



Nominated Supervisor

Law section 162A Persons in day-to-day charge and nominated supervisors to have child protection training

The approved provider of an education and care service must ensure that each nominated supervisor and each person in day-to-day charge of the service has successfully completed the child protection training (if any) required by or under the law of this jurisdiction, a Government protocol applying to the approved provider in this jurisdiction or otherwise required by this jurisdiction

Law 174 Offence to fail to notify certain information to Regulatory Authority

(2) An approved provider must notify the Regulatory Authority of the following information in relation to an approved education and care service operated by the approved provider

(b) any complaints alleging— (i) that a serious incident has occurred or is occurring while a child was or is being educated and cared for by the approved education and care service; or (ii) that this Law has been contravened; (c) information in respect of any other prescribed matters. Penalty: \$4000, in the case of an individual. \$20 000, in any other case.

Regulation 84 Awareness of child protection law

The approved provider of an education and care service must ensure that nominated supervisors and

staff members at the service who work with children are advised of—

- (a) the existence and application of the current child protection law; and
- (b) any obligations that they may have under that law.

Penalty: \$1000. Note. A compliance direction may be issued for failure to comply

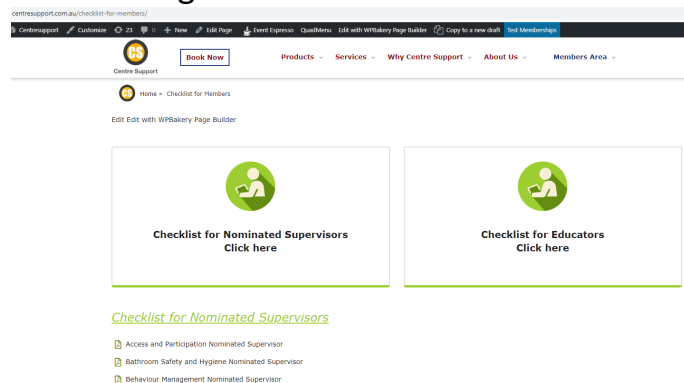
Regulation 175 Prescribed information to be notified to Regulatory Authority

(2) For the purposes of section 174(2)(c) of the Law, the following matters are prescribed—

- (d) any incident where the approved provider reasonably believes that physical abuse or sexual abuse of a child or children has occurred or is occurring while the child is or the children are being educated and cared for by the education and care service;
- (e) allegations that physical or sexual abuse of a child or children has occurred or is occurring while the child is or the children are being educated and cared for by the education and care service (other than an allegation that has been notified under section 174(2)(b) of the Law).

Note there are other child protection laws in State/Territory legislation. These are included in your Child Protection policies.

Remember: If you need to use a checklist go to the members area of Centre Support's website where every checklist imaginable is available.



Week 28, 6-10 September 2021- 2.2.3 Child Protection

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Answers from last week - Compliance test for educators

Instructions: Nominated Supervisor is to conduct the test. Ask one educator at a time in a location that other educators cannot hear or provide support to the educators being asked the question. Record the responses then analyse to see if the educators' responses would place you at risk of a fine. Finally, train the educators that fail to meet the regulations.

Name of educator:

Questions	Response	Pass or Fail
Miss Heike asks what medical plans are needed if a child has a medical condition or health care need, and who is supposed to prepare them. What's the answer?	(1) medical management plan prepared by doctor (2) medical risk minimisation plan prepared by Service in consultation with families (3) medical communication plan prepared by Service in consultation with families (Reg 90)	
Miss Luella asks what you need to check before giving a child medication. What's your response?	You must check: <ul style="list-style-type: none"> administration of the medication is authorised by the parent or someone they've authorised on the enrolment form medication is in the original container with the original label and instructions medication has not expired medication is being administered on line with any instructions on the medication or provided by doctor another person checks the dosage and child's identity before you give the child the medication. Reg 92 and 95	
Mr Drew asks how old children have to be before they can self-administer their medication. Please respond?	Children have to be over preschool age which means they are attending school or will attend school that year. Reg 4 and 96	
Miss Katy asks what happens in a medical emergency. Does she need to get authorisation before giving a child medication? Does she?	Parents, doctors or emergency services can authorise administration verbally in an emergency BUT no authorisation is needed in an asthma or anaphylaxis emergency. Reg 93 and 94	
Miss Nikki asks how long she has to notify a child's parents about an injury the child suffered? What's the answer?	She has 24 hours to notify parents but she should notify them ASAP. Reg 86	

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Questions	Response	Pass or Fail
Miss Rita asks if child protection laws are the same around Australia. Are they?		
Miss Jess asks if they must report any abuse or neglect by staff - or just that committed by others? What's your response.		
Mr Guy notes Reg 84 says staff must be advised of any obligations they may have under the relevant child protection law. What obligations are these?		

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This week we're letting you know about some free [e-guides](#) available from Employsure, a commercial company providing workplace relations products and services. (You need to provide your name and contact details to access.)

The [e-guides](#) cover a variety of topics including:

- Understanding Disciplinary Action
- Performance Management: The Ultimate Employer Guide
- Personal/Carer's leave Guide
- Work from Home Employer Pack
- What to Expect When Facing an Unfair Dismissal Claim
- Workplace Discrimination, Bullying and Violence