



RICHMOND SHIRE COUNCIL
AGENDA
FOR

ORDINARY MEETING
TUESDAY 16 JULY 2024
COMMENCING AT 8:00AM

Richmond Shire Council
Ordinary Meeting of Council 16 July 2024

AGENDA AND TIMETABLE FOR ORDINARY MEETING
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Commencement of Meeting
Signing of Attendance Book
Reading of Official Prayer
Leave of Absence
Confirmation of Minutes
Declarations of Interest
Business Arising from Previous Meetings

Item 1	Reports for Consideration – Works
Item 2	Reports for Consideration – Office of the Chief Executive Officer
Item 3	Reports for Consideration – Corporate Services
Item 4	Reports for Consideration – Community Services
Item 5	Reports for Consideration – Tourism and Marketing
Item 6	General Business
Item 7	Close of Meeting

Attachment "A" Unconfirmed Minutes from the General Meeting held Tuesday 18 June 2024.

Richmond Shire Council
Ordinary Meeting of Council 16 July 2024

COMMENCEMENT OF MEETING

SIGNING OF ATTENDANCE BOOK

READING OF OFFICIAL PRAYER

LEAVE OF ABSENCE

CONFIRMATION OF MINUTES

- Unconfirmed 18 June 2024 Minutes

DECLARATIONS OF INTEREST

MATTERS ARISING FROM PREVIOUS MEETINGS

UNCONFIRMED MINUTES OF THE ORDINARY MEETING
OF THE RICHMOND SHIRE COUNCIL HELD IN THE BOARDROOM, RICHMOND
ON TUESDAY 18 JUNE 2024



RICHMOND SHIRE COUNCIL

UNCONFIRMED MINUTES

UNCONFIRMED MINUTES OF THE ORDINARY MEETING
OF THE RICHMOND SHIRE COUNCIL HELD IN THE BOARDROOM, RICHMOND
ON TUESDAY 18 JUNE 2024

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UNCONFIRMED MINUTES OF THE ORDINARY MEETING
OF THE RICHMOND SHIRE COUNCIL HELD IN THE BOARDROOM, RICHMOND
ON TUESDAY 18 JUNE 2024

PRESENT

Present when Mayor Wharton declared the meeting open at 11:00am were:

COUNCILLORS:

Cr Wharton, Cr Fox, Cr Brown, Cr Easton, Cr Flute and Cr Johnston

STAFF:

Chief Executive Officer – Peter Bennett, Director of Community Services and Development – Angela Henry, Director of Works – Syed Qadir and Minutes Secretary – Tiana Ievers and Tyarna Robinson.

PRAYER

Cr Fox read the prayer.

APOLOGIES

Director of Corporate Services – Peta Mitchell.

CONFIRMATION OF MINUTES

RESOLUTION 20240618.1

It was moved Cr Johnston, seconded Cr Easton, and carried that the Minutes of the General Meeting of the Richmond Shire Council held in the Woolgar Room, Richmond on Tuesday, 21 May 2024 be adopted as presented.

BUSINESS ARISING

Nil

1. REPORTS FOR CONSIDERATION – WORKS

1.1 Richmond Billboard in the Winton Shire

EXECUTIVE SUMMARY

It has been requested that Council consider adding advertising signage on the Landsborough Highway outside of the Winton Township as there is currently only one sign at the Richmond/Winton Road turn off that shows that is the road to head to Richmond. Adding a billboard could increase tourism.

OFFICER'S RECOMMENDATION

That Council: discuss the potential to purchase and place a billboard in the Winton Shire to advertise travelling to Richmond.

RESOLUTION 20240618.2

It was moved Cr Johnston, seconded Cr Easton, and carried that Council add the purchase and assembly of two advertising billboards for Richmond on the Landsborough Highway in the Winton Shire in the 2024/25 budget.

REFERENCE DOCUMENT

- Nil

2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

2.1 100th Celebration for Harold Brisbin

EXECUTIVE SUMMARY

Harold is a Richmond local, who was born in Richmond and is a resident at the Richmond Hospital and is turning 100 on the 27th of September 2024. Harold's family have requested Council honour this milestone and are open to other options.

OFFICER'S RECOMMENDATION

That Council: consider an appropriate acknowledgement of Harold Brisbin's 100th birthday.

RESOLUTION 20240618.3

It was moved Cr Fox, seconded Cr Johnston, and carried that council place an A4 sized plaque at a suitable location that is to be determined, to acknowledge Harold Brisbin's 100th Birthday.

REFERENCE DOCUMENT

- Nil

2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

2.2 Asset Disposal Policy

EXECUTIVE SUMMARY

The objective of this policy is to establish a fair, transparent and accountable system for the disposal of assets owned by Richmond Shire Council ("Council"), to achieve advantageous and sustainable outcomes in accordance with sound contracting principles, local government principles, Council's budget and formal plans.

OFFICER'S RECOMMENDATION

That Council: adopt the Asset Disposal Policy as presented.

RESOLUTION 20240618.4

It was moved Cr Fox, seconded Cr Flute, and carried that council adopt the Asset Disposal Policy as presented.

REFERENCE DOCUMENT

- Policy

2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

2.3 Uniform Policy

EXECUTIVE SUMMARY

To provide a corporate uniform including personal protective equipment that clearly identifies staff as Richmond Shire Council employees.

OFFICER'S RECOMMENDATION

That Council: adopt the Uniform Policy as presented.

RESOLUTION 20240618.5

It was moved Cr Easton, seconded Cr Johnston, and carried that council adopt the Uniform Policy as presented.

REFERENCE DOCUMENT

- Policy

2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

2.4 Asset Management Policy

EXECUTIVE SUMMARY

To ensure adequate provision is made for the long-term replacement of major assets by:

- Ensuring that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors, and the environment.
- Safeguarding Council assets including physical assets and employees by implementing appropriate asset management strategies and appropriate financial resources for those assets.
- Preserving the cultural, historic and heritage significance of Council assets by implementing appropriate asset management strategies and allocating appropriate financial resources for those assets.
- Creating an environment where all Council employees take an integral part in overall management of Council assets by creating and sustaining an asset management awareness throughout the organisation by training and development.
- Meeting legislative requirements for asset management.
- Ensuring resources and operational capabilities are identified and responsibility for asset management is allocated.
- Demonstrating transparent and responsible asset management processes that align with demonstrated best practice.

OFFICER'S RECOMMENDATION

That Council: adopt the Asset Management Policy as presented.

RESOLUTION 20240618.6

It was moved Cr Fox, seconded Cr Johnston, and carried that council adopt the Asset Management Policy as presented.

REFERENCE DOCUMENT

- Policy

2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

2.5 CHSP Client Contribution Policy

EXECUTIVE SUMMARY

The Australian Government subsidises CHSP services, however Richmond Aged Care will ask you to contribute towards the cost of your care.

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Generally, you will also be asked to pay for consumables, such as continence aids, used in the course of your care. Clients with a Centrelink Health Care Card or Pensioner Concessioner Card can access MASS (Medical Aids Subsidy Scheme) through Richmond Aged Care.

As outlined in the national Client Contribution Framework, Commonwealth Home Support Program (CHSP) clients who can afford to contribute to the costs of their package of care or support are required to make financial contributions to that package.

OFFICER'S RECOMMENDATION

That Council: adopt the CHSP Client Contribution Policy as presented.

RESOLUTION 20240618.7

It was moved Cr Brown, seconded Cr Johnston, and carried that council adopt the CHSP Client Contribution Policy with changes.

REFERENCE DOCUMENT

- Policy

2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

2.6 Special Budget Meeting

EXECUTIVE SUMMARY

The scheduled Tuesday, 25 June 2024 Special Budget Meeting is required to be changed due to unforeseen circumstances.

OFFICER'S RECOMMENDATION

That Council: Reschedule the Special Budget Meeting to a later date.

RESOLUTION 20240618.8

It was moved Cr Johnston, seconded Cr Brown, and carried that council reschedule the Special Budget Meeting from Tuesday 25 June 2024 to Tuesday 16 July 2024.

REFERENCE DOCUMENT

- Nil

3. REPORTS FOR CONSIDERATION – CORPORATE SERVICES

3.1 Monthly Financial Statements

EXECUTIVE SUMMARY

Council's monthly financial report in relation to the 2023/24 adopted budget is presented for consideration, together with Statement of Comprehensive Income, Statement of Financial Position and Statement of Cash Flow as at 31 May 2024.

OFFICER'S RECOMMENDATION

That Council: receive the monthly financial report presenting the progress made as at 31 May 2024 in relation to the 2023/24 budget and including the:

- ***Statement of Financial Position***
- ***Statement of Comprehensive Income***
- ***Statement of Cash Flows***

RESOLUTION 20240618.9

It was moved Cr Fox, seconded Cr Brown, and carried that Council receive the monthly financial report presenting the progress made as at 31 May 2024 in relation to the 2023/24 budget and including the:

- *Statement of Financial Position*
- *Statement of Comprehensive Income*
- *Statement of Cash Flows*

REFERENCE DOCUMENT

- *Statement of Financial Position*
- *Statement of Comprehensive Income*
- *Statement of Cash Flows*

4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

4.1 Administration of First Aid Policy

EXECUTIVE SUMMARY

Under the *Education and Care Services National Regulations* the approved provider must ensure policies and procedures are in place for the administration of first aid (Reg. 168) and take reasonable steps to ensure policies and procedures are followed. First aid can save lives and prevent minor injuries or illnesses from becoming major. The ability to provide prompt basic first aid is particularly important in the context of an out of school hours service where educators have a duty of care and obligation to assist children who are injured, become ill, or require support with administration of medication.

OFFICER'S RECOMMENDATION

That Council: adopt the Administration of First Aid Policy as presented.

RESOLUTION 20240618.10

It was moved Cr Brown, seconded Cr Flute, and carried that Council adopt the Administration of First Aid Policy with changes.

REFERENCE DOCUMENT

- Policy

4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

4.2 Excursion/Incursion/Extra-Curricular Activities Policy

EXECUTIVE SUMMARY

Under the *Education and Care Services National Regulations* the approved provider must ensure policies and procedures are in place for managing excursions (Reg. 168) and take reasonable steps to ensure policies and procedures are followed.

Excursions/incursions/extra-curricular activities enhance children's learning by providing them the opportunity to participate in curriculum planned activities and experiences to extend on their skills and knowledge in the current interest topic. Our OSHC Service recognises that excursions provide opportunities for children to explore the wider community as a group and extend on the educational program provided.

OFFICER'S RECOMMENDATION

That Council: adopt the Excursion/Incursion/Extra-Curricular Activities Policy as presented.

RESOLUTION 20240618.11

It was moved Cr Johnston, seconded Cr Brown, and carried that Council adopt the Excursion/Incursion/Extra-Curricular Activities Policy as presented.

REFERENCE DOCUMENT

- Policy

4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

4.3 Nutrition and Food Safety Policy

EXECUTIVE SUMMARY

As per Education and Care Services National Law and Regulations, our Service has a *Nutrition and Food Safety Policy* and procedures in place to ensure quality practices relating to nutrition, food and beverages and dietary requirements are followed at all times.

Our Outside School Hours Care (OSHC) Service recognises the importance of safe food handling and healthy eating to the growth and development of young children and is committed to implementing the healthy eating key messages outlined in the Australian Dietary Guidelines for primary school aged children.

Our OSHC Service recognises the important role educators have in teaching healthy lifestyles through everyday experiences and routines and physical activity. Our educators support families by providing information about healthy food and drink for their children when visiting our service.

OFFICER'S RECOMMENDATION

That Council: adopt the Nutrition and Food Safety Policy as presented.

RESOLUTION 20240618.12

It was moved Cr Easton, seconded Cr Fox, and carried that Council adopt the Nutrition and Food Safety Policy as presented.

REFERENCE DOCUMENT

- Policy

4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

4.4 Performance Management Policy

EXECUTIVE SUMMARY

Our Out of School Hours (OSHC) Service is committed to creating a work environment that maximises individual and team performance, values all employees and helps to build our capacity to care and educate children enrolled in our OSHC Service. We believe that performance management has significant benefits for our school aged care service, as it leads to inspired and enhanced performance from each employee. Performance Review meetings are viewed as an opportunity for each employee to plan proactively for the year ahead.

This policy will provide guidance for employers and management on how to monitor performance, plan and review work objectives and understand staff achievements. Where there is underperformance, we

will work to resolve this promptly and effectively in accordance with an individual *Performance Improvement Plan* developed in conjunction with the employee.

OFFICER'S RECOMMENDATION

That Council: adopt the Performance Management Policy as presented.

RESOLUTION 20240618.13

It was moved Cr Brown, seconded Cr Johnston, and carried that Council adopt the Performance Management Policy as presented.

REFERENCE DOCUMENT

- Policy

4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

4.5 Behaviour Guidance Policy

EXECUTIVE SUMMARY

The right for children to receive positive guidance in a supportive and respectful environment is promoted within the *Education and Care Services National Regulations*. Children learn to face a variety of challenges throughout their lives. Learning the difference between acceptable and unacceptable behaviour assists children to regulate their own behaviours in different social and emotional environments as well as when interacting with peers and adults. Our Out of School Hours (OSHC) Service will liaise with local feeder primary schools to ensure consistency of behaviour guidance strategies such as Positive Behaviour for Learning (PBL) values.

OFFICER'S RECOMMENDATION

That Council: adopt the Behaviour Guidance Policy as presented.

RESOLUTION 20240618.14

It was moved Cr Fox, seconded Cr Easton, and carried that Council adopt Behaviour Guidance Policy as presented.

REFERENCE DOCUMENT

- Policy

4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

4.6 Interactions with Children, Families and Staff Policy

EXECUTIVE SUMMARY

My Time, Our Place (MTOP) identifies secure, respectful, and reciprocal relationships with children as one of the principles that underpin practice. Within our Out of School Hours Care (OSHC) community many different relationships are negotiated with and between children, educators, and families. The way in which these relationships are established and maintained, and the way in which they remain visible impacts on how our community functions as a whole. Relationships directly affect how children form their own identity, whether or not they feel safe and supported, and ultimately, their sense of belonging.

OFFICER'S RECOMMENDATION

That Council: adopt the Interactions with Children, Families and Staff Policy as presented.

RESOLUTION 20240618.15

It was moved Cr Easton, seconded Cr Flute, and carried that Council adopt Behaviour Guidance Policy as presented.

REFERENCE DOCUMENT

- Policy

4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

4.7 Payment of Fees Policy

EXECUTIVE SUMMARY

Under the *Education and Care Services National Regulations*, an approved provider must ensure that policies and procedures are in place for the payment of fees and the provision of a statement of fees charged by the service and take reasonable steps to ensure policies and procedures are followed. (ACECQA, 2021).

Out of School Hours Care (OSHC) provides quality education and care for primary school-age children outside school hours and during school holidays. Our OSHC Service supports children to engage in play and leisure activities, develop new skills and build relationships with other children and educators whilst supporting workforce participation of parents and carers. Our OSHC Service is committed to providing quality education and care to all children at an affordable fee for families.

As an approved childcare service, Child Care Subsidy (CCS) is available to reduce fees to eligible families. Our fee structure is based on our ability to provide the requirements of the Education and Care National Law and National Regulations, Family Assistance Law, the Australian Taxation Office and guidelines contained in the Child Care Provider Handbook.

OFFICER'S RECOMMENDATION

That Council: adopt the Payment of Fees Policy as presented.

RESOLUTION 20240618.16

It was moved Cr Flute, seconded Cr Brown, and carried that Council adopt the Payment of Fees Policy as presented.

REFERENCE DOCUMENT

- Policy

4. REPORTS FOR CONSIDERATION – COMMUNITY SERVICES

4.8 Professional Development Policy

EXECUTIVE SUMMARY

Professional development is a term used which includes workshops, conferences, in-services, training sessions, formal studying, readings, and professional research. The contribution of professional development to developing practice can be a source of deep professional satisfaction, for both individual practitioners and Out of School Hours Care (OSHC) Services collectively.

A commitment to ongoing professional development is the key to effective continuous improvement and the provision of quality school age care. Engaging in professional development helps to identify individual educator's areas of strengths and areas requiring improvement.

OFFICER'S RECOMMENDATION

That Council: adopt the Professional Development Policy as presented.

RESOLUTION 20240618.17

It was moved Cr Brown, seconded Cr Johnston, and carried that Council adopt Professional Development Policy as presented.

REFERENCE DOCUMENT

- Policy

Change of order of business to consider late items

1. REPORTS FOR CONSIDERATION – WORKS

1.2 Plant and Equipment Request – 2024/2025 – Tractor and Slasher

EXECUTIVE SUMMARY

The current tractor and slasher are old, and the current slasher has the cutting width at half the size of the new proposed slasher.

By purchasing this slasher, it will save time and personnel costs. TMR pay the rates on it per hectare. It is estimated that the machine can pay itself back within the next financial year.

Work productivity will be doubled and RMPC crew require it as we only have one machine, meaning that if it breaks down, it holds off any slashing works for weeks.

The recommended slasher is the Triple Rotor extra wide cutting width slasher.

OFFICER'S RECOMMENDATION

That Council: approve the tractor and slasher purchase.

After a lengthy discussion Council agreed that the slasher was larger than required and requested the DOW to obtain quotes for a mulcher and hold over.

REFERENCE DOCUMENT

- Nil

1. REPORTS FOR CONSIDERATION – WORKS

1.3 Plant and Equipment Request – 2024/2025 – Street Sweeper

EXECUTIVE SUMMARY

Request to purchase a street sweeper to clean the town streets and the footpaths. This machine would be a valuable addition and make jobs easy for the Municipal and Town Services to clean these areas.

OFFICER'S RECOMMENDATION

That Council: approve the street sweeper purchase.

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RESOLUTION 20240618.18

It was moved Cr Easton, seconded Cr Brown, and carried that Council purchase the street sweeper as presented.

REFERENCE DOCUMENT

- Nil

2. REPORTS FOR CONSIDERATION – OFFICE OF THE CHIEF EXECUTIVE OFFICER

2.7 Sponsorship Request – Dustin Lanskey

I, Councillor Johnston inform the meeting that I have declared an interest in relation to item 2.7 Sponsorship Request – Dustin Lanskey, as a result that I am the parent of Dustin Lanskey.

Due to the nature of the item, I will leave the meeting when this item is discussed.

Attendance

Cr Johnston declared an Interest and left the room at 10:34am.

EXECUTIVE SUMMARY

Dustin Lanskey recently completed at the Northwest Trials in Winton for Cross Country and was selected into the Northwest team. Dustin will be competing in Brisbane from 12-14 July 2024.

OFFICER'S RECOMMENDATION

That Council: approve the sponsorship request and discuss the future of sponsorship.

CEO Peter Bennett requested guidelines as to how many times an applicant can apply for a donation to travel for sport. Council unanimously agreed for the CEO to determine an appropriate outcome and to update the Donations Policy as required.

REFERENCE DOCUMENT

- Nil

Attendance

Cr Johnston re-entered the meeting at 11:43am.

GENERAL BUSINESS

Cr Flute asked about the turn around points for the new Maxwellton Saleyards. CEO Peter Bennett advised that plans have been created and will be forwarded on to the Councillors.

In the Operational Meeting Council discussed potentially moving from platinum membership of MITEZ to silver as it is not beneficial for Council to be Platinum any longer.

RESOLUTION 20240618.19

It was moved Cr Fox, seconded Cr Johnston, and carried that Council move from platinum membership to silver with MITEZ.

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CLOSE OF MEETING

RESOLUTION 20240618.20

It was moved Cr Fox, seconded Cr Johnston, and carried that the information reports be received and noted.

Meeting closure

RESOLUTION 20240618.21

It was moved Cr Fox, seconded Cr Johnston, and carried that the meeting close at 11:50am.

Next Ordinary Meeting

16 July 2024.

I hereby confirm that this is a true and correct record of the minutes of the Richmond Shire Council Ordinary Meeting Tuesday 18 June 2024.

Mayor

Item 2. Reports for Consideration – Office of the Chief Executive Officer

Item 2.1 Aboriginal Cultural Heritage Act Policy

EXECUTIVE SUMMARY

The purpose of this policy is to define procedures and protocols to ensure that Aboriginal Cultural Heritage is protected within Richmond Shire and to ensure Council discharges its duty of care under the *Aboriginal Cultural Heritage Act 2003*.

OFFICER'S RECOMMENDATION

That Council: adopt the Aboriginal Cultural Heritage Act Policy as presented.

Budget & Resource Implications

N/A

Background

This policy has been created by the Chief Executive Officer for Native Title.

Consultation (Internal/External)

Nil

Attachments

Attachment B – Policy

Report prepared by **Peter Bennett (Chief Executive Officer)**



ABORIGINAL CULTURAL HERITAGE POLICY & GUIDELINES

POLICY NUMBER:

INFOXPRT REF:

TIME PERIOD OF REVIEW: 2 Year

DATE OF NEXT REVIEW: March 2026

1. OBJECTIVE

The purpose of this policy is to define procedures and protocols to ensure that Aboriginal Cultural Heritage is protected within Richmond Shire and to ensure Council discharges its duty of care under the *Aboriginal Cultural Heritage Act 2003*.

2. SCOPE

This policy applies to all work activities undertaken by Council regardless of whether this work is undertaken by staff or contractors. Council recognises the potential impact that some Council activities may cause to Aboriginal Cultural Heritage. Aboriginal Cultural Heritage is protected under Commonwealth and State legislation. The *Aboriginal Cultural Heritage Act 2003* (Qld) ("ACHA") imposes a cultural heritage duty of care on all persons who carry out an activity. The person must take all reasonable and practical measures to ensure the activity does not harm Aboriginal Cultural Heritage.

Fundamental to the main purpose of the ACHA, which is to provide effective recognition, protection and conservation of Aboriginal Cultural Heritage are the following principles -

- Recognition, protection, and conservation of Aboriginal Cultural Heritage should be based on respect for Aboriginal knowledge, culture, and traditional practices;
- Aboriginal people should be recognised as the primary guardians, keepers, and knowledge holders of Aboriginal Cultural Heritage;
- It is important to respect, preserve and maintain knowledge, innovation, and practices of Aboriginal communities and to promote understanding of Aboriginal Cultural Heritage.

Activities involved in recognition, protection and conservation of Aboriginal Cultural Heritage should be assessed for compliance with the ACHA and the Cultural Heritage Duty of Care Guidelines ("Duty of Care Guidelines") because they allow Aboriginal people to reaffirm their obligation to 'law and country'.

3. CONSULTATION NOTICE

Depending on the nature of the activity, the likelihood of its causing harm to Aboriginal Cultural Heritage and the nature of the Aboriginal Cultural Heritage likely to be harmed by the activity, Council may publish a consultation notice prior commencing work on the activity, inviting comments on any cultural heritage which may exist.

Council will aim to publish consultation notices at least 30 business days prior to commencing an activity to which the Duty of Care Guidelines apply.

4. PROCEDURE PRIOR TO THE COMMENCEMENT OF COUNCIL PROJECTS

Prior to the commencement of works, it is expected that the following checks and assessments have occurred-

- A search of the Cultural Heritage database and Cultural Heritage Register has been undertaken and considered. It may be sufficient that previous recent searches over the same area has been undertaken and no changes, to the best of officers' knowledge, have occurred;
- An assessment of the works against the Cultural Heritage Duty of Care guidelines has been undertaken by Council officers.

In some cases, additional measures may be put in place depending on the nature of the works and the degree of previous disturbance which may have occurred on a site. These measures may be set out in a Cultural Heritage Agreement or Cultural Heritage Management Agreement between Council and Aboriginal Parties. If such an Agreement has been entered into, the additional measures that may be included are-

- A surface inspection by Aboriginal Parties and Council officers to confirm that there is no obvious Aboriginal Cultural Heritage within the area to be disturbed by the works;
- Agreed monitoring arrangements for the initial surface disturbance and excavation work associated with the project. Council will have the sole discretion when determining whether monitors are required to discharge its duty of care in relation to a particular project;
- Specific agreed and documented cultural heritage finds procedures with the relevant Aboriginal parties.

The Director of the relevant area of Council that is undertaking the works is responsible for the development of a Cultural Heritage Management Agreement, if applicable, in conjunction with the Chief Executive Officer. Council approval is required for any final agreement.

5. MONITORING AND SURVEYING ARRANGEMENTS

Where Council determines that monitors need to be engaged in relation to particular works, the rates set out in the table below will apply.

Item	Description	Amount
1.	(a) Attendance fee payable to each of the Native Title Party for participation in meetings with Richmond Shire Council and for carrying out other work as agreed with Richmond Shire Council	\$980 per day
	(b) Native Title Party's Coordinator's fee payable to the Native Title Party's Coordinator for carrying out other work as agreed with Richmond Shire Council (six hours per Cultural Heritage Survey/Monitoring Notice or and one hour per day for each day a Survey/monitoring Team is in the field. Additional time requirements to be agreed prior to work being undertaken)	\$120 per hour
	(c) Senior Cultural Heritage Field Officers	\$800 per day
	(d) Cultural Heritage Field Officer	\$600 per day
	(e) Nominated Expert (Field work)	As per standard company rates, based on a 10-hour day
	(f) Nominated Expert (hourly rate)	As per standard company rates

Item	Description	Amount
Transport, Food and Accommodation		
2.	Meals	Calculated in accordance with Table 2 of this Agreement
3.	Accommodation (if required)	Calculated in accordance with Table 2 of this Agreement.
4.	Mobilisation costs (per vehicle whereby private vehicle)	\$0.85 per kilometre (to be increased in accordance with any increase in the Australian Taxation Office rate for vehicles) for each kilometre travelled to a maximum of \$500 each way. Mobilisation Travel should wherever possible be via sealed roads.
5.	Vehicle Hire and Fuel	Actual cost, subject to production of the relevant receipts.
6.	Administration fee	Where Everick Heritage Pty Ltd is acting as Service Provider: 10% of Items 1 to 6. Where another entity is acting as Service Provider: 20% of Items 1 to Error! Reference source not found..

The rates payable in the Table 1 above are "gross" rates and have been calculated to be inclusive of all taxes, superannuation or other levies as at the date of this Agreement.

Table 2 - Domestic Travelling Directive

The Domestic Travelling Directive allowance for accommodation, meals and incidentals being, at the Agreement Date, as per the relevant Taxation Determination (High Cost):

High-cost country centres	Rate/day (\$) not to exceed
Accommodation – (QLD)	\$174 or at cost
Breakfast	\$32.10
Lunch	\$36.10
Dinner	\$61.50
Incidentals	\$23.00

- (a) Survey/Monitoring Team ordinary working hours
- (i) the Survey/Monitoring Team will generally work an ordinary day of approximately ten (10) hours, or shorter or longer as required by the nature of the work and agreed between the coordinators.
 - (ii) The ordinary day is exclusive of:
 - (A) one lunch break of no more than 40 minutes in duration;
 - (B) one morning and one afternoon break, each of ten minutes in duration; and
 - (C) where the Survey/Monitoring are being accommodated overnight away from their principal place of residence, the time taken for the Cultural Heritage Field Officers to travel from their accommodation to the site of the Field Works.
- (b) Demobilisation
- (i) If for any reason the Survey/Monitoring cannot continue (e.g. rain, unavailability of other contractors), Richmond Shire Council will issue a demobilisation Notice to the Native Title Party's Coordinator.
 - (ii) The Survey/Monitoring Team must demobilise the day after the receipt of the demobilisation Notice.
- (c) Allowance for Meals and Accommodation
- (i) Subject to clause (ii), the Survey/Monitoring Team required to perform Services pursuant to this Agreement will be entitled to an allowance for meals and accommodation in accordance with the applicable expense allowance set out in Table 1 of this Schedule Three. This allowance is payable for each day a Survey/Monitoring Team participates in Field Works or meetings (as appropriate) and where they are required to be accommodated overnight (within camp or paid accommodation) away from their principal place of residence if they reside more than one hour's drive from site.
 - (ii) clause (i) will not apply to the extent that Richmond Shire Council provides meals and accommodation to the Survey/Monitoring Team without charge and the Parties agree that if The Richmond Shire Council requires that the Survey/Monitoring Team stay in accommodation provided by Richmond Shire Council then the Native Title Party Personnel must stay in such accommodation.
- (d) Superannuation
- (i) All payments made to the Service Provider under this Agreement are gross payments inclusive of any superannuation guarantee contribution entitlements that arise for the Native Title Party.
 - (ii) The Native Title Party must seek an agreement with the Service Provider requiring them to withhold or deduct any entitlements owed to the Native Title Party from the fees paid by the Sponsor under this Agreement. For the avoidance of doubt, this requirement includes the Service Provider withholding from the amount otherwise payable by Service Provider for work carried out under this Agreement, and remitting to the appropriate superannuation fund, an amount necessary to avoid the imposition of the superannuation guarantee charge under the *Superannuation Guarantee Charge Act 1992*, the *Superannuation Guarantee (Administration) Act 1992* and its regulations.
- (e) Insurance and Workers' Compensation
- (i) The Native Title Party must seek an agreement with the Service Provider requiring them to effect and maintain (at the Service Provider's own expense) at all times during which it is required to assist with activities under this Agreement, the following insurance:

- (A) comprehensive general liability insurance/public liability insurance covering all liabilities in respect of any injury to, death of, any person or any loss, damage or destruction to any property however caused. Such insurance must provide cover in respect of each claim to an amount of not less than \$20,000,000; and
 - (B) workers' compensation insurance covering all liabilities, whether arising under statute or common law in relation to the death of, injury to any person engaged as an employee (including a person who is a worker for the purposes of the *Workers' Compensation and Rehabilitation Act 2003* (Qld)) of the Service Provider for the purposes of this Agreement.
 - (C) If requested from time to time by the Sponsor, the Service Provider will provide the Sponsor with copies of the certificates of currency for public liability and workers' compensation insurance.
- (f) Provision of budget estimates for a Cultural Heritage Survey/Monitoring.
- (i) Where the Native Title Party's Co-ordinator is given a Notice for a Cultural Heritage Survey /Monitoring and any other notices pursuant to this Agreement, the Native Title Party's Co-ordinator or Service Provider (if applicable) must provide Richmond Shire Council with an itemised budget in relation to the costs associated with the Cultural Heritage Survey/Monitoring Notice, induction or attendance on site (as the case may be) and the reasonable organisation time and costs of the Service Provider.
 - (ii) The rates in any such budget must be in accordance with this Agreement and must be provided to Richmond Shire Council within ten (10) Business Days of the receipt of the Cultural Heritage Survey/Monitoring Notice or advice of the requirement for an induction or attendance on site; and
 - (iii) Richmond Shire council must consider the budget within three (3) Business Days of its receipt and:
 - (A) approve (in writing) the budget; or
 - (B) request (in writing) justification from the Native Title Party Co-ordinator or Service Provider for any items of proposed expenditure that it has concerns with, in which case the Co-ordinators must consult with each other as expeditiously as possible with a view to agreeing the budget.
 - (iv) If the Co-ordinators do not agree to a budget in accordance with clause **Error! Reference source not found.** the Dispute must be resolved in accordance dispute resolution.
- (g) Payment terms for invoices:
- (i) 50% up-front payment:
 - (A) Following Richmond Shire Council providing its approval in writing under clause 1(f)(iii) of this Agreement, the Native Title Party or Service Provider will provide a valid tax invoice to Richmond Shire Council for 50% of the agreed budget; and
 - (B) Richmond Shire Council must ensure the invoice is paid to the Native Title Party or Service Provider prior to commencement of the relevant activity.
 - (ii) Balance Payment:
 - (A) The Native Title Party or Service Provider will provide Richmond Shire Council with a valid tax invoice for the remainder of the works undertaken under the Notice within five (5) Business Days of completion of the Cultural Heritage Survey/monitoring.
 - (B) The invoice referred to in (ii)(A) above must be accompanied by supporting documentation such as expense receipts and timesheets for all Native Title Party employees.
 - (C) Richmond Shire Council must consider the invoice within five (5) Business Days of its

receipt and:

- (D) approve (in writing) the invoice; or
 - (E) request (in writing) justification from the Native Title Party Co-ordinator or Service Provider for any items of proposed expenditure that it has concerns with, in which case the Co-ordinators must consult with each other as expeditiously as possible with a view to agreeing the budget.
- (iii) If the Co-ordinators do not agree to an invoice in accordance with clause (D) the Dispute must be resolved in accordance dispute resolution.
- (iv) Once agreed, the invoice must be paid by Richmond Shire Council within ten (10) Business Days of such agreement.

CPI ADJUSTMENT

The amounts payable by Richmond Shire Council under items 1 to 2 of Table 1 in this Schedule Three to the Native Title Party and to the Service Provider in respect of Native Title Party personnel will be adjusted on 1 July each financial year in accordance with the following formula, with the first such adjustment to be effected on 01 July 2024:

$$\text{New Amount} = A \times \frac{C1}{C2}$$

where:

- A is the amount or rate payable for the Year just ended;
 - C1 is the CPI Index number last published before the expiration of the Year just ended;
 - C2 is the CPI Index number last published before the commencement of the Year just ended.
- CPI Index is the Consumer Price Index (All Groups) - Weighted Average of eight capital cities as published quarterly by the Australian Bureau of Statistics (or any index published in substitution thereof).

DISPUTE RESOLUTION

- 1.1 Should a Dispute arise between the Parties, the Parties acknowledge that time is of the essence and agree to resolve the Dispute to amicably resolve the Dispute, in a timely manner, without intervention of any third party.
- 1.2 Should the Dispute not be resolved within a timely manner (or within such further time as the Parties may agree upon), Parties must agree to the appointment of an Expert to resolve the Dispute in accordance with the Guidelines for Expert determination published by the Australian Commercial Disputes Centre.
- 1.3 Should the Parties not agree to the appointment of an agreed Expert, either Party may apply to the Queensland Chapter of the Australian Institute of Arbitrators and Mediators for the appointment of an Expert.

6. CULTURAL HERITAGE FINDS

The following procedure is the process which Council will ordinarily follow when a Cultural Heritage Find (CHF) is located-

1. If a CHF is made that is not of human remains, the employee or contractor will cease all work in the vicinity of the CHF and notify the Project Supervisor. The Project Supervisor will immediately ensure that a buffer zone, (being no less than a radius of 10 metres from the CHF) is established to prevent any harm or any further harm to the CHF.
2. The Supervisor will contact the Chief Executive Officer or relevant Director to obtain further direction in relation to the CHF.
3. The Chief Executive Officer or the relevant Director will contact the Wanamara People to discuss the CHF, including a request to meet and discuss possible avoidance, relocation, or other appropriate agreed options.
4. In the absence of identifying a Wanamara People representative, Everick Heritage may be contacted.
5. If a CHF which comprises human remains is found, all work in the vicinity of the CHF will cease and an appropriate buffer established. The buffer area will usually be all land within a 10-metre radius of the CHF;
6. If a CHF which comprises human remains is found, in addition to the steps set out above, the Queensland Police Service must be contacted immediately. All care should be taken to ensure that any evidence or forensic information is not further destroyed or contaminated.

Cultural Heritage Find - Other Than Human Remains		
Step	Action	Responsibility
1	Council will immediately cease work in the immediate vicinity of the Cultural Heritage Find (including establishing a buffer zone).	Richmond Shire Council
2	Council will contact, as soon as practicable, - a) Wanamara People; or b) Suitably Qualified Expert.	Richmond Shire Council
3	Council is to give notice of CHF to Wanamara People or Suitably Qualified Expert.	Richmond Shire Council
4	The Council and the Wanamara People will conduct a meeting after notice of the CHF is given, to discuss appropriate management arrangements.	Richmond Shire Council
5	Written confirmation of agreed arrangement to be exchanged.	Richmond Shire Council

Cultural Heritage Find Comprising of Human Remains

Step	Action	Responsibility
1	Council will immediately cease work in the immediate vicinity of the CHF (including establishing a buffer zone) and will preserve the site and any potential evidence.	Richmond Shire Council
2	The Queensland Police Service (QPS) must be notified of the CHF.	Richmond Shire Council
3	Council will contact, as soon as practicable a representative from the Wanamara People or Suitably Qualified Expert.	Richmond Shire Council
4	Council to give notice of CHF to the Wanamara People or Suitably Qualified Expert.	Richmond Shire Council
5	Police initiate a crime scene response, preservation, and forensic pathology.	Queensland Police Service
6	Cultural Heritage Coordination Unit called to attend scene.	Richmond Shire Council
7	Material inspection by police in conjunction with Aboriginal Party where appropriate.	Queensland Police Service & Wanamara People
8	If applicable, second opinion may be obtained from Police or their nominated expert.	Queensland Police Service or Suitably Qualified Expert

Determination of Human Remains

Step	Action	Responsibility
1	Formally determined as Aboriginal remains.	Queensland Police Service
2	Likely Aboriginal remains and no suspected criminality - a) Cultural Heritage Coordination Unit contacts all relevant Aboriginal persons for immediate involvement. b) Second opinion obtained from Police or their nominated expert.	Queensland Police Service or Wanamara People Representative
3	Non-Aboriginal remains or suspected criminality or other doubt exists - Police to coordinate	Queensland Police Service

7. LEGISLATION

- *Aboriginal Cultural Heritage Act 2003*
- *Local Government Act 2009*
- *Local Government Regulation 2012*

8. DEFINITIONS

TERM	DEFINITION
Aboriginal Cultural Heritage	As defined in section 8 of the <i>Aboriginal Cultural Heritage Act 2003</i> : Aboriginal cultural heritage is anything that is- a) a significant Aboriginal area in Queensland; or b) a significant Aboriginal object; or c) evidence, of archaeological or historic significance, of Aboriginal occupation of an area of Queensland.
Aboriginal Party	Is the relevant traditional owner group or their representatives.
ACHA	Refers to the <i>Aboriginal Cultural Heritage Act 2003</i> .
Council	Is the Richmond Shire Council including all employees, agents and contractors of Council.
Cultural Heritage Find	Includes, but is not limited to, significant Aboriginal objects, or evidence of archaeological or historic significance of Aboriginal occupation or Aboriginal human remains, found during Council works.
Harm	As defined in the <i>Aboriginal Cultural Heritage Act 2003</i> , means damage or injury to, or desecration or destruction of, the cultural heritage.
Works	Is any activity undertaken by or on behalf of Council that has the potential to harm Aboriginal Cultural Heritage.

9. IMPLEMENTATION

This Policy will commence from the Policy reviewed date and will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff via their supervisor/coordinator. Council reserves the right to vary, replace or terminate this Policy from time to time. This Policy will typically be reviewed when a review has been deemed appropriate by organisational processes (e.g., audit recommendations), or when legislative requirements change.

10. APPROVAL

Date of Adoption: 16 July 2024
Policy Reviewed: General Council Meeting 16 July 2024
Resolution Number:

Policy Authorised: Peter Bennett
Chief Executive Officer

Item 4. Reports for Consideration – Community Services

Item 4.1 NQ Sports Foundation

EXECUTIVE SUMMARY

The North Queensland Sports Foundation is calling for nominations from Councils for a Councillor Representative.

CEO Steve Farrell will be in Richmond July 23 at 8:30am to meet with the new representative.

OFFICER'S RECOMMENDATION

That Council: nominate a new representative to attend the meeting and be a liaison between the Foundation and Council.

Budget & Resource Implications

N/A

Background

Historically Richmond Shire Council has been a member of the NQ Sports Foundation since its inception. Having a representation on the board is recommended.

Consultation (Internal/External)

N/A

Attachments

Nil

Report prepared by Angela Henry (**Director of Community Services and Development**)

Item 4.2 Bushfire Policy – QLD

EXECUTIVE SUMMARY

Bushfires are an inherent part of Australia’s environment. Bushfires can significantly impact on lives, property and the environment. The basic factors that determine whether a bushfire will occur include the presence of fuel, oxygen, and an ignition source. The intensity and speed the bushfire will spread depends on the current temperature, fuel load (fallen bark, leaf litter, small branches), fuel moisture (dry fuel will burn quickly, damp or wet fuel may not burn at all), wind speed, and slope angle.

Emergency management arrangements for fire safety differ within each state and territory and are determined by the State Emergency Services or combined emergency service agencies. This policy reflects information related to Out of School Hours Care (OSHC) Services located in Queensland.

The National Law requires education and care services to ensure that every reasonable precaution is taken to protect children from any harm or hazard likely to cause injury, including bush fires. Regulations 97 and 168 (2) of the Education and Care Services National Regulations require that every education and care service in Australia, including OSHC Services, has an emergency and evacuation policy and procedure which includes:

- a risk assessment to identify the potential emergencies that are relevant to the service
- instructions for what must be done in the event of an emergency and evacuation procedures
- an emergency and evacuation floor plan, and
- the rehearsal of emergency and evacuation procedures every 3 months.

This policy outlines the strategies and procedures the OSHC Service will adhere to in the event of a bush fire, including information about closures during an emergency evacuation, and forms part of our Service’s Emergency Management Plan (EMP). The EMP records the emergency management arrangements to ensure every reasonable precaution to protect children, staff, and visitors from harm and hazard is maintained at all times.

OFFICER’S RECOMMENDATION

That Council: adopt the Bushfire Policy – QLD Policy as presented.

Budget & Resource Implications

N/A

Background

Updates have been made to this Policy to align with Legislation.

Consultation (Internal/External)

N/A

Attachments

Attachment C – Policy

Report prepared by **Teena Chappell (Outside School Hours Care Co-Ordinator)**

BUSHFIRE POLICY- QLD

Bushfires are an inherent part of Australia’s environment. Bushfires can significantly impact on lives, property and the environment. The basic factors that determine whether a bushfire will occur include the presence of fuel, oxygen, and an ignition source. The intensity and speed the bushfire will spread depends on the current temperature, fuel load (fallen bark, leaf litter, small branches), fuel moisture (dry fuel will burn quickly, damp or wet fuel may not burn at all), wind speed, and slope angle.

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- a risk assessment to identify the potential emergencies that are relevant to the service
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- an emergency and evacuation floor plan, and
- the rehearsal of emergency and evacuation procedures every 3 months.

This policy outlines the strategies and procedures the OSHC Service will adhere to in the event of a bush fire, including information about closures during an emergency evacuation, and forms part of our Service’s **Emergency Management Plan (EMP)**. The EMP records the emergency management arrangements to ensure every reasonable precaution to protect children, staff, and visitors from harm and hazard is maintained at all times.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN’S HEALTH AND SAFETY		
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.2	Incident and emergency	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented.
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.
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EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS	
S.51	Conditions on service approval (safety, health and wellbeing of children)
S.167	Offence relating to protection of children from harm and hazards
S.174(2)(a)	Serious incident - Any emergency for which emergency services attended
S.174(2)(c)	Any incident that requires the approved provider to close, or reduce the number of children attending the service for a period
4	Definitions “multi-storey building” and “storey”
12	Meaning of serious incident
89	First Aid Kits
93	Administration of medication
97	Emergency and evacuation procedures
98	Telephone or other communication equipment
168(2)(e)	Policies and procedures are required in relation to: Emergency and evacuation
168	Education and care services must have policies and procedures
170	Policies and procedures are to be followed
175	Prescribed information to be notified to the Regulatory Authority

RELATED POLICIES

Administration of First Aid Policy Emergency and Evacuation Policy Family Communication Policy Health and Safety Policy	Incident, Injury, Trauma and Illness Policy Supervision Policy Work Health and Safety Policy
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PURPOSE

We aim to ensure every reasonable precaution is taken to protect children and staff from harm and hazards likely to cause injury, including potential injury from bushfires. The potential for extreme fire conditions varies greatly throughout Australia, both in frequency and severity. Each state and territory have varying mandatory regulations for implementing policies and procedures for being safe in areas where bushfires occur. Our OSHC Service will adhere to the regulations outlined by the Queensland Early Childhood Regulatory Authority (ECRA) and other special requirements such as building regulations, traffic restrictions or emergency announcements that may apply to the area our Service is located.

SCOPE

This policy applies to children, families, staff, educators, management, the approved provider, nominated supervisor, **students, volunteers** and visitors of the OSHC Service.

IMPLEMENTATION

It is vital for the OSHC Service to be informed and prepared for bush fire conditions and respond appropriately during periods of high fire danger or local bush fire activity. This policy and related procedure **are** to be implemented should a bush fire threaten our OSHC Service. During peak bush fire season, the nominated supervisor will monitor fire ratings through relevant authorities on a daily or hourly basis and communicate with all stakeholders as required. We are aware of the Australian-Fire Danger Rating System (AFDRS) and have appropriate fire safety equipment installed and maintained at all times. Our *Emergency Management Plan* (EMP) ensures all staff are trained to use fire safety equipment and through regular training, understand evacuation procedures in case of an emergency.

DEFINITIONS

The Australian climate is frequently hot, dry, and susceptible to drought. The widely varied fire seasons are reflected in the continent's different weather patterns. For Queensland, the peak risk usually occurs in spring and early summer. The Northern Territory experiences most of its fires in winter and spring.

A '**Bush fire prone area**' is an area of land that can support a bushfire or is likely to be subject to bushfire attack. Bush fire prone maps are prepared by local councils and governments within each state and territory. Baseline data for bushfire prone areas is referred to as Bushfire Attack Level (BAL).

Australian Fire Danger Rating (AFDRS): provides an indication of the possible consequences of a fire. This rating is standardised across all Australian states and territories. The higher the fire danger rating, the more dangerous the conditions. The AFDRS uses four tiers of fire danger from *Moderate* to *Catastrophic*. The AFDRS are maintained and updated by emergency services in each state or territory.

Emergency Management Plan (EMP): identifies the nature and range of possible emergencies and hazards to which children and staff may be exposed and the response and procedure in the event of an emergency. Effective planning and preparation of the EMP within the workplace ensures optimal response to emergencies should they occur. A risk assessment to identify potential emergencies that impact the service form the basis of the EMP.

THE APPROVED PROVIDER/ MANAGEMENT/ NOMINATED SUPERVISOR WILL:

- ensure obligations under the *Education and Care Services National Law and National Regulations* are met
- ensure educators, staff, students, visitors and volunteers have knowledge of and adhere to this policy and procedure
- ensure all new employees, students and volunteers are provided with a copy of this policy as part of their induction process
- ensure the *Emergency Management Plan* (EMP) is updated regularly inclusive of Emergency and Evacuation policies and procedures
- consult with relevant authorities for guidance and advice on the management of bushfire risk and emergencies (including schools if the OSHC is located on school grounds)
- establish an Incident Management Team (IMT) to lead the implementation of the Emergency and Evacuation Plan- (e.g., Chief Warden, planning officer, communications officer, operations officer) or in smaller services, assign multiple roles for educators/staff
- ensure a back-up communication device is kept in a permanent location and is always available in an emergency. Example: designated fully charged mobile phone
- conduct a risk assessment to identify a potential bush fire risk to the OSHC Service
- review the risk assessment at least every 12 months and following any incident
- ensure the risk assessment considers-
 - prevention measures the OSHC Service will take prior and during the bush fire period
 - procedures to be taken when there is a bush fire in the local district including onsite (shelter-in-place) and offsite evacuation procedures
 - response measures the OSHC Service will take if confronted with a bush fire hazard or emergency
 - identified evacuation assembly areas and evacuation routes (it is recommended that the plan contains two external (off-site) evacuation assembly areas if practical to do so)
 - what assistance will be required to evacuate children at the service (including non-ambulant children and consideration for multi-storey buildings)
 - emergency communication arrangements in case of power outages- designated landline, Emergency Positioning Indicator Radio Beacon (EPIRB), satellite phone, designated mobile phone
 - the use of a battery-operated radio in its shelter-in-place location or emergency kit
 - when evacuating children, if the weather is hot, do the children need footwear?

- what mechanisms are in place to ensure the transfer of real-time information, such as weather forecasts, bush fire activity, site closures and emergency operations
- how parents will know where to locate their child if evacuated
- procedures to ensure children are only released to persons authorised to collect them
- procedures to ensure correspondence is made to feeder schools
- mechanisms to ensure visitors and contractors are aware of the service's emergency response procedures
- location of flammable substances/materials (gas storage bottles and fixed tanks)- ensure these are secured and controlled
- contact the local council *or* check QLD Fire and Emergency Services Bushfire Prone Areas to determine if the Service is located in a bush fire prone area <https://www.data.qld.gov.au/dataset/bushfire-prone-area-queensland-series>.
- ensure a current emergency and evacuation floor plan of the OSHC Service and instructions for what to do in an emergency are clearly displayed in a prominent position near each exit of the service (Reg: 97(4))
- ensure exit signs are displayed **above** emergency exits, emergency exits are free from debris and obstructions and are easy to open
- ensure emergency drills, including a bush fire drill and shelter-in-place on site are practiced with educators and children every 3 months [see *Bush Fire Response Procedure*]
- ensure a record is kept of each emergency evacuation drill practiced
- ensure the Service and educators are prepared for bush fire conditions and prepared to respond quickly and appropriately during high fire danger periods
- ensure all fire safety equipment is installed and maintained regularly- (fire extinguishers, fire panels, smoke detectors, long hoses with nozzles, buckets etc.
- ensure all fire safety equipment is easily accessible, has clear signage **with** operating instructions displayed and are clear of vegetation or debris
- ensure all outdoor taps are in working order
- communicate with staff, educators, and families about bush fire preparation information and provisions
- discuss **the** *Bush Fire Response Procedure* at team meetings and make any amendments as required
- ensure local emergency services have current contact details, including mobile number for emergency contact after hours
- ensure clear and effective communication procedures during an emergency are rehearsed to test **their** effectiveness in an emergency

- organise and communicate with off-site evacuation sites about emergency arrangements.
- ensure the Australian Fire Danger Rating (AFDRS) is checked daily through Australian Government Bureau of Meteorology <http://www.bom.gov.au/?ref=hdr> or QLD Fire and Emergency Services <https://www.qfes.qld.gov.au/prepare/bushfire/fire-danger-rating>
- provide a battery-operated radio for emergencies
- ensure gutters are cleaned out and free from dry leaves and other debris
- trim trees to 2m from the Service building (recommended best practice)
- ensure boundaries, outdoor areas and driveways are clear of dry grass, long grass, dead vegetation, thick and continuous shrubs, leaves, dead limbs/trees and other combustible materials
- consult with neighbouring property/landowners or local council if neighbouring properties pose a fire risk
- ensure driveways are accessible for fire emergency vehicles, clear of overhanging branches and archway structures
- ensure rubbish and recycle bins are secure with closed lids, emptied on a regular basis and located away from the Service's shelter-in-place location
- consider the Service's onsite (shelter-in-place) and off-site location ensuring it is accessible and can accommodate all children and staff, with access to toilets and water
- ensure all emergency exits are clear and accessible at all times
- conduct an emergency evacuation kit checklist to ensure emergency contact information and supplies are current
- ensure all records of attendance of children, staff, visitors and volunteers is accurate for each session of care
- ensure current emergency phone numbers are near the phone and in the contacts of designated mobile phones, including emergency services and the ECRA
- monitor the bush fire situation when the rating is above High through internet or radio
- ensure the QLD Fire and Emergency Services <https://www.qfes.qld.gov.au/Current-Incidents> is installed on designated Service mobile devices
- upon advice from relevant authorities (Department of Education or Fire Authority) not accept children for care on days when there is a catastrophic danger rating
- be prepared for closures of the Service on days when Catastrophic Fire Danger Rating (AFDRS) is issued in the QLD Fire Area (as advised by the relevant authority)
- cancel any outdoor activities on days where air quality due to bushfire smoke may cause harm to children [see Bush Fire Response Procedure]
- notify the ECRA in the event of any closures or damage to premises within 24 hours or as soon as

possible via the NQA ITS or phone if there is no access to the internet

- at a reasonable time after the incident has occurred, consider asking emergency services to review the service’s incident response.

EDUCATORS WILL:

- assist in the development and review of the OSHC Service’s Emergency Management Plan (EMP)
- examine the Service grounds during their daily indoor and outdoor safety checks to ensure flammable and/or combustible materials (e.g., dead leaves and bark, chemicals) have been removed
- ensure they are familiar with the daily Australian Fire Danger Rating System (AFDRS)
- ensure the emergency evacuation kit is organised and stored in an area that is easily accessible
- become familiar and confident with and implement the OSHC Service’s emergency evacuation policies and procedures
- participate in emergency drills, including Bush Fire Response procedures at least every 3 months
- become familiar with the Service’s emergency exits
- be aware of the designated assembly area/s
- eliminate all papers around the OSHC Service, including artwork, posters, displays and emptying garbage and recycle bins if advised that bush fires are in the local district
- keep up to date with professional development and training about bush fires, emergency equipment and emergency evacuation
- be familiar with their role and responsibilities in the event of a bush fire.

CONTINUOUS IMPROVEMENT/REFLECTION

Our Bush Fire Policy will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

CHILDCARE CENTRE DESKTOP- RELATED RESOURCES

Bush Fire Response Procedure Emergency Evacuation Kit Checklist	Fire and Safety Equipment Checklist Potential Emergencies Risk Assessment
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RESOURCES

ACECQA- [Managing Emergency Situations in Early Education and Care Services](#)

Australian Government Department of Education – [Help in emergency](#)

Australian Fire Danger Rating System (AFDRS): <https://secure.nt.gov.au/alerts>

[Be You](#) resources- Bushfires and mental health

Bushfire Emergency Planning Guideline [A guide to planning for bushfire emergency](#)

NSW Department of Education *Developing your Service’s Emergency Management Plan and Procedures* (updated **January 2024**)

NSW Department of Education [Service site bushfire grassfire readiness checklist](#)

Queensland Fire and Emergency Services. [Making your Bushfire Survival Plan](#)

Government. Queensland Government Fire Management

https://parks.des.qld.gov.au/management/programs/fire-management#bushfire_season

SOURCES

Australian Children’s Education & Care Quality Authority. (2014).

Australian Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework.](#)

Australian Government: Geoscience Australia. Community safety: Bushfire:

<http://www.ga.gov.au/scientific-topics/hazards/bushfire>

Community Early Learning Australia. **[Bushfire advice for children’s services](#)**

Education and Care Services National Law Act 2010. (Amended 2023).

[Education and Care Services National Regulations.](#) (Amended 2023).

Queensland Government. Department Environment and Science. Parks and Forests. Fire Management.

https://parks.des.qld.gov.au/management/programs/fire-management#bushfire_season.

REVIEW

POLICY REVIEWED BY	Tina Chappell	Coordinator	June 24
POLICY REVIEWED	JUNE 2024	NEXT REVIEW DATE	JUNE 2025
VERSION NUMBER	V4.06.24		
MODIFICATIONS	<ul style="list-style-type: none"> • annual policy maintenance • specific territory information included in resource section • minor editing • sources checked and updated as required • removed Appendix (these are available as separate documents in the CCD library) • added Childcare Centre Desktop Library Resources 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
JUNE 2023	<ul style="list-style-type: none"> • annual policy maintenance • hyperlinks checked and repaired as required • minor formatting edits within text • addition of link to Bush Fire Survival Plan • updated Appendix 1 checklist (DOE NSW - May 2023) 	JUNE 2024	

<p>OCTOBER 2022</p>	<ul style="list-style-type: none"> • Review of policy against recommendations for bushfire/grassfire readiness (NSW resource used for best practice) • Updated Australian Fire Danger Rating System information • new section- Continuous Improvement/Review added 	<p>JUNE 2023</p>
<p>JUNE 2022</p>	<ul style="list-style-type: none"> • New Policy Developed for Out of School Hours Care Services located in Queensland 	<p>JUNE 2023</p>

Item 4.3 Clothing Policy

EXECUTIVE SUMMARY

Children and young people need protective, comfortable and appropriate clothing and footwear to explore their environment and participate freely in experiences. Clothing needs to protect children and young people from injury and sun exposure whilst promoting self-help abilities. Appropriate footwear will fit a child's foot correctly and ensure comfort. Educators will also dress to prevent injury and sun exposure and will be encouraged to dress in a professional and respectful manner, being positive role models for children and young people.

OFFICER'S RECOMMENDATION

That Council: adopt the Clothing Policy as presented.

Budget & Resource Implications

N/A

Background

Updates have been made to this Policy to align with Legislation.

Consultation (Internal/External)

N/A

Attachments

Attachment D – Policy

Report prepared by **Teena Chappell (Outside School Hours Care Co-Ordinator)**

CLOTHING POLICY

Children and young people need protective, comfortable and appropriate clothing and footwear to explore their environment and participate freely in experiences. Clothing needs to protect children and young people from injury and sun exposure whilst promoting self-help abilities. Appropriate footwear will fit a child's foot correctly and ensure comfort. Educators will also dress to prevent injury and sun exposure and will be encouraged to dress in a professional and respectful manner, being positive role models for children and young people.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN		
5.1	Relationships between educators and children	Respectful and equitable relationships are maintained with each child.
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
5.1.2	Dignity and rights of the child	The dignity and rights of every child are maintained.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
168	Education and care services must have policies and procedures
168(2)(ii)	Policies and procedures are required in relation to sun protection
170	Policies and procedures are to be followed

RELATED POLICIES

Children's Belongings Policy Family Communication Policy Health and Safety Policy Multi-Cultural Policy	Respect for Children Policy Sun Safety Policy Supervision Policy
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PURPOSE

We aim to ensure the safety and comfort of all children and young people by providing appropriate clothing guidelines for children, parents and staff utilising and working at the OSHC Service.

Children and young people being clothed appropriately enables them to play without risk of sunburn and serious injury caused by inappropriate footwear or clothing. Children and young people are more at ease, comfortable, and less anxious when they are dressed for warmth during winter or not over-dressed during summer or wearing safe footwear when climbing outdoor play equipment or participating in physical activity.

SCOPE

This policy applies to children, families, staff, educators, approved provider, nominated supervisor, management, **students, visitors** and visitors of the OSHC Service.

IMPLEMENTATION

Effective clothing strategies, including appropriate clothing for sun protection are important factors in ensuring a child feels safe and secure at our OSHC Service. Whilst children will generally attend the Service in their school uniform, this policy is in place to support families' understanding of appropriate clothing for 'mufti' days, **or during vacation care.**

THE APPROVED PROVIDER/MANAGEMENT/NOMINATED SUPERVISOR WILL:

- ensure that a *Sun Safety Policy* is developed and reviewed regularly
- ensure that educators are provided with Personal Protective Equipment (e.g. gloves, goggles etc.) as required to facilitate cleaning and protect their health and safety
- provide information for educators about suitable clothing and footwear expectations for the education and care work environment during induction
- provide information for families about suitable clothing and footwear for their child to wear at the OSHC Service. This information will also be shared with families using a variety of communication strategies including newsletters, brochures, websites, and posters.
- ensure educators are aware and abide by the *Sun Safety Policy*
- ensure a culturally inclusive environment by conveying respect and understanding of families' cultural traditions regarding clothing
- provide information to educators and staff about children's cultural dress requirements.

EDUCATORS WILL:

- consult and communicate with families about the individual needs of children with respect to different values and beliefs associated with clothing and footwear
- consult with families about the clothing needs of children with sensory and tactile sensitivities, (free of seams, tags, buttons or textures)
- monitor children’s clothing and footwear to ensure compliance with the *Sun Safety Policy* and to support the safety, comfort, and wellbeing of every child
- consider clothing and footwear needs associated with excursions or planned learning experiences and communicate clearly with families about the need for extraordinary protective clothing requirements
- provide protective clothing, such as aprons, for messy play experiences and painting. Children will be encouraged by educators to wear protective clothing during messy and water play.
- encourage children and young people to use their self-help skills where appropriate to put on and remove clothing and shoes to meet their needs. Educators will observe and monitor younger children to ensure their clothing and footwear is appropriate for the environment and weather conditions
- monitor the UV rating to ensure children are dressed appropriately for the weather and are adequately protected (e.g. long sleeve shirts)
- discuss clothing with children: for example, the need to wear hats for sun protection
- model appropriate clothing: for example, wearing hats and sun safe clothing
- encourage children to make choices in relation to getting dressed and the clothing they wear
- respect children’s privacy and modesty when having children change their clothes or dressing themselves, ensuring that individual and/ or cultural needs and preferences are understood and catered for.
- show respect for children and young people and appreciate their individuality by allowing them to make some decisions about the clothes they wear

FAMILIES WILL:

- communicate with educators about their child’s individual clothing needs- (e.g.: cultural diversity, disability, clothing sensitivity – labels or fabrics, fine motor skills)
- provide spare clothing in children’s bags to allow for a change of clothes if required and/or changing weather conditions.
- dress children appropriately for play and the weather, including footwear and an appropriate hat
- ensure their child is clothed in an appropriate manner which will allow them to explore and play freely and not restrict them using equipment while at play

- ensure clothing for younger children (K-2) also allows easy access for toileting: i.e., elasticised trousers or track pants rather than buttons, zips, belts, etc.
- not dress their children in good/expensive clothing where there is a chance, they will get dirty or stained
- ensure children are appropriately protected from the sun - please refer to *Sun Safety Policy* for further directives on hats and clothing
- ensure children's clothing accommodates the weather conditions. For example, be loose and cool in summer to prevent overheating and warm enough for cold weather, including outdoor play. At all times educators will monitor children to ensure they are appropriately dressed for all weather, play experiences, rest and sleep routines.
- ensure children have appropriate footwear that enables them to play comfortably and not cause safety concerns. For example, thongs, clogs, cowboy boots or backless shoes have a trip factor and do not allow children to use equipment safely.
- ensure all clothing and belongings are clearly labelled with the child's name (not just initials)
- be familiar with their child's clothing fabric to minimise allergies and reactions.

SPECIAL CLOTHES/DRESS UP/MUFTI DAYS

To facilitate pretend play and celebrate different cultural experiences, children may be invited to dress up according to a theme or particular cultural celebration.

Our educators will communicate with families to ensure all children have the opportunity to engage in these activities by wearing appropriate clothing.

When dressing their child in 'dress up' clothes, parents are asked to ensure their child's footwear is appropriate for play-based learning at the OSHC Service and ensure clothing is sun safe.

CONTINUOUS IMPROVEMENT/REFLECTION

Our *Clothing Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

SOURCES

Australian Children's Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).

Australian Children's Education & Care Quality Authority. (2014).

Cancer Council Australia: www.cancer.org.au

Community Child Care Co-Operative

[Education and Care Services National Regulations](#). (Amended 2023).

Raising Children Network –<http://raisingchildren.net.au>

Red Nose - <https://rednose.com.au>

Revised National Quality Standard. (2018).

National Health and Medical Research Council. (2013). Staying Healthy: Preventing infectious diseases in early childhood education and care services (5th Ed.). Australia: Commonwealth of Australia. NSW Government. (n.d.).

[Western Australian Education and Care Services National Regulations](#)

Work Health and Safety Act 2011 (Cth).

REVIEW

POLICY REVIEWED BY	Tina Chappell	Coordinator	June 24
POLICY REVIEWED	JUNE 2024	NEXT REVIEW DATE	JUNE 2025
VERSION NUMBER	V5.06.24		
MODIFICATIONS	<ul style="list-style-type: none"> • annual policy maintenance • hyperlinks checked and repaired as required 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
JUNE 2023	<ul style="list-style-type: none"> • annual policy maintenance • hyperlinks checked and repaired as required • continuous improvement/reflection section added • link to Western Australian Education and Care Services National Regulations added in ‘Sources’ 	JUNE 2024	
JUNE 2021	<ul style="list-style-type: none"> • Minor edits to policy • National regulations added 	JUNE 2022	
JUNE 2020	information about respecting cultural diversity added Additional sections added –Dress up clothes sources checked for currency	JUNE 2021	
JUNE 2019	New policy drafted	JUNE 2020	

Item 4.4 Hand Washing Policy

EXECUTIVE SUMMARY

Having and encouraging effective hygiene practices in Out of School Hours Care (OSHC) Services is essential for reducing the risk of infection. Helping children to develop appropriate personal hygiene habits, such as hand hygiene, will become embedded as they grow and develop. It is important to work with families to ensure children follow simple hygiene rules by incorporating good hygiene strategies in both the OSHC Service and home environment.

OFFICER'S RECOMMENDATION

That Council: adopt the Hand Washing Policy as presented.

Budget & Resource Implications

N/A

Background

Updates have been made to this Policy to align with Legislation.

Consultation (Internal/External)

N/A

Attachments

Attachment E – Policy

Report prepared by **Teena Chappell (Outside School Hours Care Co-Ordinator)**

HAND WASHING POLICY

Having and encouraging effective hygiene practices in Out of School Hours Care (OSHC) Services is essential for reducing the risk of infection. Helping children to develop appropriate personal hygiene habits, such as hand hygiene, will become embedded as they grow and develop. It is important to work with families to ensure children follow simple hygiene rules by incorporating good hygiene strategies in both the OSHC Service and home environment.

NATIONAL QUALITY STANDARDS (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.1	Health	Each child's health and physical activity is supported and promoted.
2.1.2	Health practices and procedures	Effective illness and injury management and hygiene practices are promoted and implemented.
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
77	Health, Hygiene and safe food practices
88	Infectious diseases
93	Administration of medication
106	Laundry and hygiene facilities
109	Toilet and hygiene facilities
168	Education and care service must have policies and procedures
170	Policies and procedures are to be followed

RELATED POLICIES

Administration of Medication Policy Animal and Pet Policy Dealing with Infectious Disease Policy Health and Safety Policy	Incident, Injury, Trauma and Illness Policy Pregnancy in Early Childhood Policy Supervision Policy Work Health and Safety Policy
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PURPOSE

Our OSHC Service is committed to ensuring the health and safety of all educators, staff, volunteers, families, and children by providing a safe and healthy environment. Effective hand hygiene significantly reduces the risk of infection and is therefore of the utmost importance. We aim to implement specific hand washing hygiene practices regularly to minimise the risks associated with cross infection of viral and bacterial borne diseases.

SCOPE

This policy applies to children, families, staff, educators, management, approved provider, nominated supervisor, students, visitors and visitors of the OSHC Service.

IMPLEMENTATION

Infection can be spread through direct physical contact between people, airborne droplets from coughing and sneezing or from contact with surfaces and objects. Children come into contact with a large number of other children and adults, play equipment, eating utensils and other resources whilst being cared for in OSHC Services. This high degree of physical contact with people and the environment creates a higher risk of children being exposed to and spreading infectious illnesses. Whilst it may not be possible for services to prevent the spread of all infections, we aim to create a hygienic environment to minimise the spread of diseases and infections.

Effective hand washing is a vital strategy in the prevention of spreading many infectious diseases. Research emphasises effective and frequent handwashing as the single most important way to reduce the spread of bacteria, germs, viruses, and parasites that may infect educators, staff and children in school aged care services and in our general population.

Micro-organisms such as bacteria, germs, viruses, and parasites are present on the hands at all times and live in the oil that is naturally produced on your hands. The use of soap or detergent and water remove most of these organisms and decreases the risk of cross infection.

Our OSHC Service will adhere to National Regulation requirements, standards, and guidelines to support the effectiveness of our hand washing policy. We aim to educate and encourage children to wash their hands frequently and effectively which will help to reduce the incidence of infectious diseases, adhering to guidelines provided in *Staying healthy: Preventing infectious diseases in early childhood education and*

care services and recommendations from the Department of Health- Australian Health Protection Principal Committee (AHPPC) to guide best practice.

TO ENSURE THE GREATEST LEVEL OF PERSONAL HYGIENE OUR OSHC SERVICE WILL ENSURE:

- all employees, parents, children and visitors wash their hands with soap and water for at least 20 seconds upon arrival to the Service or, use the alcohol-based sanitiser under adult supervision
- hands are thoroughly dried using hand towel and disposed of in the bin provided
- disposable tissues are used to wipe noses, eyes or mouths and disposed of in the bin provided immediately after use
- hands are washed following the use of tissues
- hands are washed thoroughly using soap and water before and after using the toilet
- signage is provided to prompt visitors and children to wash their hands regularly and effectively when visiting our Service.

THE APPROVED PROVIDER/NOMINATED SUPERVISOR WILL ENSURE:

- educators and staff wash their hands with soap and water for at least 20 seconds regularly
- educators and staff wash their hands
 - before and after eating and handling food
 - before and after applying sunscreen or other lotions to children
 - after using the toilet
 - after blowing their own nose
 - after supervising children near toilet facilities
 - after touching animals
 - after cleaning high touch surfaces- (tables, light switches, door handles, computers, iPads)
 - after cleaning or mopping floors
 - after changing learning environments – outdoor play area, indoor learning
 - whenever their hands are visibly dirty (after gardening, painting)
 - before leaving the OSHC Service at the end of the day
- educators and staff adhere to effective food preparation and food handling procedures
- educators and staff wash hands before and after wearing disposable gloves when:
 - preparing food
 - administering medication
 - administering first aid

- cleaning spills- faeces, vomit or blood
- cleaning with disinfectant or chemicals
- after handling garbage and/or contaminated materials

EDUCATORS WILL ENSURE:

- children are explicitly taught the correct process of hand washing
- children are carefully supervised when handwashing
- children are reminded to wash their hands frequently throughout the day
- they model effective handwashing procedures
- the required equipment and resources are easily accessible and appropriate to use- liquid soap, running water, paper towel

We believe the hygiene practices of children being cared for should be as rigorous as those of staff and educators. Our environment supports the creation of appropriate healthy hygiene habits to ensure lifelong healthy decisions and actions.

STRATEGIES EDUCATORS WILL USE TO ENCOURAGE EFFECTIVE HAND HYGIENE PRACTICES

INCLUDE:

- talking about the importance of hand hygiene
- talking about when hand washing is appropriate and why
- singing a song or rap as a guide to how long it should take to wash hands
- using a clear visual poster with step-by-step instructions
- using positive language
- ensuring equipment is accessible (liquid soap, hand towels)
- ensuring adequate supervision and assistance is available when required
- use STEM opportunities to teach about germs and prevention (ie: pepper and soap experiment)

HAND DRYING

Effective hand drying is just as important as comprehensive hand washing. Research states that wet hands can pick up and transfer up to 1000 times more bacteria than dry hands. Drying hands thoroughly also helps remove any germs that may not have been rinsed off.

Our OSHC Service provides children, staff, and educators with disposable paper towel to ensure effective hand hygiene. Bins are provided with foot control lids to dispose of used paper towel.

Where possible, our Services aims to find sustainable alternatives to paper towel that may harm the environment.

HAND WASHING PROCEDURE

Wet hands with clean, running water, turn off the tap.

Rub soap all over your hands

Rub hands together for as long as it takes to sing “Happy Birthday” twice

Don’t forget the backs of your hands, your wrists, between your fingers and under your fingernails

Rinse the soap off your hands under running water

Dry your hands using paper towel.

ALCOHOL-BASED HAND SANITIZER

Where possible, staff will use soap and water to clean their hands however, if this is not possible and hands are not greasy or visibly dirty, an alcohol-based hand sanitiser may be used.

Hand sanitiser must be kept out of reach of children at all times as it can be very dangerous if swallowed. Directions should be followed on how to use the sanitiser correctly. The effectiveness of an alcohol-based hand sanitiser to kill microorganisms or prevent their growth should be at least 60% alcohol.

As per National Regulations, a safety data sheet will be kept on file for any alcohol-based hand sanitiser used in the OSHC Service.

HAND SANITIZER PROCEDURE

Apply liquid to the palm of one hand

Rub it all over both hands until the sanitiser dries

This takes about 20 seconds

Be careful not to wipe the sanitizer off before it is dry.

RELATED INFORMATION/RESOURCES

Be a Soapy Hero! <https://www.betterhealth.vic.gov.au/campaigns/soapy-hero>

Child Care Centre Desktop- Handwashing posters (see below)

NSW Department of Health [Handwashing poster](#)

[Teaching washing your hands with pepper experiment](#)

CONTINUOUS IMPROVEMENT/REFLECTION

Our *Handwashing Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

CHILDCARE CENTRE DESKTOP- RELATED RESOURCES

Hand Washing Procedure

SOURCES

Australian Children’s Education & Care Quality Authority. (2014).
 Australian Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).
 Australian Government Department of Health Australian Health Protection Principal Committee (AHPPC) Early Childhood Australia Code of Ethics. (2016).
 Education and Care Services National Law Act 2010. (Amended 2023).
[Education and Care Services National Regulations](#). (Amended 2023).
 National Health and Medical Research Council. (2013). *Staying Healthy: Preventing infectious diseases in early childhood education and care services* (5th Ed.). Australia: Commonwealth of Australia. NSW Government. (n.d.).
 Victoria State Government Better Health Channel [Handwashing-why it’s important](#)
[Western Australian Education and Care Services National Regulations](#)

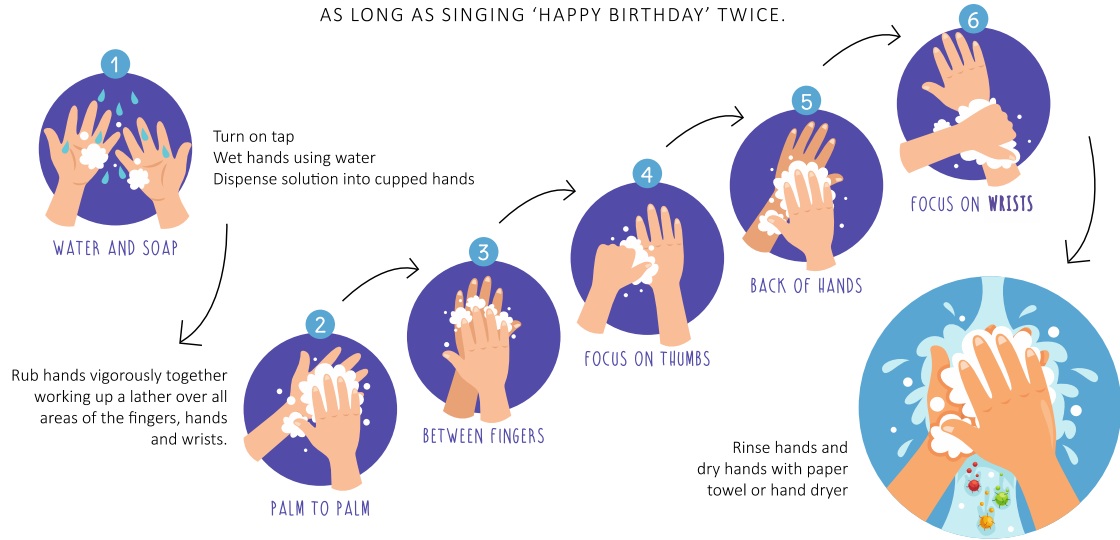
REVIEW

POLICY REVIEWED BY	Tina Chappell	Coordinator	June 24
POLICY REVIEWED	JUNE 2024	NEXT REVIEW DATE	JUNE 2025
VERSION NUMBER	V9.06.24		
MODIFICATIONS	<ul style="list-style-type: none"> • annual policy maintenance • hyperlinks checked and repaired as required • minor formatting edits within text 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
JUNE 2023	<ul style="list-style-type: none"> • annual policy maintenance • COVID-19 Management policy reference removed • hyperlinks checked and repaired as required • minor formatting edits within text • continuous improvement/reflection section added • Childcare Centre Desktop Resources section added 	JUNE 2024	
JUNE 2022	<ul style="list-style-type: none"> • policy maintenance - no major changes to policy 	JUNE 2023	

	<ul style="list-style-type: none"> • minor formatting edits within text • hyperlinks checked and repaired as required 	
JUNE 2021	<ul style="list-style-type: none"> • minor edits • sources checked and revised where required 	JUNE 2021
MAY 2020	<ul style="list-style-type: none"> • Major rewrite of the policy to incorporate Department of Health AHPPC recommendations • Related information and resources added • Addition of alcohol-based sanitiser information • Procedure of handwashing and hand rub added • Sample posters included in policy 	JUNE 2021
JUNE 2019	<ul style="list-style-type: none"> • Some grammar, punctuation and spelling edited. • Some Sentences refined. • Sources/references added and alphabetised. • Minor formatting for consistency throughout policy. • 'Related policies' alphabetised. 	JUNE 2020
JUNE 2018	<ul style="list-style-type: none"> • Included the 'Related Policies' section and updated the 'Purpose' statement. 	JUNE 2019
NOVEMBER 2017	<ul style="list-style-type: none"> • Updated the references to comply with revised National Quality Standard 	JUNE 2018

WASH YOUR HANDS

WASHING AND RINSING HANDS SHOULD TAKE ABOUT AS LONG AS SINGING 'HAPPY BIRTHDAY' TWICE.



Childcare Centre Desktop ©2019 – Hand Washing Procedure



Sanitise your hands on entry – Thank You.

HOW TO USE SANITISER CORRECTLY

Dispense 1-2 pumps, rub vigorously palm to palm, rub with interlocked fingers, rub palm over back of each hand, cover tips and bottoms of fingers to each palm, include thumbs, and wrists, rub until dry.



Item 4.5 Medical Conditions Policy

EXECUTIVE SUMMARY

To support children's wellbeing and manage specific healthcare needs, allergy or relevant medical condition our Out of School Hours Care (OSHC) Service will work in accordance with the Education and Care Services National Regulations to ensure health related policies and procedures are implemented. We aim to take every reasonable precaution to protect children's health and safety by explicitly adhering to individual medical management and risk management plans and responding to any emergency situation should they arise.

OFFICER'S RECOMMENDATION

That Council: adopt the Medical Conditions Policy as presented.

Budget & Resource Implications

N/A

Background

Updates have been made to this Policy to align with Legislation.

Consultation (Internal/External)

N/A

Attachments

Attachment F – Policy

Report prepared by **Teena Chappell (Outside School Hours Care Co-Ordinator)**

MEDICAL CONDITIONS POLICY

To support children’s wellbeing and manage specific healthcare needs, allergy or relevant medical condition our **Out of School Hours Care** (OSHC) Service will work in accordance with the Education and Care Services National Regulations to ensure health related policies and procedures are implemented. We aim to take every reasonable precaution to protect children’s health and safety by explicitly adhering to individual medical management and risk management plans and responding to any emergency situation should they arise.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN’S HEALTH AND SAFETY		
2.1	Health	Each child’s health and physical activity is supported and promoted.
2.1.1	Wellbeing and comfort	Each child’s wellbeing and comfort is provided for, including appropriate opportunities to meet each child’s needs for sleep, rest and relaxation.
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.

EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS	
S. 165	Offence to inadequately supervise children
S. 167	Offence relating to protection of children from harm and hazards
S.172	Failure to display prescribed information
12	Meaning of a serious incident
85	Incident, injury, trauma and illness policy
86	Notification to parent of incident, injury, trauma or illness
87	Incident, injury, trauma and illness record
89	First aid kits
90	Medical Conditions Policy
90(1)(iv)	Medical Conditions Communication Plan
91	Medical conditions policy to be provided to parents
92	Medication record

93	Administration of medication
94	Exception to authorisation requirement—anaphylaxis or asthma emergency
95	Procedure for administration of medication
136	First Aid qualifications
162	Health information to be kept in enrolment record
168	Education and care services must have policies and procedures
170	Policies and procedures are to be followed
173(2)(f)	Prescribed information to be displayed- a notice stating that a child who has been diagnosed as at risk of anaphylaxis is enrolled at the service
175	Prescribed information to be notified to Regulatory Authority

RELATED POLICIES

Acceptance and Refusal of Authorisations Policy Administration of Medication Policy Asthma Management Policy Anaphylaxis Management Policy Celebrations Policy Child Safe Environment Policy Dealing with Infectious Diseases Policy Diabetes Management Policy Enrolment Policy Epilepsy Management Policy	Excursion/ Incursion Policy Family Communication Policy Health and Safety Policy Incident, Injury, Trauma and Illness Policy Nutrition Food Safety Policy Privacy and Confidentiality Policy Record Keeping and Retention Policy Supervision Policy Work Health and Safety Policy
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PURPOSE

The *Education and Care Services National Regulations* requires approved providers to ensure services have policies and procedures in place for medical conditions. We aim to efficiently respond to and manage medical conditions, health care needs or allergies of children and staff ensuring the safety and wellbeing of all children, staff, families and visitors at our OSHC Service.

SCOPE

This policy applies to children, families, staff, educators, approved provider, nominated supervisor, students, volunteers and visitors of the OSHC Service.

DUTY OF CARE

Our OSHC Service has a legal responsibility to take reasonable steps to ensure the health needs of children enrolled in the service are met. This includes our responsibility to provide:

- a. a safe environment for children free of foreseeable harm *and*
- b. adequate supervision of children at all times.

IMPLEMENTATION

We will involve all educators, families and children in regular discussions about medical conditions and general health and wellbeing throughout our curriculum. Our OSHC Service is committed to adhering to privacy and confidentiality procedures when dealing with individual health care needs, allergies or relevant medical conditions.

There are a number of concerns that must be considered when a child with a diagnosed health care need, allergy, or medical condition is enrolled at the service. Key procedures and strategies must be in place prior to the child commencing at the Service to ensure their individual health, safety and wellbeing. It is imperative that all educators and volunteers at the Service follow a child's medical management plan in the event of an incident related to a child's specific health care need, allergy, or medical condition.

THE APPROVED PROVIDER/NOMINATED SUPERVISOR/MANAGEMENT WILL ENSURE:

- ensure obligations under the *Education and Care Services National Law and National Regulations* are met
- all educators, staff, students and volunteers have knowledge of and adhere to this policy and relevant health management policies (*Asthma Management Policy/ Anaphylaxis Management Policy/Diabetes Management Policy*)
- all staff, educators, students, visitors and volunteers have knowledge of and adhere to this policy
- all enrolment forms are reviewed to identify any specific health care need, allergy or medical condition
- existing enrolment forms are reviewed, and parents contacted to confirm if the existing diagnosed health care need, allergy or relevant medical condition still applies and whether any new needs have been diagnosed
- parents are provided with a copy of the *Service's Medical Conditions Policy*
- a child is not enrolled at, nor will attend the OSHC Service without a medical management plan and prescribed medication by their medical practitioner. In particular, medication for life-threatening conditions such as asthma, anaphylaxis or diabetes must be provided to the service each day [e.g., asthma inhalers, adrenaline auto injection devices or insulin]
- educators, staff and volunteers have a clear understanding of children's individual health care needs, allergy or relevant medical condition that may be ongoing or acute/short term in nature

- new staff members are provided with induction and ongoing training to assist managers, educators and other staff effectively
- all aspects of operation of the service must be considered to ensure inclusion of each child into the program
- a communication plan is developed in collaboration with the nominated supervisor and lead educators to ensure communication between families and educators is on-going and effective
- staff are provided with annual ASCIA anaphylaxis e-training to provide consistent and evidence-based approaches to prevention, recognition and emergency treatment of anaphylaxis [best practice]
- at least one staff member or nominated supervisor is in attendance at all times with a current accredited first aid certificate, emergency asthma management and emergency anaphylaxis management certificate (as approved by ACECQA)
- educators and staff have a clear understanding about their role and responsibilities when caring for children with a diagnosed health care need, allergy or relevant medical condition
- families provide required information on their child's health care need, allergy or relevant medical condition, including:
 - medication requirements
 - allergies
 - medical practitioner's contact details
 - medical management plan
- a medical management plan has been developed in consultation with parents and the child's medical practitioner and provided to the service and/or
 - an individual Asthma or Anaphylaxis Action Plan is developed in consultation with parents and the child's medical practitioner e.g.: (ASCIA) or National Asthma Council of Australia
 - an individual Diabetes Management Plan is developed in consultation with parents and the child's medical practitioner
- a risk minimisation plan has been developed in consultation with parents and management prior to the child commencing at the service
- educators and staff will be informed immediately about any changes to a child's medical management plan, risk management plan
- to record any prescribed health information and retain copies of medical management plan, anaphylaxis management plan or asthma management plan and risk minimisation plan in the child's enrolment folder
- educators have access to emergency contact information for the child
- casual staff are informed of children and staff members who have specific medical conditions, food

allergies, the type of condition or allergies they have, and the Service's procedures for dealing with emergencies involving allergies and anaphylaxis

- a copy of the child's medical management plan is visibly displayed (in an area not generally available to families and visitors) but known to staff in the OSHC Service **with authorisation to display obtained from parent/guardian**
- procedures are adhered to regarding the administration of medication at all times
- administration of medication record is accurately completed and signed by the educator and witnesses
- medication self-administered by a child over preschool aged, is only permitted with written authority signed by the child's parent or other responsible person named and authorised in the child's enrolment record to make decisions about the administration of medication
- a notice is displayed prominently in the main entrance of the Service stating that a child diagnosed at risk of anaphylaxis is being cared for or educated at the Service and providing details of the allergen/s (Reg. 173).
- information regarding the health and wellbeing of a child or staff member is not shared with others unless consent is provided in writing, or provided the disclosure is required or authorised by law under relevant state/territory legislation (including Victoria- Child Information Sharing Scheme (CISS) or the Family Violence Information Sharing Scheme (FVISS). See *Child Protection Policy* for further information regarding legal obligations to sharing of information as per CISS or FIVSS schemes.)

FOLLOWING AN INCIDENT-EDUCATORS WILL ENSURE:

- in the event that a high-risk scenario where a child suffers from a reaction, incident, situation, or event related to a medical condition the Service and staff will follow the child's emergency medical management plan as per Reg. 90(1)(c)(ii)
- the first aid responder will commence first aid measures immediately as per the child's medical management plan
- urgent medical attention from a registered medical practitioner is contacted if required
- an ambulance is called by dialling 000 if the child does not respond to initial treatment
- the nominated supervisor will contact the child's parent/guardian or emergency contact when practicable, but as soon as possible
- the approved provider/nominated supervisor will ensure the *Incident, Injury, Trauma and Illness Record* is completed in its entirety
- the **approved provider**/nominated supervisor will notify the regulatory authority (within 24 hours) in the event of a serious incident.

MANAGEMENT OF ASTHMA, ANAPHYLAXIS AND DIABETES

For the management of Asthma, Anaphylaxis and Diabetes see individual Service policies and procedures.

COOK AND FOOD HANDLERS WILL ENSURE:

- to keep up to date with professional training to help manage food allergies in ECEC services
- practices and procedures are in place, and adhered to, in relation to safe food handling, preparation and consumption of food
- any changes to children's medical management plans or risk minimisation plans are implemented immediately

FAMILIES WILL ENSURE:

- the OSHC Service enrolment form is completed in its entirety providing specific details about the child's medical condition
- they acknowledge they have received/or are provided access to the Service's *Medical Conditions Policy and Administration of Medication Policy* at time of enrolment
- they provide management with information about their child's health needs, allergies, medical conditions, and medication requirements on the enrolment form and through verbal communication/meetings
- they provide the OSHC Service with a medical management plan prior to enrolment of their child and/or
 - an individual Asthma or Anaphylaxis Action Plan
 - an individual Diabetes Management Plan
- they consult with management to develop a risk minimisation plan
- they notify the Service if any changes are to occur to the medical management plan or risk minimisation plan through the *Notification of Changed Medical Status* form, email, communication plan and/or meetings with the nominated supervisor
- they provide adequate supplies of the required medication and medication authorisation on an *Administration of Medication Record*
- they provide any updated information relating to the nature of, or management or their child's diagnosed medical condition and associated health care provided by a medical practitioner
- notify the OSHC Service, verbally when children are taking any short-term medications AND whether or not these medications may be self-administered (only applicable for a child over preschool age)
- they provide written **authorisation** for their child's medical management plan to be displayed in the OSHC service.

SELF-ADMINISTRATION OF MEDICATION

A child over preschool age may self-administer medication under the following circumstances:

- a parent or guardian provides written authorisation with consent on the child's enrolment form - administration of medication
- medication is stored safely by an educator, who will provide it to the child when required
- supervision is provided by an educator whilst the child is self-administering medication
- an accurate record is made in the medication record for the child that the medication has been self-administered.

MEDICAL MANAGEMENT PLAN

Any medical management plan provided by a child's parents and/or registered medical practitioner should include the following:

- specific details of the diagnosed health care need, allergy or relevant medication condition
 - supporting documentation (if required)
 - a recent photo of the child
 - current medication and dosage prescribed for the child
 - if relevant, state what triggers the allergy or medical condition
 - first aid/emergency response that may be required
 - any medication that may be required to be administered in case of an emergency
 - further treatment or response if the child does not respond to the initial treatment
 - when to contact an ambulance for assistance
 - contact details of the medical practitioner who signed the plan
 - the date of when the plan should be reviewed
- a copy of the medical management plan will be displayed **in areas** for educators and staff to **view easily but are harder for the public to view** to ensure **privacy**, safety and wellbeing of the **child**.
 - the OSHC Service must ensure the medical management plan remains current all times
 - educators and staff are updated immediately about any changes to a child's medical management plan.

RISK MINIMISATION PLAN

All children with a diagnosed health care need, allergy or relevant medical condition must have a risk minimisation plan in place. (Reg. 90(1)(c))

The **approved provider**/nominated supervisor will arrange a meeting with the parents/guardian as soon as the OSHC Service has been advised of the diagnosed health care need, allergy or medical condition. During this meeting a risk minimisation plan will be developed in consultation with the parent/guardian to ensure:

- that the risks relating to the child's specific health care need, allergy, or medical condition are assessed and minimised
- that practices and procedures in relation to the safe handling, preparation, serving, and consumption of food are developed and implemented
- that the parents/families are notified of any known allergens that pose a risk to a child and strategies for minimising the risk are developed and implemented
- practices are developed and implemented to ensure that all staff members and volunteers can identify the child, the child's medical management plan and the location of the child's medication
- that the child does not attend the Service without medication prescribed by the child's medical practitioner in relation to the child's specific health need, allergy or medical condition
- risk minimisation plan(s) are reviewed at least annually and/or revised with each change in the medical management plan in conjunction with parents/guardians
- all relevant information pertaining to the child's health and medical condition is communicated to parents at the end of each day by educators
- parents are notified by educators in advance of any special activities taking place such as celebrations, sporting events or excursions so plans of safe inclusion can be developed
- appropriate hygiene practices are followed by educators when managing medical conditions in accordance with the **Dealing with Infectious Diseases Policy**.

COMMUNICATION PLAN

The communication plan explains how relevant staff members and volunteers are informed about the medical management and risk management plans and how the parent of the child can communicate any changes to the diagnosed health care need, allergy or medical condition.

A communication plan will be created after the meeting with the parents/guardian to ensure:

- all relevant staff members, **students** and volunteers are informed about the *Medical Conditions Policy*, the medical management plan and risk minimisation plan for the child; and

- o that an individual child communication book/document is created so that a parent can communicate any changes to the medical management plan and risk management plan for the child in writing.

Parents are required to notify the Service if any changes are to occur to the medical management plan or risk minimisation plan through the *Notification of Changed Medical Status* form, email, communication plan and/or meetings with the nominated supervisor.

At all times, families who have a child attending the OSHC Service who have a diagnosed healthcare need, allergy or medical condition will be provided with a copy of this policy and other relevant policies specific to their child’s health management and communication plans.

RESOURCES

- [ASCIA anaphylaxis e-training for schools and early childhood education/care](#)
- [ASCIA plans for Anaphylaxis](#)
- [Coeliac Australia](#)
- [Cystic Fibrosis Australia](#)
- [Diabetes Australia](#)
- [Epilepsy Foundation](#)
- [National Asthma Australia](#)
- [National Allergy Strategy](#)

CONTINUOUS IMPROVEMENT/REFLECTION

Our *Medical Conditions Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

CHILDCARE CENTRE DESKTOP- RELATED RESOURCES

Administration of Medication Procedure	Medication Update Letter to parents
Administration of Medication Form	Medical Conditions Register
Authorisation to Display Medical Management Plan	Medical Management Plan
Managing a Medical Condition Procedure	Medical Risk Minimisation Plan
Medical Communication Plan	Notification of Changed Medical Status

SOURCES

Australian Children’s Education & Care Quality Authority. (2014).

Australian Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).
 Australian Children’s Education & Care Quality Authority (ACECQA). 2021. [Policy and Procedure Guidelines. Dealing with Medicals in Children Policy Guidelines](#).
 Australian society of clinical immunology and allergy. ASCIA. <https://www.allergy.org.au/hp/anaphylaxis/ascia-action-plan-for-anaphylaxis>
 Early Childhood Australia Code of Ethics. (2016).
 Education and Care Services National Law Act 2010. (Amended 2023).
[Education and Care Services National Regulations](#). (Amended 2023).
 Federal Register of Legislation *Privacy Act 1988*.
 National Health and Medical Research Council. (2013). *Staying Healthy: Preventing infectious diseases in early childhood education and care services* (5th Ed.). Australia: Commonwealth of Australia. NSW Government. (n.d.).
Occupational Health and Safety Act 2004.
 Revised National Quality Standard. (2018).
 Department of Education Victoria *Meeting children’s health needs* (2020).
[Western Australian Education and Care Services National Regulations](#)

REVIEW

POLICY REVIEWED BY	Tina Chappell	Coordinator	June 24
POLICY REVIEWED	JUNE 2024	NEXT REVIEW DATE	JUNE 2025
VERSION NUMBER	V11.06.24		
MODIFICATIONS	<ul style="list-style-type: none"> • annual policy maintenance • added reference to other key policies for managing asthma, anaphylaxis and diabetes within Service • method for families to notify Service of changes to child’s medical management plan added • minor changes within policy as best practice • updated Childcare Centre Desktop Resources to support implementation of this policy 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
JUNE 2023	<ul style="list-style-type: none"> • annual policy maintenance • hyperlinks checked and repaired as required • minor formatting edits within text • continuous improvement/reflection section added • Childcare Centre Desktop Related resources section added • link to Western Australian Education and Care Services National Regulations added in ‘Sources’ 	JUNE 2024	
JUNE 2022	<ul style="list-style-type: none"> • policy maintenance • minor formatting edits within text 	JUNE 2023	

	<ul style="list-style-type: none"> hyperlinks checked and repaired as required 	
OCTOBER 2021	<ul style="list-style-type: none"> Policy reviewed and included suggested guidelines from ACECQA Dealing with Medical Conditions in Children (June 2021) Additional section added <i>Cook and Food Handlers</i> inclusion of legislation for information sharing schemes including -Child Information Sharing Scheme (CISS) and Family Violence Information Sharing Scheme (FVISS) for Vic. Services National Allergy Strategy link added 	JUNE 2022
MAY/JULY 2021	<ul style="list-style-type: none"> relevant regulations updated Duty of Care section added inclusion of staff annual ASCIA anaphylaxis e-training as best practice detailed procedure of management of high-risk scenarios resources added for management of medical conditions sources checked for currency and updated as required 	JUNE 2022
MARCH 2020	<ul style="list-style-type: none"> additional information added to points additional wording added to include diagnosed health care need, allergy or relevant medical condition inclusion of asthma, anaphylaxis and diabetes policies additional sources 	JUNE 2021
JUNE 2019	<ul style="list-style-type: none"> Contextualised for OSHC Some grammar, punctuation and spelling edited Additional information added to points Sources/references added & alphabetised Related policies added 	JUNE 2020
JUNE 2019	<ul style="list-style-type: none"> New policy created to support the health and safety of children 	JUNE 2020

Item 4.6 Tobacco, Drug and Alcohol-Free Policy

EXECUTIVE SUMMARY

Our Out of School Hours (OSHC) Service is committed to creating and maintaining an environment that promotes the safety of all children, staff and visitors. We believe in maintaining a healthy, safe and productive workplace environment that reduces risks and hazards associated with the use of drugs and alcohol for all staff, children and visitors.

OFFICER'S RECOMMENDATION

That Council: adopt the Tobacco, Drug and Alcohol-Free Policy as presented.

Budget & Resource Implications

N/A

Background

Updates have been made to this Policy to align with Legislation.

Consultation (Internal/External)

N/A

Attachments

Attachment G – Policy

Report prepared by **Teena Chappell (Outside School Hours Care Co-Ordinator)**

TOBACCO, DRUG AND ALCOHOL-FREE POLICY

Our Out of School Hours (OSHC) Service is committed to creating and maintaining an environment that promotes the safety of all children, staff and visitors. We believe in maintaining a healthy, safe and productive workplace environment that reduces risks and hazards associated with the use of drugs and alcohol for all staff, children and visitors.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.2	Professional Standards	Professional standards guide practice, interactions and relationships.
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.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
82	Tobacco, drug and alcohol-free environment
83	Staff members and family day care educators not to be affected by alcohol or drugs
84	Awareness of child protection law
155	Interactions with children
168	Education and care services must have policies and procedures
170	Policies and procedures are to be followed
190	Infringement offences

RELATED POLICIES

Child Protection Policy Child Safe Environment Policy Dealing with Complaints Policy (staff)	Interactions with Children, Family and Staff Policy Privacy and Confidentiality Policy Work Health and Safety Policy
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PURPOSE

We aim to ensure our education and care service is a tobacco, drug and alcohol-free environment at all times in accordance with Education and Care National Law and Regulations. The use of alcohol and/or other drugs may impact on the ability to work safely and ensure the safety of children in their care. Impaired workers can mean increases in lateness, inefficiency, absenteeism, and lost time. Employees should present themselves for work and remain, while at work, capable of performing their work duties safely.

Working in line with the *Code of Conduct Policy* and *Work Health and Safety Policy* our OSHC Service aims to provide a policy regarding a tobacco, drug and alcohol-free environment with clear guidelines to ensure we create an environment that is drug-safe for all children, employees and visitors. This policy sets out expectations for all employees, volunteers and visitors regarding what is and what is not acceptable behaviour and practice in relation to alcohol and drug use and provides procedures which outline how to deal with impaired people, employees, volunteers and visitors, at the OSHC Service.

SCOPE

This policy applies to staff, educators, management, approved provider, nominated supervisor, students, volunteers and visitors of the OSHC Service.

IMPLEMENTATION

The Education and Care Services National regulations state the Approved Provider must ensure the environment is free from the use of tobacco, illicit drugs and alcohol and ensure that ensure that or volunteers at the Service are not affected by alcohol or drugs (including prescription medication) so as to impair the person’s capacity to supervise or provide education and care to children being educated and cared for by the Service. All staff, employees, volunteers and students will abide by this policy at all times, including social events held outside of service hours.

DEFINITIONS

Alcohol

- Alcohol is the most commonly used depressant drug. It affects both mental and motor function. Examples include beer, wine, spirits.

Under the Influence

- Includes a person who has taken drugs or alcohol that interferes with sound judgement and acceptable behaviour that may impair mental and physical ability to perform their duties safely.

Drugs

- **Illegal Drugs:** drugs such as cannabis, amphetamines, ecstasy, cocaine and heroin, are illegal. They are not subject to quality or price controls and the amount of active ingredient varies. A person using illegal drugs can never be sure of how strong the drug is, or what is actually in it.
- **Prescription Drugs:** Prescribed and over the counter medications can also be misused for the purposes of intoxication. Employees taking medication should find out how it may affect them by consulting their doctor and advising the Nominated Supervisor or Responsible Person if the prescribed medication will affect their mental and physical ability to perform their duties safely.
- **Illicit Drugs:** Illicit drugs include-illegal drugs, prescription medicines that have been obtained illegally or are not being used for medicinal purposes and other substances that are being used inappropriately — for example, sniffing glue or inhaling paint thinner

E-Cigarettes (Vaping)

- Battery-powered devices called e-cigarettes are utilised to heat a liquid substance that generates a vapor, which is then inhaled, thus imitating the smoking process

USE OF TOBACCO, DRUGS AND ALCOHOL

- Our OSHC Service supports the [Smoke Free Environment Act 2000](#). The company and its employees will follow all conditions outlined in this act.
- Our OSHC Service is bound by the Education and Care Services National Regulations. Alcohol, drugs, or other substance abuse by employees can have serious adverse effects on their own health and the safety of others. As such, all employees must not:
 - consume illegal drugs or alcohol prior to starting work
 - consume illegal drugs or alcohol while working
 - be under the influence of illegal drugs or alcohol while working
 - use or possess illegal drugs at any workplace
 - drive a vehicle, having consumed alcohol or suffering from the effects of illegal substances, or
 - bring alcohol or any illegal drugs onto the premises.
- Smoking or vaping is NOT permitted in or on surrounding areas of the OSHC Service. (The smoking ban extends to an area of up to **5m** around the land the service is approved to provide education and care).

- It is expected that the odour of cigarette/e-cigarette smoke will not be detected on an employee's clothing or hands. If an employee is found smoking on the premises, that employee may be terminated.

Employees undergoing prescribed medical treatment with a controlled substance that may affect the safe performance of their duties are required to report this to the Nominated Supervisor. A medical certificate may be required prior to their approval to provide education and care.

RESPECT FOR PEOPLE AND THE OSHC SERVICE

- Management and employees understand that *workplace health and safety is everyone's responsibility*
- Management and employees have a responsibility to take reasonable care for the health and safety of themselves and others at the workplace to enable compliance with the work health and safety legislation outlined in the *Work Health and Safety Policy*
- Management and employees must provide adequate supervision of children at all times and ensure the health, safety and welfare of children and young people in their care. This includes taking all reasonable action to protect children and young people from risk of harm that can be reasonably predicted
- Management and employees are committed to the Service philosophy and values, inclusive of best practice in early childhood education and building positive partnership with children, families and staff

EXPECTATIONS OF LEADERS AND MANAGEMENT

Leaders and management are expected to:

- keep employees informed about essential information and any relevant changes and make all documents readily accessible to them
- model professional behaviour at all times whilst at the OSHC Service
- take appropriate action if a breach of the *Tobacco, Drug and Alcohol-Free Policy* occurs
- advise new employees and volunteers to the service the *Tobacco, Drug and Alcohol- Free Policy* during the induction process. Visitors will be advised of the policy through signage at the front entrance of the service
 - families and visitors are reminded that smoking is not permitted in or around the OSHC Service
 - families and visitors are reminded that they should not enter the premises if they under the influence of prohibited drugs or alcohol

EXPECTATIONS OF EMPLOYEES

EMPLOYEES WILL:

- act honestly and exercise attentiveness in all service operations

- carry out all lawful directions, retaining the right to question any direction which they consider to be unethical. If uncertain they can seek advice from the Nominated Supervisor, Approved Provider or the Ombudsman
- report any instances of suspected alcohol or drug use at the OSHC Service
- be mindful of their duty of care towards themselves and others
- not sell, offer to sell, purchase, use, transfer or hold possession of illegal drugs while on the service premises or when representing the service after operating hours
- be committed to valuing and promoting the safety, health, and wellbeing of employees, volunteers, children, and families
- ensure that they are not, by the consumption of drugs or alcohol, in such a condition as to endanger their own safety or that of others at the OSHC Service
- ensure they do not operate heavy machinery or operate/drive vehicles while under the influence of or used or consumed drugs or alcohol.

ADHERING TO SERVICE CONFIDENTIALITY

- All issues pertaining to these matters shall be kept strictly confidential
- Unless authorised to do so by legislation, employees must not disclose or use any confidential information without appropriate approval
- All employees are to ensure that confidential information is not accessed by unauthorised people
- Employees will adhere to the Service's *Privacy and Confidentiality Policy*.

REASONABLE BELIEF OR SUSPICION

If a co-worker suspects a colleague to be affected by drugs or alcohol, they must inform the nominated supervisor immediately. Employees will report any concerns they may have about inappropriate actions of any other employee that involves the use of drugs or alcohol at the service to management. Any incidents or reports are to be documented confidentially including action taken which followed the incident or report.

Management will observe and document any reasonable suspicions that an employee is under the influence of drugs or alcohol, this may include:

- observe any smell of alcohol
- eye dilation or red/bloodshot eyes
- slurred speech
- unable to act in a professional manner within the workplace
- emotions where the employee is argumentative, agitated, irritable or drowsy
- movements where the employee is unsteady or fidgety or

- other behaviours.

If the nominated supervisor or responsible person has reasonable grounds to believe that an employee is under the influence of illegal drugs or alcohol, they will be removed immediately from working directly with children. Discipline action may follow, which may include termination of employment due to a breach of service policy. A breach in the *Tobacco, Drug and Alcohol-Free Policy* may result in termination of employment, even for a first offence.

The employee may be requested to submit to a drug or alcohol screening test if there is reasonable suspicion the employee is under the influence whilst working directly with children at the education and care service. The employee is expected not to return to work until the test results have available.

BREACH OF THE TOBACCO, DRUG AND ALCOHOL-FREE POLICY

All staff members are made fully aware that any breaches of the *Tobacco, Drug and Alcohol-Free Policy* and role responsibilities may lead to termination of employment, including:

- reporting to work under the influence of alcohol or drugs
- possessing or selling drugs at the Service
- failure to follow policies and procedures

No employee will be allowed to work under the influence of drugs or alcohol. A breach of this policy may initiate appropriate action including the termination of employment.

EMPLOYEE ASSISTANCE PROGRAM (EAP) [remove if not applicable for your Service]

Our OSHC Service provides an Employee Assistance Program (EAP) free of charge to all current employees. The EAP Program may be accessed to provide confidential, professional counselling and support. For further information regarding the EAP Program please speak with management.

WORKPLACE HEALTH AND SAFETY (WHS) LEGISLATION

Each state specifies Work Health and Safety Acts and Regulations which involves the management of risks to the health and safety of everyone in the workplace. This includes providing a tobacco, drug and alcohol-free workplace for children, visitors and employees at the service.

QLD: Work Health and Safety Act 2011 and [Work Health and Safety Regulation 2011](#)

CONTINUOUS IMPROVEMENT/REFLECTION

Our *Tobacco, Drug and Alcohol-Free Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

CHILDCARE CENTRE DESKTOP- RELATED RESOURCES

Code of Conduct – Staff Acknowledgement

SOURCES

Australian Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).

Australian Government. Business. [Work Health and Safety](#)

Australian Government. Department of Health. [What are drugs?](#)

Australian Government. Safe Work Australia. [Drugs and alcohol](#)

Education and Care Services National Law Act 2010. (Amended 2023).

[Education and Care Services National Regulations](#). (2011). (Amended 2023).

NSW Government. SafeWork NSW. [Alcohol and other drugs](#)

NSW Government. Work Cover NSW. (2006) [Alcohol and other drugs in the workplace, Guide to developing a workplace alcohol and other drugs policy](#)

Ombudsman Act 2001 (Cth).

Privacy and Personal Information Protection Act 1998 (Cth).

Queensland Government. Workplace Health and Safety Queensland. [Framework for alcohol and drug management in the workplace](#)

[Smoke-free Environment Act 2000](#).

Tasmanian Government. WorkSafe Tasmania. [Alcohol and drugs](#)

Victoria State Government. Work Safe Victoria. [Guide for developing a workplace alcohol and other drugs policy](#)

Work Health and Safety Act 2011 (Cth).

Workplace Relations Act 1996 (Cth).

Work Place Law. [Drug and alcohol testing in the workplace](#).

[Western Australian Education and Care Services National Regulations](#)

REVIEW

POLICY REVIEWED BY	Tina Chappell	Coordinator	June 24
POLICY REVIEWED	JUNE 2024	NEXT REVIEW DATE	JUNE 2025
VERSION NUMBER	V5.06.24		
MODIFICATIONS	<ul style="list-style-type: none"> annual policy review sources checked for currency and repaired as required 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	

JUNE 2023	<ul style="list-style-type: none"> • policy maintenance • hyperlinks checked and repaired as required • addition of e-cigarettes/vaping within content • NT and TAS new Work Health and Safety regulations added • minor formatting edits within text • continuous improvement/reflection section added • Childcare Centre Desktop Related resources section added • link to Western Australian Education and Care Services National Regulations added in 'Sources' 	JUNE 2024
JUNE 2022	<ul style="list-style-type: none"> • policy maintenance - no major changes to policy • minor formatting edits within text <p>hyperlinks checked and repaired as required</p>	JUNE 2023
JUNE 2021	Draft policy developed	JUNE 2022

Item 6. General Business

DATE OF NEXT MEETING

20 August 2024

CONCLUSION

Peter Bennett
Chief Executive Officer