

ASSESSMENT, APPROVAL & RE-ASSESSMENT OF APPROVED FAMILY DAY CARE RESIDENCE AND/OR VENUE POLICY

Under the Children (Education and Care Services) National Law and the Education and Care Services National Regulations, the Approved Provider of a Family Day Care service must conduct an assessment (including a risk assessment) of each approved family day care residence and proposed venue **before** education and care is provided to children at the residence or venue. Following approval, an annual assessment must be conducted, including a risk assessment, of each family day care residence and/or approved venue to ensure that the health, safety and wellbeing of children who are educated and cared for by the service are protected. Records of all assessments must be maintained.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 3: PHYSICAL ENVIRONMENT		
3.1.1	Fit for purpose	Outdoor and indoor spaces, buildings, fixtures and fittings are suitable for their purpose, including supporting the access of every child.
3.1.2	Upkeep	Premises, furniture and equipment are safe, clean and well maintained.
3.2.1	Inclusive environment	Outdoor and indoor spaces are organised and adapted to support every child's participation and to engage every child in quality experiences in both built and natural environments

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS	
Sec. 50A	Approval of a place as a family day care venue
Sec. 54(1A), (8A)	Amendment of service approval on application

Sec.103A	Offence relating to places where education and care is provided
Sec. 167	Precautions to be taken to protect children from harm or hazards
Sec. 174	Offence to fail to notify certain information to Regulatory Authority
Sec. 174A	Family day care educator to notify certain information to approved provider
26	Application for service approval – family day care service
63	Assessing approved education and care services
82	Environment to be free from tobacco, vaping devices, vaping substances, drugs and alcohol
83	Staff members and family day care educators not to be affected by alcohol or drugs
84A	Sleep and rest
84B	Sleep and rest policies and procedures
84C	Risk assessment for purposes of sleep and rest policies and procedures
97	Emergency and Evacuation procedures
98	Telephone or other communication equipment
103	Premises, furniture and equipment to be safe, clean and in good repair
104	Fencing
105	Suitable and sufficient furniture, materials and developmentally appropriate equipment
106	Laundry and hygiene facilities
109	Toilet and hygiene facilities
110	Ventilation and natural light
116	Assessments of family day care residences and approved family day care venues
116 (2)	The suitability of nappy change arrangements- Water hazards- Risk posed by animals
116A	Inspection of swimming pools, water features and other potential water hazards at family day care residences and approved family day care venues
116B	Inspection report
116C	Compliance with fencing requirements for swimming pools at family day care residences and approved family day care venues

117	Glass
163 (1), (2)	Residents at family day care residence and family day care educator assistants to be fit and proper persons
168	Education and care service must have policies and procedures
169	Additional policies and procedures – family day care service
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
172	Notification of change to policies or procedures
173A	Prescribed information to be displayed- family day care service
176A	Prescribed information to be notified to approved provider by family day care educator
177	Prescribed enrolment and other documents to be kept by approved provider

Victorian Child Safe Standards	
Standard 1	Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued
Standard 2	Child safety and wellbeing is embedded in organisational leadership, governance and culture
Standard 3	Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously
Standard 4	Families and communities are informed, and involved in promoting child safety and wellbeing
Standard 5	Equity is upheld and diverse needs respected in policy and practice
Standard 6	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
Standard 7	Processes for complaints and concerns are child focused
Standard 8	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training
Standard 9	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed
Standard 10	Implementation of the Child Safe Standards is regularly reviewed and improved
Standard 11	Implementation of the Child Safe Standards is regularly reviewed and improved

RELATED POLICIES

Engagement and Registrations of FDC Educators Policy	Monitoring Support and Supervision of FDC Educators and Assistants Policy Professional Development Policy
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Engagement or Registration of FDC Educator Assistants Policy Health and Safety Policy Keeping a Register of Family Day Care Educators Policy	Provision of Information Assistance Training to Family Day Care Educators Policy Visitors to the Family Day care Residences Policy Water Safety Policy
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PURPOSE

We aim to ensure the Family Day Care residence and/or venue protects children’s health, safety and wellbeing. By conducting comprehensive assessments, including risk assessments, potential hazards that may cause injury or harm to children being cared for at a residence or venue are identified and actions to minimise potential risk are clearly documented and action taken to ensure compliance.

Our Service adopts and aligns with the [National Model Code](#) and guidelines for taking images or videos of children. (See *Safe Use of Digital Technologies and Online Environments Policy*.)

SCOPE

This policy applies to the Approved Provider, Nominated Supervisor, Coordinator, Educators, Educator Assistance, children, families, and visitors (including contractors) of the Family Day Care Service.

IMPLEMENTATION

Under the *Education and Care Services National Regulations*, the Approved Provider of a Family Day Care (FDC) Service must ensure that policies and procedures are in place for assessing proposed FDC residences and venues and reassessing approved FDC residences and venues. They must also take reasonable steps to ensure policies and procedures are followed. The Approved Provider of a Family Day Care Service will conduct assessments (including a risk assessment) of each approved family day care residence and approved family day care venue *before* education and care is provided to children and then at least once a year. The FDC service must additionally conduct *monthly* inspection of any water hazards, water feature or swimming pool or spa and fencing at each FDC residence or approved venue. The purpose of the assessment is to ensure the health, safety and wellbeing of children is protected at all times. The Approved Provider will maintain a record of assessments undertaken and provide a copy to the FDC educator for their records.

The Education and Care Services National Law requires all services to ‘*ensure that every reasonable precaution is taken to protect children... from harm and from any hazard likely to cause injury*’ (Section 167). Risk

assessments are to be conducted to identify any potential hazards that may cause injury or harm to children being cared for, assess the risk of harm or potential harm and eliminate or minimise the risk by using control measures. Risk assessments are to be evaluated, reviewed and continually monitored. This may include conducting regular daily safety checks, regular WHS inspections and regular spot checks conducted by the Coordinator of the Family Day Care Service.

The Approved Provider is responsible for ensuring all approved FDC residences and venues are compliant to the National Regulations and understand that penalties apply for non-compliance including record keeping requirements.

The Approved Provider will:

- advise potential FDC educators of the requirement of assessment, including a risk assessment, of the proposed residence or FDC venue as suitable, to comply with legislated regulations in order for approval to operate family day care
- advise potential FDC educators of consequences of non-compliance – suspension or cancellation of engagement/Registration
- develop an assessment procedure/checklist to be used when assessing each FDC residence or venue
- develop a re-assessment procedure/checklist to use when re-assessing each FDC residence or venue
- develop a risk assessment procedure for FDC educators to implement to identify potential hazards and manage risks
- ensure the risk assessment includes a diagram showing the areas of the residence or venue that has been assessed by the approved provider and deemed suitable for education and care
- ensure this diagram clearly shows the existence of any water hazard, swimming pool or spa
- display the diagram at the entry of the FDC residence or venue clearly visible for families to view
- ensure this diagram clearly shows the existence of any water hazard, swimming pool or spa (any body of water with a depth greater than 3 cm)
- ensure any water hazard has effective barriers in use at all times
- provide continuous and ongoing monitoring of the environment through regular home visits by the coordinator to observe the environment and if necessary, make recommendations to ensure compliance and safety for children at all times
- conduct a comprehensive annual assessment of each approved family day care residence and/or approved venue at least annually
- ensure families using the residence or venue are informed about the findings of annual assessments and specific areas to which it relates or the finding made by the approved provider

- conduct an annual assessment of the family day care educator and educator assistant and any person over the age of 18 who resides or frequently visits the family day care residence while education and care is provided, as a 'fit and proper person'. The approved provider must also consider each person to have
 - a Working with Children Check, working with children Check Card or a current teacher registration card
 - a criminal history record check issued not more than 6 months before it is considered
- provide a copy of the assessment and re-assessment to the FDC educator for their own records
- ensure educators and educator assistants maintain current approved first aid and approved anaphylaxis and asthma management training and annual cardio-pulmonary resuscitation. Copies of valid certification must be recorded at the principal office of the FDC Service
- notify families at least 14 days before changing policies and procedure that
 - affect the fees charged or the way they are collected
 - significantly impact the service's education and care of children or;
 - significantly impact the family's ability to utilise the service
- conduct and record monthly inspections of water hazards, swimming pools, water features and spas for FDC service residence and approved venues
- ensure any water safety inspection reports which contain potential risks to the health, safety and wellbeing of children must be notified to the Approved Provider within 24 hours- See: [Water Hazard Safety Inspections](#)
- provide a copy of the water safety inspection report to the FDC educator
- keep records of the water safety inspection report
- request compliance certificates for any barriers or fencing surrounding swimming pools, spas or water hazards to ensure compliance with Australian Standards, including requirements as per legislation and council requirements (See *Water Safety Policy*)
- ensure educators provide notification to the Approved Provider of any proposed renovations and/or changes to the residence or venue that will affect the education and care provided to children at the service (at least two weeks' notice)
- ensure educators provide notification to the Approved Provider of any circumstances which may affect or pose a risk to the health, safety and wellbeing of children, including infectious diseases or natural disasters (bushfire, flooding).

ASSESSMENTS OF FAMILY DAY CARE RESIDENCES AND /OR VENUES MAY INCLUDE ENSURING:

- suitability of the residence according to the number, ages and ability of children attending or likely to attend

- for services in a multi-storey building shared with other occupants, consideration as to whether, for each storey there is direct egress to an assembly area to allow the safe evacuation of all children attending the residence or venue, including non-ambulatory children
- for services in a multi-storey building, details regarding the number of storeys within the building, which storey the residence/venue will be located, and the ages of children who will attend on each storey (if the residence/venue covers more than 1 storey)
- identifying any risks or potential hazards for purposes of sleep and rest
- the risk posed by any animals at the residence or venue
- children are provided with a safe, secure education and care environment that poses minimal risks
- children have access to sufficient furniture, materials and developmentally appropriate equipment
- all equipment and furniture used in providing education and care are safe, clean and in good repair
- the service has enough seats and developmentally appropriate utensils for children to use at mealtimes
- there are adequate facilities for safe handling, preparation, storage and disposal of food and beverages
- the location and design of toilets and hand washing facilities enable safe and convenient access by the children
- adequate supervision is provided for children when using toilet facilities
- adequate, developmentally and age-appropriate toilet, washing and drying facilities are provided
- hot water taps have temperature controls or safety guards to reduce risk of being scalded
- the suitability of nappy change facilities for children attending or likely to attend the service (including ensuring the educator is able to maintain hand on contact with a child during nappy changes)
- hygienic procedures are followed for cleaning the nappy change area between changes of children- including replacing paper on the change table, handwashing and use of gloves
- suitability of nappy change arrangements for children attending, or likely to attend
- nappy change facilities are located in an area that prevents unsupervised access by children
- laundry facilities are adequate and appropriate for educators to deal with soiled clothing, nappies and linen
- laundry facilities are located and maintained in a way that does not pose a risk to children
- the residence/venue is well ventilated and has adequate natural lighting
- all FDC residences and venues (except those in WA- 1m minimum standard applies) must comply with the 0.75m height requirement for safety glass (Regulation 117). Any glass that is accessible to children that is lower than the height requirement must have additional glazing or safety film over the glass. (Regulation 117)
- prescribed information is displayed within the FDC residence/venue in accordance with regulation 173A
- sliding doors have decals/transfers positioned at various eye levels of children

- the premises are maintained in accordance with all regulations and building standards
- sleep/rest environment and sleep equipment are fit for purpose
- consideration of evacuation procedures of infants and toddlers if their sleeping arrangements are located upstairs. (See specific risk assessments).
- any equipment with a fall height over 500mm has Australian Standard playground surfacing/soft fall to prevent serious head injuries
- fencing of the outdoor space used by children at the service is enclosed and is of a height and design that prevents preschool age children or under from getting beneath, through or over
- any items that children may use to assist them to scale a fence (play equipment, branches of a tree) are either removed or moved away from the fence
- all fences and gates are appropriately maintained to ensure the safety of children
- indoor spaces are kept at a temperature that ensures the safety and wellbeing of children
- existing water safety hazards, including water features and swimming pools at/or near the residence and/or venue are considered as part of the risk assessment and subject to monthly future inspections
- the risk posed by animals at the residence or venue are carefully considered within the risk assessment
- all internal or external stairways, ramps, corridors, hallways or balconies are enclosed in such a way as to prevent a child being trapped or falling through or climbing over it
- power points are fitted with approved safety options or with an earth leakage circuit breaker
- safety plugs are installed when electrical points
- electrical appliances are kept out of reach of all children
- sandpits are covered at night and raked regularly to dispose of any animal faeces
- outside area is checked to prevent any pests or vermin (snakes, rats, mice, spiders)
- garden sheds/garages are kept locked
- firearms and ammunition are inaccessible to children at all times and are stored securely and separately in a locked cupboard at all times
- firearms licences of registered persons are provided to the approved provider
- trampolines will not be used whilst children are in education and care
- for FDC venues only, the premises must have at least 3.25 square metres of unencumbered indoor space (Reg. 107) and 7 square metres of unencumbered outdoor space (Reg.108).

If there are other issues preventing compliance, the Approved Provider may take further action to suspend or cancel the approval of the residence as part of the FDC Service/Scheme and terminate the employment of the FDC educator.

In the case of non-compliance of National Regulations, the Approved Provider will:

- notify the regulatory authority of matters in accordance with the notification requirements in sections 173-174 of the National Law and regulations 173-176
- conduct a meeting with the FDC educator to develop an action plan to ensure areas assessed as non-compliant are rectified within a specific time frame
- ensure ongoing monitoring and assessment of the FDC residence and educator's action plan by the coordinator

The FDC educator will:

- keep up to date with any changes to the Assessment and reassessment of residences and venues for FDC policy and procedures
- advise the approved provider of the areas of the residence they wish to use for the operation of their service
- ensure family members are reminded of the areas that have been assessed for use
- ensure notification has been made to the approved provider of any proposed renovations and/or changes to the FDC residence or approved venue which may pose a risk to the health, safety and wellbeing of children attending or likely to attend
- ensure notification has been made to the approved provider of any circumstances which may affect or pose a risk to the health, safety and wellbeing of children, including infectious diseases or natural disasters (bushfire, flooding)
- provide a child safe environment, meeting all regulatory standards by completing safety checks and regular risk assessments, which monitor the suitability and safety of the education and care environment and identify any risks
- discuss any suspicions or disclosures from children and follow appropriate reporting if you believe a child may be at risk of harm
- ensure the residence is set up to facilitate adequate supervision of children
- ensure the environment is free from tobacco smoke, alcohol and illicit drugs at all times
- ensure Working with Children Check (WWCC) is current at all times
- ensure any person residing in the residence over the age of 18 has a current WWCC
- participate in annual assessments of their residence or more regularly if necessary
- ensure a diagram showing the areas of the residence or venue used to provide education and care is displayed at the entry of the FDC residence or venue
- ensure their residence meets all regulatory requirements including ensuring that the premises, furniture and all equipment and toys are safe, clean and in good repair

- ensure quiet, well-ventilated and comfortable sleeping spaces are provided for children's sleep and rest
- remove ladders from any bunk beds or make the top level of the bunk inaccessible to children under 8 years
- ensure all cots meet Australian Standards and are in good repair
- ensure all glazed areas of the residence or venue complies with glass Regulation 117 All FDC residences and venues must comply with the 0.75m height requirement for safety glass (NQF Review). Any glass that is accessible to children that is lower than the height requirement must have additional glazing or safety film over the glass.
 - . The glazed area must be-
 - a) glazed with safety glass if the Building Code of Australia requires this; or
 - b) in any other case
 - o treated with a product to prevent shattering if hit
 - o or guarded by barriers to prevent a child from striking or falling against the glass.
- ensure that all equipment used complies with Australian Standards (cots, bedding, toys, electrical equipment)
- ensure floor coverings are secure and free from tripping hazards
- follow safety advice from recognised authorities and manufacturers
- ensure any play equipment or building structures are not placed near fences where children could gain a foothold and climb over a fence
- ensure gates and doors have childproof catches that prevent access to hazards including dams, roads, water features, spas or swimming pools
- complete [FDC pool, water hazards/water features safety check](#) (if applicable)
- complete and assist in record keeping of monthly inspections of swimming pools, spas and water features
- ensure dogs and animals that may cause injury to children are housed in areas with secure fencing
- ensure notification has been made to the Approved Provider of any proposed renovations and/or changes to the residence or venue that will affect the education and care provided to children at the service (at least two weeks' notice)
- comply with the outcomes of the residence pre-assessment and annual assessment in a timely manner (as per action plan if required)

Recommended Checklists/Audits for Family Day Care Residence Assessment

(Any checklist or audit sheet developed to be used for assessment must be shared with FDC educators)

- Information and display checklist

- Daily safety checklist- indoor/outdoor (checking fencing, gates, locks, play equipment, sandpit, water hazards, risks posed by pets)
- Cleaning checklist
- Medicinal condition audit (where applicable)
- First Aid Kit Audit
- Toys and resources checklist
- Home Safety Risk Assessment FDC - Premises assessment checklist including- glass, ventilation and natural light, suitable and sufficient furniture and materials and developmentally appropriate equipment and suitability of the residence
- Transportation pickup/drop off checklist
- Safe sleep audit
- Visitor register
- Emergency Evacuation Audit- (fire equipment, smoke alarms)
- FDC Pool/Water Hazards/Water features Safety checklist

All audits will be added in compliance calendar,

COMPLIANCE WITH THE NATIONAL MODEL CODE AND CCTV REQUIREMENTS

CCTV systems may be installed at a Family Day Care educator's residence; however, these systems are not installed or operated by the Service itself. Where CCTV is present, the Service must ensure that its use and management comply with the Education and Care Services National Law and Regulations, the National Quality Framework, and the National Model Code of Conduct for the Early Childhood Education and Care (ECEC) sector.

During the assessment, approval, and re-assessment of a Family Day Care residence and/or venue, the Service will verify that any CCTV installation by the educator is appropriate, does not interfere with the privacy and dignity of children, families, or staff, and is consistent with Quality Area 2 (Children's Health and Safety) and Quality Area 7 (Governance and Leadership) of the National Quality Standard.

If an educator has installed CCTV, they must provide the Service with clear information regarding the purpose, location, storage, and access arrangements for CCTV footage. The Service will ensure that all practices align with relevant privacy legislation, including the Privacy and Data Protection Act 2014 (Vic) and the Australian Privacy Principles, and that any recordings are used only for lawful and authorised purposes, such as ensuring child safety or investigating serious incidents.

The Service will document the presence of CCTV as part of the residence's assessment record and will review compliance with these requirements during each re-assessment to ensure continued alignment with the National Quality Framework, National Model Code, and relevant privacy obligations.

CONTINUOUS IMPROVEMENT

Our *Assessment Approval and Re-assessment of Approved FDC Residences and Venue Policy* will be updated and reviewed annually in consultation with families, staff, educators and management.

SOURCE

Australian Children's Education & Care Authority. (2014).
ACECQA. (2021). Policy and procedure Guidelines. *Assessment and Re-assessment of Residences and Venues for family day care*
ACECQA- (2018). [Assessments of family day care residences and venues](#)
Education and Care Services National Law Act 2010. (Amended 2018).
[Education and Care Services National Regulations](#). (2011)
Guide to the Education and Care Services National Law and the Education and Care Services National Regulations (2017).
Guide to the National Quality Framework. (2018). (Amended 2020).
Kidsafe NSW. [Kidsafe Family Day Care Safety Guidelines](#). 7th Edition. (2020).
Revised National Quality Standard. (2018).
ACECQA. (2023). Policy and procedure Guidelines. [Assessment and Re-assessment of Residences and Venues for family day care](#)
ACECQA. (2023). [Assessments of family day care residences and venues](#)
ACECQA. (2023). [Family Day Care Pool/Water Hazards/Water Features Safety Check](#)
ACECQA. (2023). [Water Hazard Safety](#).
National model code [National Model Code](#)