

BUILDING BLOCKS

Autumn 2011

Children's Services newsletter

Human Services
Community Services



New licensing system for Children's Services

A new licensing system for children's services began on 1 January 2011, when amendments to the Children's Services Regulation 2004 took effect.

The new system means that there is now a 'master' licence for each provider and separate approvals for children's services and authorised supervisors. Licences and approvals can all be issued without a fixed term, removing the need to apply for further licences or approvals.

Prior to 1 January 2011

A licence covers:

- the service provider
- the children's service
- the authorised supervisor

"Licensees will no longer need to vary their licence when they engage a new approved authorised supervisor for their service or if they want to take over a service that has already been approved," said John Mason, Acting Executive Director of the Children's Services Directorate.

"Instead, licensees simply need to tell Community Services about these changes in writing."

New forms for notifications are now available on the Community Services website. New application forms will follow shortly.

Existing licensees

Existing licensees and approved authorised supervisors do not need to apply for a new licence or approval – they have been automatically transferred to the new system. Any special conditions on an existing licence have also been transferred.

1 January 2011 onwards

Provider licence

Children's service approval

Supervisor approval

However, this does not include details about the hours and days of operation, or the numbers of children within particular age brackets, that were included on licences issued prior to 1 January 2011.

Also, all licences that were issued for a five-year term before 1 January 2011 are now taken to be granted without a fixed term.

Pending applications

If you have any applications pending with Community Services you do not need to reapply. Applications that were lodged before 1 January 2011 but not yet finalised, have been carried over into the new system. They will be processed according to the particular circumstances.

For example, an application for a new service licence will be treated as an application for a provider licence, a children's service approval, and a

supervisor approval, if the provider does not hold an existing licence and the authorised supervisor is not covered by an existing approval.

If the provider already holds a licence and the authorised supervisor is covered by an existing approval, the application will be treated as one for a children's service approval only.

If you are unsure what is happening with an application that you lodged before 1 January 2011, please contact Central Licensing on **1800 619 113** or **9716 2100** or email cslicensing@community.nsw.gov.au to discuss your situation.

Fees

Under the new licensing system, application fees and annual fees apply to children's service approvals. However, there are no fees for provider licences or supervisor approvals.

Into the future...

"The new licensing system is closely modelled on the one that will operate under the National Quality Framework (NQF). This means that, for NSW, only minor adjustments will need to be made to the licensing system when the new framework begins in January 2012," said John.

Coroner's recommendations on child death in family day care

The Coroner has highlighted the importance of supervision at the inquest into the death of a three-year-old child in family day care on 6 December 2008. The child died during an afternoon nap at the home of his carer, who was registered with a family day care scheme in northern NSW.

An inquest was held into the child's death in September 2010. The Coroner's findings were handed down on 15 October 2010 at Glebe Coroners Court.

The Coroner found that the child had died of asphyxia secondary to epilepsy.

During the inquest the issue of supervision of children was closely examined. The Coroner noted that procedures are important to ensure that children are adequately supervised, especially sick children or children with special health needs.

The Coroner pointed out that although Community Services insists on minimum standards for family day care, the system depends on licensees, through their authorised supervisors, to enforce these standards and give carers support.

The Coroner stated that they need to act "with a degree of vigour to ensure that standards remain high and here, I think both (the carer) and more importantly (the child) may have been let down."

Coroner's recommendations

The Coroner recommended that procedures and systems be developed and enforced to help carers and

their supervisors to comply with the Children's Services Regulation 2004.

The Coroner said that this would "ensure a proper standard of care for children in family day care."

He also recommended that Community Services help the NSW Family Day Care Association and other peak bodies to inform and educate their members about the duties and obligations of licensees and authorised supervisors.

The Coroner suggested this could be done through newsletters, seminars and education programs.

He pointed out that licensees need to fully understand and comply with the Regulation, in particular the clauses related to:

- supervision of children
- keeping of up-to-date records
- retention of those records, and
- the responsibility of licensees to develop and maintain procedures to ensure that family day care carers comply with the parts of the Regulation that apply to them.

Response to the coroner's recommendation



Recommendations underway

Community Services will be working with the NSW Family Day Care Association and the Family Day Care Carers Association to develop a joint response to the Coroner's recommendations.

Community Services is also running a six-month education campaign focusing on family day care services. It began in September 2010 and will finish in March 2011.

The campaign aims to raise awareness among licensees, authorised supervisors and carers about the way in which the Regulation creates a chain of responsibility when providing family day care children's services in NSW.

Information from this campaign will help in developing the programs and activities the Coroner recommended to ensure that carers fully understand and comply with their obligations under the Regulation.

Changes to the Children's Service Regulation 2004

There are a number of key changes to be aware of due to amendments to the Children's Services Regulation 2004, which commenced on 1 January 2011.

There is a new 1:4 staff-to-child ratio that now applies for children under two years of age in centre-based and mobile children's services. The maximum group size for children in this age bracket has increased to 12, to tie in with the new ratio.

Changes have also been made to child number requirements to give providers more flexibility in how they run their service. The maximum number of 0–2 year olds that a service can care for has increased to 40 children, while caps on the number of 2–6 year olds and the total number of children that may attend a service have been removed from the Regulation.

Another change is the new requirement to ensure you do a risk assessment before you take children on an excursion. This obligation applies to licensees, authorised supervisors and family day care carers. These assessments will complement your existing duty to ensure that excursions are run in a safe way.

The Regulation says that in a risk assessment you must identify and assess risks that might relate to the excursion, and then work out measures you can use to manage and reduce these risks.

Community Services is developing a guide to help you ensure that risk assessments for excursions comply with the Regulation. You will be able to get this information on the Community Services website soon.

Do you know about these changes to the Act?

On 1 January 2011 these important new requirements were included in the *Children and Young Persons (Care and Protection) Act 1998*:

- **Section 219ZB** requires licensees to give parents of children enrolled in their service ready access to all written policies that the Regulation requires, as well as other policies and procedures about the conduct of the service. These include details of procedures for dealing with parents' concerns and complaints about the service.

Licensees must also give parents any information which Community Services requests about the service, or the safety, welfare or wellbeing of children who attend there.

- **Section 219ZC** says licensees and authorised supervisors must allow any parent contact with his or her child at any time while they are at the service. There are some reasonable exceptions where access can be refused, for example, if the licensee believes that a court has denied the parent contact with the child.

With the Act and Regulation recently amended, it is a good time if you are a licensee or authorised supervisor to read them again, as they both contain important new requirements that are essential for your service. It is also important to note that some requirements which were previously in the Act are now in the Regulation.

Public consultation on National Regulations

Public consultation has begun on proposed National Regulations that set out detailed requirements and processes to support the NQF. The NQF will apply to preschool, long day care, family day care and outside school hours care services from 1 January 2012.

An information paper was released in December 2010. It explained in detail the National Law that underpins the NQF and the proposed National Regulations.

An exposure draft of the National Regulations has also been released for public comment. Public consultation forums on the proposed Regulations will be held in NSW and ACT as follows:

You can download a copy of the information paper or draft National Regulations, or view the schedule for the public forums at www.deewr.gov.au/Earlychildhood/Policy_Agenda/Pages/DraftNQFRegDocs.aspx.

You can provide written feedback on the proposed National Regulations until 14 April 2011. Comments can be emailed to eccequality@deewr.gov.au or mailed to:

National Quality Framework Regulations Exposure
Draft Submission
Early Childhood Quality Group
Department of Education,
Employment & Workplace Relations
Loc C17MR2
GPO Box 9879
CANBERRA ACT 2601

ACT	Thursday 10 March	6.30–8.30pm	Canberra	The Marque Canberra, 102 Northbourne Avenue, Canberra
	Friday 11 March	9.30am–12pm	Canberra	The Marque Canberra, 102 Northbourne Avenue, Canberra
NSW	Monday 14 March	2–4pm	Sydney	SMC Conference & Function Centre, 66 Goulburn Street, Sydney
		6.30–8.30pm	Sydney	SMC Conference & Function Centre, 66 Goulburn Street, Sydney
	Tuesday 15 March	12–2pm	Penrith	Penrith Panthers, Mulgoa Road, Penrith
		7–9pm	Parramatta	TBA
	Wednesday 16 March	12.30–2.30pm	Newcastle	TBA
	Thursday 17 March	12.30–2.30pm	Wagga Wagga	TBA
	Friday 18 March	12.30–2.30pm	Orange	TBA

Early Years Learning Framework Professional Learning Program: EYLF PLP Workshop information

Since *Belonging, Being and Becoming: The Early Years Learning Framework for Australia* (EYLF) was distributed to early childhood education and care services in 2009, early childhood practitioners in vastly different contexts have been examining what the *Early Years Learning Framework* (EYLF) means for them and their work with children and families.



With funding from the Department of Education, Employment and Workplace Relations, Early Childhood Australia has designed the EYLF Professional Learning Program (EYLF PLP).

The EYLF PLP consists of the following elements:

1. A series of 65 EYLF Professional Learning Workshops in urban and regional locations across Australia, from March through to July, 2011.
2. An online EYLF PLP Forum where members of the early childhood community can talk about the EYLF and issues in early education and care.
3. An EYLF PLP Facebook community, where people can talk about early childhood matters in an informal setting.
4. Regular EYLF PLP e-Newsletters about practitioners' experiences as they engage with the EYLF.
5. Online EYLF PLP 'Talking about practice' series of e-Learning videos.
6. A series of online Vignettes (short 30-second films), which capture effective practice in relation to the EYLF and provide stimulus for staff discussion.

EYLF PLP Workshops

The Professional Learning Workshops are full-day workshops, delivered by facilitators with early childhood experience and expertise. These will take place from March until July, 2011.

Workshops aim to increase educators' understanding about the EYLF, promote reflection on practice and build a sense of belonging to an early childhood professional community. The Workshops are designed for educators who have the responsibility to implement the EYLF – as teachers, team leaders or educational leaders in services.

While Workshops will be adapted to suit the needs of participants and the style of facilitators, they will include some common components. Film vignettes will provide a vehicle for interpreting children's learning. A Learning Circle model will be employed to guide questioning and collaborative reflection.

The EYLF PLP Workshops will also provide participants with a chance to establish new contacts with other people implementing the EYLF. These networks will play a valuable role in providing ongoing

support for individuals. The EYLF PLP Facebook community and the EYLF PLP Forum have been specifically designed to provide a platform for the continuation of these support networks and professional conversations.

Participants at the workshops will receive copies of the six Early Childhood Australia EYLF publications, the ECA Code of Ethics and copy of a document titled:

Thinking about practice: Working with the EYLF. The total value of these resources is \$90. These will provide tangible ongoing support for the implementation of the *Early Years Learning Framework*.

For more information about the Workshops, or to access any of the EYLF Professional Learning Program resources please visit

www.earlychildhoodaustralia.org.au/eylfppl/



The Early Years
Learning Framework
Professional Learning Program

Applying for a mobile children's service approval



If you are applying for a mobile children's service approval, have a look at our policy first. It discusses the factors which Community Services takes into account when deciding whether a service should be approved as 'mobile'.

The *Children and Young Persons (Care and Protection) Act 1998* defines mobiles as 'a children's service that visits specific premises, areas or places at specific times for the purpose of providing the care'. The key feature is the service's mobility, which makes it different from other types of children's services.

So, if you are applying for an approval for a new service and are unsure whether to get one for a centre-based or mobile service, ask yourself whether it is 'mobile' in some way.

Here are some questions which may help you to decide:

- Will the service be delivered at a venue, then leave, and move on to another venue and possibly a further venue after that?
- Will the service return to each separate venue periodically (for example, fortnightly or monthly)?
- Will staff be travelling to pre-arranged venues from a base where the service is run?

- Will the venue also be used for other purposes when the service is not being provided there?
- Are the communities where the services are delivered geographically or socio-economically isolated?

If you can answer 'yes' to a number of these questions then the service is probably a mobile service.

Already have a mobile service approval?

Just note that if the circumstances of your service change, and it no longer fits the definition of 'mobile', you may need to vary your service approval. Your service may have changed over time or increased the number of days it operates at a particular venue. If this is the case, Community Services may contact the licensee to discuss varying the approval so that it better suits the service.

The mobile children's service policy is on our website at www.community.nsw.gov.au/docs/wr/_assets/main/documents/childcare_mobile_services_policy.pdf.

New plan to help workers gain qualifications

The NSW Government has developed a plan to help staff in approved children's services gain the qualifications they will need, under the National Quality Framework (NQF), to work in the children's services sector.

The NSW Department of Education and Training (DET) is leading the plan's implementation with help from Community Services NSW.

The NQF will progressively introduce new qualification requirements for early childhood educators and carers from January 2012. These include:

- Fifty per cent of educators in preschools and long day care centres will need at least a diploma-level early childhood education and care (ECEC) qualification or be actively working towards getting one by 2014.
- Other educators will need a Certificate III level ECEC qualification or be actively working towards one by 2014.
- All carers in family day care services will need a Certificate III level qualification or be actively working towards one by 2014.
- All family day care coordinators will need a diploma-level qualification by 2014.

Under the plan, if you work in the children's services industry and do not have formal qualifications, you can get recognition of your current skills and training to meet any gaps.

The Community Services and Health Industry Training Advisory Body is developing an industry standard and a workplace-focused recognition tool and training guide. Registered training organisations will be encouraged to use these resources to encourage a consistent approach.

Subsidised training in the Certificate III and Diploma of Children's Services will be targeted at staff already working in children's services. DET will approve registered training organisations to deliver the training.

Staff in your centre will be able to get training and skills development under this plan from 2011.

Further information about the plan can soon be found at www.training.nsw.gov.au.

Do you have something to tell us about your financial affairs?

Community Services NSW sometimes finds out by chance that a children's service licensee is bankrupt, making an arrangement with creditors, in receivership or being wound up.

"These are crucial changes that can have a major impact on your service and the children who attend it," says Community Services Communities and Early Years Divisional Director, Sonja Stewart.

"That's why the law requires you as a licensee to tell Community Services if you have any significant changes in your financial circumstances."

Clause 109 of the Children's Services Regulation 2004 says if you are a licensee you must give written notice of any significant change that may affect your capacity to provide a service. You must do this within one week after the change occurs.

"It is very important for Community Services to know about situations, such as if you go bankrupt, are in receivership or find yourself in any other financial difficulty, as it can

pose a risk to the proper operation of your service," Sonja says.

"Of particular concern is if someone, who has not had the required probity checks, steps in to run your service.

"You should be aware that the notification requirement in clause 109 is a condition of your provider licence and service approval. Community Services regards any breach of this condition as a serious matter," says Sonja.

A notification form CSDF 11 is available to help you to comply. You can find the form under 'licensing forms' on the Children's Services pages of the Community Services' website.



Munch and Move®

Munch and Move® makes children healthier, thanks to a free, NSW Government-funded training program for children's services staff.

Munch and Move training is designed to help your service start a fun, play-based approach to encouraging the healthy development of young children by promoting physical activity and healthy eating.

The Munch and Move program gives your service access to:

- face-to-face training by a registered training organisation
- resources to support active play and healthy eating
- support to develop and use policies and practices that promote physical activity and healthy eating for children attending your service
- contact with local health professionals for additional advice and support.

The Munch and Move program is currently being offered to educators working in long day care. You can attend one of the free full-day training workshops being held in locations across NSW during 2011. Munch and Move training for family day care services will also be offered this year.

To find out more about Munch and Move, or to register your interest in joining the program, visit www.healthykids.nsw.gov.au.

Anaphylaxis training

Do all the staff in your centre have an awareness of anaphylaxis and how to respond in an emergency? Anaphylaxis is a severe, life-threatening allergic reaction, so it is crucial that if you work in children's services you know what to do if a child is affected.

You can get free, online anaphylaxis training from the Australian Society of Clinical Immunology and Allergy (ASCI). This self-paced course is presented in modules designed specifically for childcare and school staff. You can find it at etraining.allergy.org.au.

Even if you have no children enrolled who are known to be at risk of anaphylaxis, at least some staff at your service should have specific anaphylaxis training. It is recommended that you refresh this training every two years, or sooner, especially if a child at risk of anaphylaxis enrolls.

The NSW Health Anaphylaxis Training Program, based at the Children's Hospital Westmead, provides comprehensive training, including the use and storage of adrenaline auto-injectors such as Anapen and EpiPen.

Dates for the Anaphylaxis Training Program's 2011 training sessions are:

Tuesday 15 March	7–9 pm
Tuesday 3 May	7–9 pm
Wednesday 8 June	7–9 pm
Monday 4 July	7–9 pm
Tuesday 16 August	7–9 pm
Wednesday 19 October	7–9 pm
Thursday 10 November	7–9 pm

Training sessions are all held at the Children's Hospital Westmead

To book into one of these sessions, you can email anaphylaxis@chw.edu.au or phone **02 9845 3501** between 9am and 3pm, Monday to Thursday.

For more information about anaphylaxis, see the Anaphylaxis Guidelines for Children's Services on the Community Services website.

Six tips for an effective emergency plan



Clause 83 of the Children's Services Regulation 2004 requires each children's service licensee to develop, maintain and implement, a written emergency plan for fire and other emergencies.

Following a regional compliance project focusing on effective emergency and evacuation procedures, some points were highlighted that may assist you with meeting these regulatory requirements.

Your emergency plan is for circumstances where people can't stay in the building, such as a fire or gas leak, or if the service needs to be 'locked down', for example, to prevent a person entering the building if they pose a risk to the children or staff.

Here are six important points to consider when developing the emergency plan for your service.

1. What should be in the plan?

- A visually-clear floor plan of the building and playground. It should show exit paths (arrows), location of doors, fire extinguishers, fire hoses and assembly areas.
- Procedures and directions should be displayed next to the floor plan. Keep these simple and to the point. Consider who is to alert everyone including emergency services, who is responsible for the children, who checks all areas so no-one is left behind, and who collects the essential items such as records, first aid kit, medications and mobile phones.
- Consider who finds out what exit point to evacuate from, who decides that everybody is safe in the assembly area and when it is safe to return.
- Remember to take account of the needs of the particular children at your service and their supplies, such as children with medical needs and infants.
- Also consider what equipment may be useful to transport smaller children in an evacuation (such as baby pouches, evacuation cots).

2. Where must the plan be displayed?

This is set out in clause 83(2) and depends on the type of service (e.g. centre-based or home-based). In a centre-based service, the plan must be displayed in each playroom and at each main exit from the building. These are the exits shown on your plan as points where people can get out of the building during any emergency.

3. How often must the emergency procedures be conducted?

Clause 83(3) says that the licensee and authorised supervisor must ensure that emergency procedures are practised with the services primary contact staff, family day carers or home based licensee's and with all children provided with the service at least once every three months, so that they are all prepared for emergencies.

4. Do I need to keep records of these practices?

Clause 83(4) requires a record to be made of each practice that is held. The record must include a written evaluation of the procedures followed in the practice. The evaluation should at least include:

- date and time of practice
- how long it took
- whether any part of the procedure was forgotten or overlooked (a checklist might be handy)
- whether there were any difficulties or issues with the children (e.g. babies and toddlers under two compared with older children)
- which staff participated in the practice
- your method for tracking which children took part (attendance lists/absences).

5. How long must I keep records of practices?

Clause 83(4) says you need to keep the records on the premises of your service for at least two years after the date of the practice.

6. What is an effective emergency communication plan?

- Clause 83(5) requires the licensee to ensure an effective communication plan is in place.
- The plan is to ensure you can contact emergency services and parents, if the service's usual phone system is not working or you do not have access to a phone.
- The plan might include a way to ensure access to a mobile phone, the telephone at a neighbouring home or business, or a two-way radio.
- Your plan also needs to detail who is responsible for accessing these alternative means of communication to ensure they are ready when needed.

Amendments to clause 83 mean that from January 2011, it is the licensee's responsibility to **ensure** that all emergency plans are not only developed, but also maintained and being implemented.

We hope these points help you develop effective emergency plans, which may save lives!

Getting a new AS? AS leaving? Remember to tell us!

Service providers please take note. If you appoint a new authorised supervisor you must notify Community Services in writing within two weeks after the appointment. And if a person stops being your authorised supervisor you must notify us of this as well, within two weeks after the event. These requirements are in clause 113A of the Regulation. Notification forms (CSNAS 1 and CSNAS 2) are on our website.

PS: Only a person who is approved by Community Services to be an authorised supervisor can be appointed. Also, some approvals are subject to conditions which may be relevant to you. If you are unsure whether a person has been approved contact us on **1800 619 113** or email cslicensing@dhs.nsw.gov.au

Changing hours or days of operation? It's easier now

There is now a simpler way for you to tell Community Services about a change of hours or days of operation for your children's service.

Before 1 January 2011, centre-based or mobile service providers wishing to change their hours or days of operation had to apply to Community Services for a licence variation.

Now all you need to do is notify Community Services of the change in writing and we will update our records. A new form CSNOH1 is on the website to help you give us the information needed.

Note: The new notification process does not apply if a mobile service is adding a new venue. In this case, you must apply to vary the service approval to include the new venue. The relevant forms are CSVAR 02, CSV1 01 and CSDF 06.



Just a reminder...

Have you looked at clause 56 (1A) of the Regulation?

Since 1 January 2011 it has been a requirement for a service provider to 'ensure that records are made and kept up to date of the name of the authorised supervisor who has the overall supervision of the provision of this service at any time the service is operating'. These records will help to make it clear who has been given overall supervision of the service at any particular time.



For more information contact
Children's Services Directorate
02 9716 2153
www.community.nsw.gov.au/childrens_services

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