



**Community Services  
Children's Services Directorate**

**Children's Services Monitoring and Compliance**

**REPORT OF TARGETED CAMPAIGN 001/09:  
Focussing on safety and supervision of children  
attending children's services in NSW**

*September 2009*

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## 1. Background

In May 2009 the Children's Services Directorate of the Department of Community Services commenced a new strategic approach to monitoring compliance by providers of children's services in NSW with their obligations under the *Children and Young Persons (Care and Protection) Act 1998* and the *Childrens Services Regulation 2004*.

This approach is detailed in the *Strategic Compliance Monitoring and Enforcement Framework* and the *Prosecution Policy and Guidelines*. Both documents are published on the Department of Community Services website.

Using this approach the Department seeks to prioritise its compliance and enforcement activities to target known and emerging areas of risk to the welfare and safety of children and to areas of serious or persistent non compliance. Targeted campaigns form an important part of this approach.

Events in 2008 highlighted concerns about an increasing number of incidents involving children leaving the premises of a children's service unnoticed by staff and other incidents where children were left unattended at the centre after the centre had closed for the day.

In December 2008 the Director General wrote to all licensees expressing concerns about these incidents and announcing that the Department would begin its new approach to monitoring compliance in 2009.

The Department's first Targeted Campaign was conducted in the period from 4 – 15 May 2009. The focus of the campaign was on safety and supervision of children at the start and end of the day and during departure times.

This report summarises the method, conduct and findings of the campaign and identifies key issues which impact on the safety and supervision of children attending children's services.

## 2. Methodology

**2.1 Campaign Objectives** were to:

1. Raise awareness in the children's services sector and the public about the Department's new approach to compliance and enforcement
2. Increase the compliance capability of licensees and authorised supervisors by informing them and the children's services industry about their responsibilities in relation to the supervision of children attending their services and the supervision and management of children in and around the premises of licensed children's services
3. Collect meaningful data on levels of compliance in the sector

4. Increase the Department's ability to better inform the sector about what goes wrong and what works in ensuring children are safe and properly supervised.

## 2.2 Campaign focus

The focus for the campaign was determined by an analysis of data available from reported incidents since 2004.

In NSW there are currently more than 3,400 licensed children's services providing care each day for nearly 151,000 children who are under six years of age.

Since 2004 there have been 37 reported incidents of children leaving services unnoticed by staff or being left unattended at a centre based service after the centre had closed for the day.

Children's Services Officers (CSOs) who had been involved with the investigation of these incidents completed an 'Incident Questionnaire' which provided details, and copies of any source documents relating to the incidents. This information was analysed to both validate the perception of incidence increase and to identify any patterns or trends associated with these incidents.

The analysis of these incidents formed the source data for determining the nature and scope of a campaign and is summarised at Appendix A.

The Campaign targeted compliance with the following requirements of the Regulation. The full text of these clauses is included at Appendix B.

<b>Requirement</b>	<b>Regulation reference</b>
Supervision of children	Clause 66
Fencing	Clause 45
Records in relation to attendance at children's service	Clause 94
Arrival and departure of child	Clause 74
Policies to be made available	Clause 85

The requirements of clauses 74 and 66 are particularly important to ensuring the safety of children.

The obligations placed on the licensee and the authorised supervisor by Clause 74 form key points for ensuring the safe handover of children between families/carers and authorised persons at periods of peak activity, where there typically an increase in child and adult activity and 'traffic' at a service.

Supervision is the bedrock of a service's responsibility and has the greatest impact on the safety of children. The obligations relating to supervision of children placed on the licensee and the authorised supervisor by clause 66

require proper programming and planning to ensure that there is a balance between supervision and other operational and “housekeeping” duties needed to be preformed by staff.

### **2.3 Scope of the Campaign**

The Director General wrote to all licensees in December 2008 announcing that in 2009 the Department would begin a new approach to monitoring compliance and asking them to review, and if necessary, amend policy, practice and procedures that impact on:

- child safety at the end of the day and during departure times, and
- the supervision and management of children in and around licensed premises.

Prior to the conduct of the campaign an information kit was provided to all centre based and family day care children’s services.

The kit included a letter from the Executive Director of the Children’s Service’s Directorate and a Fact Sheet providing information about the scope and the focus of the campaign, the specific regulations to be targeted, and the dates during which the campaign would be conducted.

A copy of the letter and Fact Sheet are provided at Appendix C.

### **2.4 Campaign Inspections**

Campaign visits were conducted from 4 May to 15 May 2009. The visits were restricted to selected children’s services that had come to the attention of the Department via complaints, incidents or monitoring.

Children’s Services Officers conducted inspections of the physical features of the premises relating to the fences and gates.

They also conducted interviews with staff about operational aspects of the service relating to staffing, records, policies and procedures which:

- deal with the supervision of children, in particular with the arrival and departure of children; and
- ensure that the premises of the children’s services remain safe for children.

The *Targeted Campaign Inspection Checklist and Report* was designed to ensure consistency across the regions in the conduct of inspections and the recording of observations of Children’s Services Officers and staff responses.

A copy of the checklist is attached at Appendix C.

## **2.5 Campaign model**

The model for this campaign is a qualitative intelligence-gathering model.

The Campaign aimed to inspect premises and ask questions of staff at the identified children's services to determine the level of knowledge current staff have about the policies and procedures at each service which:

- deal with the supervision of children, in particular with the arrival and departure of children; and
- ensure that the premises of the children's services remain safe for children.

It was not intended in this campaign to collect evidence at the time of inspection in relation to alleged breaches of the regulation or to conduct follow up inspections except where serious non-compliance posing an immediate risk to children was identified.

## **3. Findings relating to the safety and supervision of children**

In the two week period from 4 May to 15 May 2009 Children's Services Officers visited 37 selected children's services. From these visits the following observations are drawn.

### **3.1 Findings related to Operational Aspects**

#### **Staff surveyed**

Children's Services Officers conducted 111 interviews.

They interviewed licensees (7%), authorised supervisors (17%), primary contact staff (73%) and others (3%) involved in the provision of a children's service.

#### **Service Management**

At the time of inspection 70% of services did not have a licensee on the premises, 30% of services did not have an authorised supervisor on the premises and 15% of services had neither an authorised supervisor nor a licensee on the premises\*.

#### **Procedures relating to the arrival and departure of children**

Authorised supervisors and primary contact staff were interviewed about the existence of procedures that dealt with the specific responsibilities of authorised supervisors and primary contact carers regarding the arrival and departure of children as required by clause 74(4) and 74(5).

\* It should be noted that there is no requirement for the Licensee or Authorised Supervisor of a service to be on the premises at all times. An authorised supervisor of a service is required to be on the premises of a service "for no less than 50% of the time that the service is provided" each week.

**Clause 74(4)** requires the licensee to develop and maintain policies and procedures *to ensure that the authorised supervisor* complies with the provisions in the clause in relation to the arrival and departure of children

Only 15 % of licensees and authorised supervisors reported that the service had procedures in place specifically for the authorised supervisor related to receiving children at the beginning of the day or for ensuring that children were collected by an authorised person at the time of departure.

**Clause 74(5)** requires the authorised supervisor to ensure that at the end of each day all beds and all areas of the premises are checked by at least two members of primary contact staff to ensure that no child remains on premises after the service closes for the day.

Of primary contact carers interviewed 82% reported that there were procedures in place for staff to follow at the end of the day. Only 15% of authorised supervisors reported that procedures were in place specifically related to the authorised supervisor ensuring compliance with clause 74(5).

### **Qualifications and experience of staff**

Of the authorised supervisors interviewed at the services during the campaign, three quarters held a degree in early childhood education and the remainder held a diploma in children's services or equivalent.

The majority (over 60%) of licensees who were present at the services that did not have an authorised supervisor present had no qualifications or training themselves in early childhood education or childcare.

Authorised supervisors had an average of 6.2 years at the children's service that they were working in, and overall had an average of 16 years' experience in the children's services sector. The longest serving authorised supervisor had worked for 23 years in the same service.

Licensees interviewed had been involved in the same service for an average of 9.1 years, the longest being 35 years.

In a quarter of all the services the authorised supervisor was the only person at the service who had any formal qualifications in children's services. It was found that 60% of primary contact staff, who are the staff directly involved in educating or caring for the children, had no relevant training or qualification in children's services. Of the 40% that had training, two thirds held a diploma in children's services or equivalent while the remaining third held a degree in early childhood education.

### **Tasks performed by primary contact staff**

At opening times, in addition to greeting parents, receiving and supervising children staff reported that they were required to:

- set up both indoors and outdoors areas – putting out toys and equipment
- perform kitchen tasks requiring preparing and serving breakfasts or morning tea, and emptying dishwashers
- prepare for craft work e.g. making play dough, paints, etc
- prepare facilities such as making up cots, bottle prep, doing the laundry.

At closing times, in addition to supervising children and meeting parents at the end of the day, staff were also required to:

- perform cleaning tasks which included sweeping floors, mopping, vacuuming, cleaning toilets, washing equipment
- pack away toys and equipment
- perform kitchen tasks such as preparing and serving afternoon tea/snacks, washing up, loading dishwashers and cleaning the kitchen
- perform general washing and laundry tasks
- perform general tidying and locking up tasks

### **3.2 Findings related to Fences and Gates**

When inspecting gates and fences of children's services visited Children's Services Officers reported that:

- in 9% of services fences were not of a design to prevent children for scaling or crawling under them.
- in 42 % of premises a variety of fixtures were observed adjacent to fences that might allow children to climb the fence. These fixtures included bushes, tree stumps sand pit toys and hooks on fences.
- in 36% of services there was visual obstruction of the fence (by bushes and sheds) which would hinder proper supervision.

Children's Services Officers observed other design faults that while not requirements of the Regulation nevertheless restricted visibility and the capacity of staff to supervise children.

The following observed factors added to the risk of not properly supervising children:

- no barrier between children's services area and exit doors;
- staff did not have direct vision to the main entry area;
- no external alert system to allow children to get back in.

### **3.3 What Works and What Goes Wrong**

Children's Services Officers noted varied practices in the services visited which influenced the capacity of staff to appropriately supervise children.

#### **What works to ensure children are supervised at all times:**

- supervision stations being identified where staff were required to position themselves when children were outdoors
- newsletters advised parents to ensure that only their child leaves the premises with them

- checklists were developed for end of the day checking of premises and were required to be signed off by staff
- children's sign-in and sign-out sheets were checked and initialled by staff members. Parents were contacted where checking showed that a child had not been signed out by a parent but staff did not remember seeing the child leave the premises
- double sets of gates at the entry point, secure areas being created, and newsletters being sent to parents reminding them to ensure doors are closed and latched
- fencing and barriers to direct vision were removed
- procedures were developed which included ensuring that staff actually lift up and check bedding and mattresses at the end of the day and then sign-off on a check list to this effect
- mattresses are locked into a storeroom by 2:00pm each day
- ongoing review and updating of procedures
- ongoing staff training
- good communication between staff members at shift changes
- signs being placed on gates advising parents to make sure the gate is locked and check that only their own children leave with them.

### **What goes wrong**

- high turnover of staff, with new and casual staff not briefed on procedures and policies
- staff rushing to go home at the end of the day or shift end
- poor supervision of staff
- performance of cleaning duties impinges on supervision, particularly at the end of the day
- failure to check numbers of children and the sign-in records regularly during the day. The majority of services conducted ad hoc checks - usually once in the morning and once at the end of the day
- gates not being child proof
- not having policies and procedures in place related to these matters
- staff not working as a team
- visual obstructions of fences and gates, and entry and exit points
- staff becoming complacent and not using established checklists and procedures
- confusion amongst staff where there are a number of management changes, or new policies or procedures are introduced but no training is provided for staff as to how to implement them
- parents not latching gates or closing doors
- staff not following procedures
- staff interpreting the procedures or checklists differently
- inadequate training of staff.

## 4. Key issues raised by findings

### **Procedures for authorised supervisors at arrival and departure**

In circumstances where 70% of services did not have a licensee on the premises and 15% of services had neither an authorised supervisor nor a licensee on the premises, the obligations on the licensee to develop procedures specifically related to the responsibilities of the authorised supervisor and other staff becomes crucial for the proper supervision of children.

However, of the licensees and authorised supervisors interviewed, only 16% reported that they had procedures in place specifically related to the authorised supervisor's responsibilities as required by the provisions of clause 74(4) and 74(5).

### **Staff knowledge of roles and regulatory responsibilities**

The findings of the campaign reveal that while staff interviewed were generally well experienced and authorised supervisors, as would be expected were well qualified, responses from the interviews suggest that there was a lack of knowledge and clarity about some of the requirements of the regulations.

Individual staff members sought advice from CSOs on a range of matters and were concerned to understand the requirements that the legislation placed on them. In one situation a person newly appointed as an authorised supervisor sought advice about their particular role.

Other issues on which staff sought advice related to:

- leaving the room for a short time
- supervision at sleep time
- the requirement of checking premises at the end of the day by primary contact staff
- the meaning of "scalable" fences
- the difference between a policy, procedure and a practice
- clarification of the role for a new authorised supervisor
- performing other duties while supervising children, and
- clarification as to the legal responsibility of the licensee or the authorised supervisor.

### **Duties of primary contact staff at times of opening and closing**

The findings show that staff perform multiple tasks at opening and closing times. This situation requires that licensees manage the rostering of staff carefully to ensure that children are supervised at all times and that staff are not performing other duties while supervising children.

Clause 94(2) requires that the licensee must maintain and keep up to date a staff roster detailing the hours to be worked by each staff member, casual employee or contractor.

Rosters are an important planning and management tool to ensure that adequate staff numbers are present and able to meet both supervisory and other duties.

The Department relies on these records when monitoring compliance or conducting an investigation into a complaint or report of a serious incident involving a child at the service.

While only 12% of services did not have a staff roster available for inspection as required by clause 94(2) the potential serious risk to the safety of children if staff are performing other duties means that all services should keep up to date records of staff rosters.

#### **4.4 Physical features of fences and gates which limit the capacity of staff to supervise children**

While all the premises of inspected children's services were fenced on all sides 42% of these fences had fixtures adjacent to them which would assist children to climb the fence.

In 32% of services the ability of staff to supervise children was limited by visual obstruction of fences or gates.

Given that the analysis of the source data (Appendix A) identified that 60% of children left the premises of a service by climbing or crawling through the fence unseen by supervising staff these statistics indicate a serious risk to the safety of children in these services.

## **5. Campaign Evaluation**

The report has taken in to account the findings made by the campaign inspections and regional reports of Children's Services Team Leaders (CSTLs) in assessing whether the objectives of the campaign have been achieved.

Promotion of the campaign findings and recommendations will further increase the awareness and knowledge of the sector and the public about the Department's approach to monitoring compliance.

***Objective 1 - Raising awareness in the children's services sector and the public about the Department's new approach to compliance and enforcement.***

It is reasonable to conclude that the level of awareness has been raised by the widespread and positive response from the sector as reported to Children's Services Officers and to officers in Children's Services Directorate at Head Office.

There is a strong indication that licensees were generally well aware that the campaign was being conducted and were keen to take part. Head Office received an increase in the number of calls from service providers informing

the Department that they were holding staff meetings on topics of supervision and to revise their policies and practices in preparation for the campaign.

Most services thought the campaign a good idea and Children's Services Officers reported that they had received many positive comments about the campaign.

In one region, in light of the campaign, community and private organisations provided children's services with assistance to write policies while other organisations were providing services with ideas on what they needed to do.

Some regions reported an increase in phone calls to their offices from services checking that they had the correct policies. Services also made the material prepared for the inspection available in the staff room so that staff were aware that the inspections were being conducted.

Routine monitoring visits and complaint investigations of services not targeted in the campaign were carried on during this period. Services which had not been selected as part of the campaign were nonetheless keen to get feedback on their policies and procedures and some stated that they wanted to be included in the campaign.

A number of services contacted their regions wanting to know when they would be inspected as they believed that all services were to be inspected.

The Information Kit raised awareness and created expectations that all services might be visited and those not selected were nonetheless keen to be involved. A few services which had not received the information kit were still aware of the campaign. Information Kits were provided to these services during the campaign.

Few services complained about the disruption to their day while other services said that they liked the idea of being 'kept on their toes' and having to review and reflect on their practices.

***Objective 2 - Increasing the compliance capability of licensees and authorised supervisors by informing them and the children's services industry about their responsibilities in relation to the supervision of children attending their services and the supervision of and management of children in and around the premises of licensed children's services.***

The responses above indicate that most services in preparation for the campaign reviewed their policies and procedures, checked the fencing around their premises and reviewed the practices that occurred at departure times.

The knowledge of staff at the children's services visited varied greatly depending on the service and level of experience and qualifications of the individual staff member.

Some Children's Services Officers found they needed to explain certain requirements of the Regulation to untrained staff.

Across the regions Children's Services Officers reported that some untrained or Certificate III trained staff had little knowledge of the Regulation. Some trained staff were aware of the broader concept of the Regulation but not the specifics that directly apply to them.

One region reported that an authorised supervisor was not aware that there should be policies and procedures especially related to their responsibilities.

There was an expectation by some services that the Department would provide direction on the types of documents and procedures required and written feed back was requested following the evaluation.

The targeted campaign and the nature of the inspections conducted created an environment for staff at the services and Children's Services Officers to increase each others' knowledge of the requirements of the Regulation in relation to that individual staff member or that particular service.

***Objective 3 - Collecting meaningful data on levels of compliance in the sector***

This is reported separately in the Findings chapter of this report.

***Objective 4: Increasing the Department's ability to better inform the sector about what goes wrong and what works in ensuring children are safe and properly supervised when on the premises of a children's service.***

As part of the promotion of the campaign findings and during future monitoring activities the Department will be able to provide the sector with examples of what practices worked in other services or had a positive or negative impact on the supervision of children at their services.

## 6. Recommendations

It is recommended:

1. That a summary of the Campaign Report is provided to all children's services via the Department's website.
2. That Children's Services Team Leaders in each region conduct a review of the findings in relation to services in their region and initiate visits to those services at which, on the basis of observations made during the campaign, there is reason to believe there may be issues regarding:
  - the design of fences, and gates; the presence of adjacent fixtures or obstruction of visibility of the fence or gate; and
  - staff rosters in services where they were not provided at the time of the campaign inspection.
3. That future compliance monitoring activities by the Department place a greater emphasis on the requirements that licensees develop and maintain procedures related to the responsibilities of authorised supervisors to comply with provisions of the Regulation that apply specifically to their role.
4. That the Department consider developing a plain English summary of the respective responsibilities of Licensees and Authorised Supervisors for developing and implementing policies and procedures related to the supervision of children to assist the industry to understand their legal obligations.
5. That it be noted that consistent features of best practice in relation to child supervision and safety are found in those services where:
  - policies and procedures in relation to supervision and safety are in place and are implemented
  - staff have a good knowledge and understanding of the Regulation
  - there are good record keeping and checking practices
  - there is good staff supervision, good communication between staff, and good training of new and casual staff
  - information is provided to parents to ensure that they are also aware of and participate in safe practices around arrival and departure times.

## **APPENDIX A: Analysis of source data**

During 2008 an area of concern for the Department was identified related to an increased number of reports of children leaving premises without the knowledge of staff or being locked in after the centre had closed for the day.

The reports of these incidents have formed the source data for the campaign.

The children's services involved were identified and data about these incidents was collated and analysed.

The following observations were made.

### **Children leaving premises without the knowledge of staff**

1. Incidents involving children leaving the premises occurred at specific times of heightened activity in the children's services:
  - 25% occurred around arrival times
  - 15 % around departure times
  - 60 % occurred during service hours around transition times when the children were moving from one activity or one area of the premises to another or during outdoor play time.
2. Half of the incidents which occurred during arrival times involved children leaving the service with another person, usually the parent of another child, without the knowledge of the staff.
3. Of those incidents occurring during departure times 60% also involved the child leaving the premises at the same time as another person who was not their parent.
4. Of those incidents occurring during transition times 60% of the children climbed the fence, 30% left through the gate and the remainder left through a number of other means e.g. kitchen door that was left open.
5. The most common means by which children left the premises were: by climbing the fence (40%); exiting through the main entry (25%) or the gate (25%); and the remainder left by other means.
6. In approximately half of the incidents that involved fences or gates, it was found that either the gate or the fence required maintenance and repair work. Examples of defects requiring repair work included faulty self-locking mechanisms on the gate, holes in the fence, bent bars in the fence and having scaleable objects adjacent to the fence.
7. The ages of children involved in these incidents ranged from 18 months to over 5 years. The highest represented group was children aged 3 to over 5 years who accounted for over 55 % of the children involved. These children exited by a variety of means of leaving the service undetected using the main

8. Children aged less than 2 years were able to exit the premises through faulty fences (e.g. hole in the fence, bent rung).
9. Children aged 2 to 3 years (40% of the children) mostly exited the premises during the transition and/or outdoor times.

**Children locked in premises after the service had closed for the day.**

1. These incidents all involved children aged 2 years and under. These children were left asleep in their cots.
2. In all instances the staff had locked up the service with no awareness that a child were still on the premises.
3. None of the staff conducted a bed check prior to leaving the service.

## **APPENDIX B: Relevant Excerpts from the *Children's Services Regulation 2004***

For copies of the *Children and Young Persons (Care and Protection) Act 1998 Act* and *Children's Services Regulation 2004* go to the NSW legislation website - [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

### **45 Fencing**

1. Any part of the premises of a children's service that is designated for outdoor play space must be fenced on all sides.
2. The design and height of any fence or gate on the premises must prevent children from scaling or crawling under or through it and must inhibit or impede intruders from entering the premises.
3. Any side of a stairway, ramp, corridor, hallway or external balcony on the premises of a children's service that is not abutting a wall must be enclosed to prevent a child being trapped or falling through.
4. All gates leading to or from the premises of a children's service must be designed so as to prevent children from entering or leaving the premises unsupervised.
5. Child-proof barriers that are appropriate to the ages of children provided with the service must be provided at the top and bottom of stairs at the premises of a children's service if:
  - a) the Director-General so requires by notice in writing served on the licensee, or
  - b) in the case of a family day care children's service, the authorised supervisor of the service so requires by notice in writing served on the family day care carer concerned.

### **66 Supervision of children**

1. All children's services  
The licensee and authorised supervisor of a children's service must ensure that no member of the primary contact staff, a family day care carer or the home based licensee is performing other duties while supervising children.
2. The licensee and authorised supervisor of a children's service must ensure that children at the service are supervised at all times (including while they are asleep) having regard to their ages and physical and intellectual development and to the activities in which they are engaged.
3. In the case of a family day care children's service, the obligations of an authorised supervisor under subclauses (1) and (2) are taken to be the obligations of each family day care carer of the service.
4. Centre based or mobile children's service  
If, in the case of a centre based or mobile children's service, the toilet, hand washing and bathing facilities are not visible or easily accessible from the main areas where the service is provided, children provided with the service must be supervised when using those facilities.

5. The licensee and authorised supervisor of a centre based or mobile children's service must use their best endeavours to monitor whether children provided for by the service are able to climb or crawl under any fences or gates on the premises at which the service is provided and, if so, to take appropriate action to prevent them doing so.

#### **74 Arrival and departure of child**

1. All children's services  
The authorised supervisor of a centre based or mobile children's service, or a family day care carer or home based licensee, must ensure that:
  - a) when a child arrives at the premises of the children's service, a member of staff of the service, the family day care carer or the home based licensee receives the child, and
  - b) when a child leaves the premises of the children's service, the person who collects the child is a parent of the child or another person who is authorised in writing by a parent of the child to collect the child, and
  - c) if it is not possible to comply with paragraph (b), alternative arrangements to secure the safety and welfare of the child are made before the child is permitted to leave the premises, and
  - d) if a school age child arrives at or leaves the premises of the children's service unaccompanied by a parent of the child, the arrival or departure is in accordance with procedures agreed to in writing by the child's parents.
2. For the purposes of subclause (1), a child who is collected or returned by a member of staff of a children's service is taken to have arrived when he or she is collected from the pick-up address and to have left when he or she is returned to the drop-off address.
3. Centre based or mobile children's service  
The authorised supervisor of a centre based or mobile children's service must ensure that at the end of each day all beds and all areas of the premises (whether indoors or outdoors) are thoroughly checked by at least 2 members of the primary contact staff to ensure that no child remains on the premises after the service closes for the day.
4. The licensee of a centre based or mobile children's service must develop and maintain procedures and policies to ensure that the authorised supervisor of the service complies with the requirements of subclause (1).
5. Family day care children's service  
The licensee of a family day care children's service must develop and maintain procedures and policies to ensure that the family day care carers of the service comply with the requirements of subclause (1).

#### **85 Policies to be made available**

1. The licensee of a children's service must develop policies to promote the health, safety and well-being of children attending the service, and must ensure that copies of those policies are available at the premises of the service for inspection by the children's parents.
2. In particular, the policies must deal with the following matters:
  - a) child protection,
  - b) ethical conduct,

- c) development and education,
- d) the treatment of children with special needs,
- e) interactions with children,
- f) procedures for handling complaints,
- g) parental involvement,
- h) access,
- i) arrival and departure,
- j) excursions,
- k) confidentiality of records,
- l) child health,
- m) illness, accident and emergency treatment,
- n) administration of medication,
- o) infectious diseases,
- p) food and nutrition,
- q) water safety,
- r) sun protection,
- s) storage of dangerous substances and dangerous equipment.

#### **94 Records in relation to attendance at children's service**

##### **1. Centre based or mobile children's service**

The licensee of a centre based or mobile children's service must ensure that the authorised supervisor of the children's service maintains and keeps up to date a record of attendance by children at the service.

2. The licensee of a centre based or mobile children's service must maintain and keep up to date a staff roster detailing the hours to be worked by each member of staff, casual employee or contractor of the service.

##### **3. Family day care children's service**

The licensee of a family day care children's service must ensure that the authorised supervisor of the service maintains and keeps up to date a record of attendance by children at the service.

##### **4. Home based children's service**

The licensee of a home based children's service must maintain and keep up to date a record of attendance by children at the service.

Dear Licensee

The Director General of the Department of Community Services wrote to you and all licensees in NSW in December 2008 informing you that in 2009 the Department would commence a strategic and risk based approach to compliance and enforcement.

Events in 2008 highlighted concerns for the Department about key aspects of child supervision in some licensed children's services.

In particular the Department became aware of a number of incidents involving children leaving the premises of a children's service unnoticed by staff and other incidents where children were left unattended at the centre after the centre had closed for the day.

In her letter the Director General asked that all licensees review and if necessary amend policy, practice and procedures that impact on:

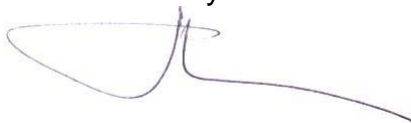
- child safety at the end of the day and during departure times, and
- the supervision and management of children in and around licensed premises.

I am now writing to inform you that the Department will be conducting a targeted campaign which will focus on ensuring that licensees have developed and are implementing policies and procedures that ensure that children's services comply with those provisions of the Regulation relating to the safety, management and supervision of children in and around their licensed premises.

Information about the conduct of the campaign and the provisions of the Regulation to be targeted is provided in the campaign Fact Sheet attached to this letter.

I once again draw your attention to the Department's website where you can read more about the Department's new approach to monitoring compliance and enforcement in the *Strategic Compliance Monitoring and Enforcement Framework* and the *Prosecutions Policy and Guidelines*. The website can be found at [www.community.nsw.gov.au](http://www.community.nsw.gov.au)

Yours sincerely



**John Tansey**  
**Executive Director, Children's Services Directorate**  
April 2009

# NOTICE OF TARGETED CAMPAIGN



## Focussing on safety and supervision

**4 May – 15 May 2009**

All children's services in NSW are required to comply with the *Children and Young Persons (Care and Protection) Act 1998* and the *Children's Services Regulation 2004*.

Authorised officers from the Department of Community Services will be visiting selected children's services in NSW that have come to the attention of the Department in relation to:

- child safety at the end of the day and during departure times, and
- supervision and management of children in and around licensed premises.

Between **4 May and 15 May 2009** officers will inspect premises and ask questions of the licensee, authorised supervisor and staff to determine whether the children's service has developed and implements policies and procedures to ensure that all staff comply with the relevant provisions of the Regulation.

These visits will focus on the following specific requirements of the *Children's Services Regulation 2004*.

Requirement	Regulation reference
Supervision of children	Clause 66
Fencing	Clause 45
Records in relation to attendance at children's service	Clause 94
Arrival and departure of child	Clause 74
Policies to be made available	Clause 85

A full copy of the Regulation is available at [www.community.nsw.gov.au/childrens\\_services](http://www.community.nsw.gov.au/childrens_services)

Further information on DoCS compliance and enforcement strategy, specifically the *Strategic Compliance Monitoring and Enforcement Framework* and the *Prosecutions Policy and Procedures* is available at [www.community.nsw.gov.au/policies](http://www.community.nsw.gov.au/policies).