if applicable, previous QIAS rating)? * Details of any service waivers and any temporary service waivers? * Hours and days of operation? * Contact details for parents to direct complaints? * Contact details for the Department of Education & Communities? * Where applicable, notice of enrolled child with diagnosed anaphylaxis? * Notice of infectious disease at the centre |  |  |  |
| 174  175  176 | Time to notify certain circumstances to Regulatory Authority  Prescribed information to be notified to Regulatory Authority | Do we provide the Department of Education and Communities with the appropriate notice period? |  |  |  |
| 177  (1)(2)(3)(4)    180 | Prescribed enrolment and other documents to be kept by approved provider  Evidence of insurance | Are all child records, staff records, programs and provider records kept, and available for inspection?  Do we have a current policy of Public Liability Insurance with a minimum cover of $10,000,000? |  |  |  |

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|  | | Regulation | Title | Requirements | Y or N | Comments/Action required | Initials |
| PART 4.7 — LEADERSHIP AND SERVICE MANAGEMENT | Subdivision 4 — Confidentiality and storage of records | 181 | Confidentiality of records | Do we ensure that all confidential information is not shared with anyone |  |  |  |
|  | kept by approved provider | and that records are stored in a safe place? |
| 183 | Storage of records and other documents  Storage of records after service approval transferred  Law and regulations to be available | Do we ensure all of our prescribed records are stored in a safe and |  |  |  |
| (1)(2) | secure place, and for the periods specified below: |
|  | * incident, illness, injury or trauma records until the child is 25 years of age |
|  | * Any records containing information relating to the death of |
|  | child: 7 years after the date of death |
|  | * Any other child-related records: 3 years after the last day of |
|  | enrolled attendance |
|  | * Approved provider records: 3 years after the last day the |
|  | provider operated the service |
|  | * Nominated supervisor and staff records: 3 years after the |
|  | last day the nominated supervisor or staff member provided |
|  | education and care on behalf of the service |
|  | * Any other records not listed above are kept for 3 years from |
|  | the date the record is made |
| 184   | Are child-related records transferred with any service approval transfers? |
| 185   | Do we keep a copy of both the Education and Care Services National Regulation, and the Education and Care Services National Law Act on the premises at all times? |

Completed by : Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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