

**Law & Regs**

condensed version for educators.

There are too many Regulations related to Element 7.1.2 Service Management to add here and most are related to the Approved Provider and Nominated supervisor, however her is a

Educators are responsible for ensuring children's safety and well-being by maintaining adequate supervision and meeting ratios. They must also protect privacy through secure enrolment records and follow service policies and procedures, including discipline and staff qualifications. Prompt notification to the regulatory authority of any significant changes, complaints, or incidents is crucial for compliance and effective service management.

There are **things** that you need to do with your service and educators.

- (1) Review the points from the Law and make yourself familiar with them. Conduct the compliance test with your educators to check their knowledge.
- (2) Add to your folder the daily planner so you can document and show the assessor how you are working with educators. Use documents provided in this section.
- (3) Guide your educators to ensure they are at the meeting level, use the examples in the educators' section and the checklist to help you know exactly what is required.
- (4) Explore the exceeding themes with the examples in the educators' section and your section for critical reflection and families and communities.
- (5) Work with your Nominated Supervisor and edit the QIP (SAT for NSW) template provided by Centre Support to ensure it is reflecting your service's practices.



## 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 Melanie asks how they're allowed to 'discipline' children. Please respond.		
Miss Dita says they're supposed to notify serious incidents within 24 hours. She asks how educators know what a 'serious incident' is. Please respond.		
Mr Vikas asks says he's really confused about what rules and policies apply to transporting children on excursions. Can you please explain.		
Miss Sharmaine says the policies are only guidelines – all they really have to follow is the Law and Regs. What's your response?		
Reg 181 says you must not divulge, intentionally or unintentionally, confidential information the service must keep about an adult or child unless this is necessary for their education or care. Would you share information about a child's medical diagnosis with the service cook? Why or why not?		

# 7.1.2

## Management systems

Systems are in place to manage risk and enable the effective management and operation of a quality service.



Week 24  
5.8.2024

### Section 8. Role of the Educational Leader (Educational Leader)

Detailed guidelines for the Educational Leader.

### Educational Leader weekly sheet

Date	Educational Leader activity	With whom?	Comments	Follow up
Monday 5.8.24	Parent-Teacher Consultation	Family	Addressed parental concerns regarding separation anxiety	Share relevant resources on supporting children with separation anxiety and schedule a follow-up meeting
Monday 5.8.24				
Tuesday 6.8.24				
Wednesday 7.8.24				
Thursday 8.8.24				
Friday 9.8.24				

General thoughts or ideas



## **Compliance test for educators ANSWERS for this week.**

**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 Melanie asks how they're allowed to 'discipline' children. Please respond.	<p>It's an offence under the Law to use inappropriate discipline (section 166). That includes any form of corporal punishment or any discipline that's unreasonable in the circumstances. Educators must never isolate, intimidate or use corporal punishment including any of the following:</p> <ul style="list-style-type: none"> <li>• hitting, spanking, shaking, biting, pinching a child</li> <li>• restricting a child's movement by binding or tying them, or taping their mouth</li> <li>• inflicting mental or emotional punishment eg humiliating, shaming or threatening a child</li> <li>• depriving a child of meals, snacks, rest or necessary toilet use</li> <li>• excluding a child from outdoor play or other gross motor activities</li> <li>• excluding a child from daily learning experiences</li> <li>• confining a child in an enclosed area eg a closet, locked room, box</li> <li>• demanding excessive physical exercise</li> <li>• requiring a child eat or have in their mouth soap, food, spices or foreign substances.</li> </ul>	
Miss Dita says they're supposed to notify serious incidents within 24 hours. She asks how educators know what a 'serious incident' is. Please respond.	<p>Reg 12 defines a serious incident as:</p> <ul style="list-style-type: none"> <li>• the death of a child at the service or following an incident at the Service</li> <li>• any incident involving a serious injury or trauma to a child at the service which a reasonable person would say required urgent attention from a medical practitioner, or the child attended or should have attended a hospital eg broken limb</li> <li>• any incident involving serious illness of a child at the service where the child attended, or should have attended, a hospital eg severe asthma attack, seizure or anaphylaxis.</li> </ul>	

	<ul style="list-style-type: none"> <li>any emergency where emergency services attended (not just as a precaution)</li> <li>a child is missing or can't be accounted for</li> <li>a child has been taken from the service by someone who's not authorised</li> </ul> <p>a child is mistakenly locked in or locked out of the service.</p>	
Mr Vikas asks says he's really confused about what rules and policies apply to transporting children on excursions. Can you please explain.	The new transport regs (102A – 102D) only apply when transporting children when it's not part of an excursion. For excursions, regs 99-102 apply – as they always have.	
Miss Sharmaine says the policies are only guidelines – all they really have to follow is the Law and Regs. What's your response?	Reg 170 says all staff and volunteers must follow the policies and procedures required under Reg 168. Many employment contracts take this further and say staff must comply with all service policies and procedures.	
Reg 181 says you must not divulge, intentionally or unintentionally, confidential information the service must keep about an adult or child unless this is necessary for their education or care. Would you share information about a child's medical diagnosis with the service cook? Why or why not?	It would be critical to share the information if the child had a food allergy or anaphylaxis. However, the cook would probably not need to know, for example, that the child had a diagnosis on the ASD spectrum – and this information should not be shared.	