

EARLY YEARS POLICY

Early Years Services Road Safety and Safe Transport	Policy No:	QA 2.28
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	Approved By:	Manager Community Strengthening
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Responsible Officer:	Coordinator Early Years	
Authorising Officer:	Manager Community Strengthening	

1. Purpose

To provide evidence-based guidelines and procedures to ensure that all children attending Surf Coast Shire Early Years Services are:

- safe while travelling as passengers in a vehicle
- safe as pedestrians and cyclists
- adequately supervised at all times when travelling, including on excursions and regular outings
- able to participate in road safety education to assist them in being and becoming safe and responsible road users.

2. Scope

This policy applies to the entire range of Early Years services managed by Surf Coast Shire including kindergartens; occasional care, Maternal and Child Health, Family Day Care and any other Early Years programs provided directly by Surf Coast Shire Council.

3. Application

This policy applies to the Approved Provider, Nominated Supervisor, Certified Supervisor, educators, Early Years staff, Maternal and Child Health Nurses, students on placement, volunteers, parents/guardians, children and others attending Surf Coast Shire Early Years Services, including during excursions and regular outings.

4. Definitions

The terms defined in this section relate specifically to this policy.

Adequate supervision: Supervision entails all children (individuals and groups) in all areas of the service, being in sight and/or hearing of an educator at all times. Services are required to comply with the legislative requirements for educator-to-child ratios at all times. Supervision contributes to protecting children from hazards that may emerge in play, including hazards created by the equipment used.

Adequate supervision refers to constant, active and diligent supervision of every child at the service. Adequate supervision requires that educators are always in a position to observe each child, respond to individual needs, and immediately intervene if necessary. Variables affecting supervision levels include:

- number, age and abilities of children
- number and positioning of educators
- current activity of each child
- areas in which the children are engaged in an activity (visibility and accessibility)
- developmental profile of each child and of the group of children
- experience, knowledge and skill of each educator
- need for educators to move between areas (effective communication strategies).

Approved Provider: An individual or organisation that has completed an application form and been approved by the Regulatory Authority as fit and proper (in accordance with Sections 12, 13 and 14 of the National Law) to operate one or more education and care services.

Attendance record: Kept by the service to record details of each child attending the service including name, date and time of arrival and departure, signature of person delivering and collecting the child or of the Nominated Supervisor or educator (Regulation 158(1)).

Authorised nominee: A person who has been given written authority by the parents/guardians of a child to collect that child from the education and care service. These details will be on the child's enrolment form.

Duty of care: A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury.

Informed consent: (In relation to this policy) a written agreement to do something or to allow something to happen, only after all the relevant facts, including the alternatives and the possible consequences of the action/s, are known.

Nominated Supervisor: A person who is a Certified Supervisor and has been nominated by the Approved Provider of the service under Part 3 of the Act to be the Nominated Supervisor of that service, who has consented to that nomination. The Nominated Supervisor has day-to-day responsibility for the service in accordance with the National Regulations. All services must have a Nominated Supervisor.

Risk assessment: A risk assessment must be carried out in accordance with Regulation 101. ACECQA provides a sample *Excursion Risk Management Plan*. Details of the safest route for travel, type of vehicle and required restraints can be included under *Method of transport, including proposed route*. The plan can be downloaded at:

<http://www.acecqa.gov.au/library>

Wheeled toy: A child's pedal car, skateboard, scooter (other than a motorised scooter) or tricycle or a similar toy, but only when it is being used by a child who is under 12 years old

5. Policy

Surf Coast Shire's Early Years Services are committed to the Guiding Principles of the National Quality Framework, and also to:

- The rights of children to travel safely as road/ footpath users inclusive as passengers, pedestrians and bike riders.
- The rights of children to be active citizens in the community.
- The role of parents/guardians and families as children's first and most influential teachers.
- An evidence-based approach in the provision of road safety education and practice.

Background

Road trauma is one of the leading causes of death among young Australians¹. Young children are at risk as passengers in motor vehicles, as pedestrians and as cyclists. They are particularly vulnerable because of their small size and the fact that their cognitive and perceptual skills are still developing.

Road safety education can help to reduce the risk of serious injury and death among young children by assisting them to develop skills, knowledge and behaviour about the safe use of roads. Working collaboratively with families to help children become safe and responsible road users aligns with the learning outcomes of the Early Years Learning Framework (EYLF).

Under the Education and Care Services National Law Act 2010 (Section 167), early childhood services are required to protect children from harm and hazards likely to cause injury. With the introduction of the National Quality Standard (NQS), all early childhood services may now be assessed on how road safety education and active transport initiatives are incorporated into the program.

Service providers and educators can achieve best practice in their programs by:

- adopting the safest possible behaviours when transporting children for excursions and outings.
- promoting and adopting the safest pedestrian and cycling behaviours.
- ensuring that road safety education is delivered in accordance with the *National Practices for Early Childhood Road Safety Education* (refer to Attachment 1).

Procedures

The Approved Provider is responsible for:

- Ensuring that educators/staff only allow a child to participate in an excursion with the written authorisation of a parent/guardian or authorised nominee including details required under Regulation 102(4). If the excursion is a regular outing, the authorisation is required to be obtained once every 12 months and kept with the child's enrolment record (refer to *Excursions and Service Events Policy*).
- Ensuring that a written risk assessment is undertaken prior to conducting excursions, including details of the safest route for travel and safety aspects for the chosen mode of transport e.g. motor vehicle, bus, train and tram.

¹ Australian Institute of Health and Welfare (AIHW) (2012) *A picture of Australia's children 2012* (Cat. No PHE167). Canberra, Australia: AIHW.

- Ensuring that all children are adequately supervised at all times, including while on excursions and regular outings.
- Ensuring that road safety education, based on the *National Practices for Early Childhood Road Safety Education* is provided to children.
- Ensuring that educators and staff have access to regular training in road safety and are kept up to date with current legislation, regulations, rules, standards and best practice information.
- Ensuring that bicycle helmets are available, in good condition and meet Australian/New Zealand Standard 2063 where bicycles or wheeled toys are used.
- Ensuring that parents/guardians and visitors to the service are provided with location-specific road safety information (e.g. details about where to park safely when delivering and collecting children and local area speed limits etc.)
- Ensuring that parents/guardians are provided with general road safety information about transporting children to and from the service
- Ensuring parents/guardians have access to this policy

In relation to the safe transportation of children:

- Ensuring that buses hired for use on excursions have seatbelts fitted, and that these are correctly used by all children, staff and volunteers for the entire trip.
- Ensuring that appropriate procedures are followed in the event of a vehicle crash or transport-related injury involving any children, staff or volunteers from the service (refer to *Incident, Injury, Trauma and Illness Policy*).
- Developing procedures for educators/staff to follow where a child is observed being transported to or from the premises in an unsafe manner.

The Nominated Supervisor is responsible for:

- Ensuring that educators/staff only allow a child to participate in an excursion with authorisation which is required to be obtained once every 12 months and kept with the child's enrolment record (refer to *Excursions and Service Events Policy*).
- Ensuring that educators undertake a written risk assessment prior to conducting excursions, including details of the safest route for travel and type of vehicle to be used etc.
- Ensuring that educators adequately supervise children at all times, including while on excursions and regular outings.
- Ensuring that the Educational Leader embeds road safety education in the curriculum, based on the *National Practices for Early Childhood Road Safety Education* (refer to Attachment 1).
- Organising regular training for educators and staff on road safety topics, including vehicle and driveway safety, current legislation, regulations, rules, standards and best practice information.

In relation to the safe transportation of children:

- Ensuring that educators provide parents/guardians with appropriate information about road safety
- Ensuring that educators follow the service's procedures and exercise duty of care if a child is observed to be at risk while being transported to or from the service

Certified Supervisors and other educators are responsible for:

- Checking that parents/guardians or authorised nominees sign and date permission forms prior to an excursion.
- Undertaking a written risk assessment prior to conducting excursions, including details of the safest route for travel and the type of vehicle used.
- Providing adequate supervision of children at all times including while on excursions and regular outings.
- Providing parents/guardians and visitors to the service with location-specific and general road safety information delivering resourced road safety education for children that is based on the *National Practices For Early Childhood Road Safety Education* (refer to Attachment 1).
- Undertaking regular training in road safety and keeping up to date with current legislation, regulations, rules, standards and best practice information.

In relation to the safe transportation of children:

- Ensuring that only buses fitted with seatbelts are hired for excursions and that these are correctly used by all children, staff and volunteers for the entire trip.
- Following appropriate procedures in the event of a vehicle crash involving children, staff and others from the service (refer to *Incident, Injury, Trauma and Illness Policy*) including notifying the Nominated Supervisor and Approved Provider as soon as possible after the event.

- Following duty of care procedures in instances where a child is observed to be at risk while being transported to or from the premises

Parents/guardians are responsible for:

- Signing and dating excursion authority forms prior to excursions and regular outings.
- Ensuring that their child travels in a restraint suitable for their age/size when arriving at or departing from the service
- Being aware of all location-specific and general road safety requirements including details about where to park to deliver and collect children, observing speed limits in the vicinity of the service, using the 'safety door' (the rear kerbside door), driveway safety and role modelling safe road use.
- Communicating any issues or concerns relating to their child's safety or wellbeing to the early childhood service.
- Being aware of this policy and of the service's procedures relating to the safe transportation of children to and from the service.

Volunteers and students, while at the service, are responsible for following this policy and its procedures.

Evaluation

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- Regularly seek feedback from parents/guardians, children, educators, management and others affected by the policy regarding its effectiveness.
- Monitor the implementation, compliance, complaints and incidents in relation to this policy.
- Keep the policy up to date with current legislation, research, policy and best practice.
- Revise the policy and procedures as part of the service's policy review cycle, or as required.
- Notify parents/guardians at least 14 days before making any changes to this policy or its procedures (this is a requirement under Regulation 172 of the National Regulations for policies mandated by law and would be considered best practice for all policies and procedures).

Transporting Maternal and Child Health Clients

Council provides effective, cost efficient and well-maintained vehicles to assist in core business delivery. The Maternal and Child Health Service have corporate fleet vehicles available for use. Staff may only transport clients in Council fleet vehicles. Staff are not to use their own vehicle to transport clients unless in the case of an emergency.

Work, Health and Safety

Work, Health and Safety policies cover risk management, hazard identification, risk assessment, risk control and post-incident management.

Staff may be placed at risk if clients and their families display aggressive or risk taking behaviours whilst in a moving vehicle

Where there are potential worker safety issues in transporting clients, the team leader and co-ordinator will work with the staff member to develop a safety plan that may include alternative transport arrangements.

Before embarking on the trip where it is anticipated that clients may exhibit challenging or dangerous behaviours, workers and coordinators should undertake a client behaviour assessment and consider the safest strategies to manage these behaviours. For example, should the child be placed in the vehicle away from the driver to reduce the likelihood of interference whilst the car is moving, have child safety locks on doors and windows, and adopt a policy of stopping the vehicle unless passengers and driver are safe to continue the journey. Where a client poses an ongoing and unacceptable risk, a decision will be made that other transport options will be utilised.

Road Safety Act

According to the *Road Safety Act 1986*, by law drivers are responsible for the safety of all passengers and ensuring that all passengers comply with the law, for example, wearing seat belts and keeping limbs within the car.

Manual handling

Manual handling may be an issue when transporting clients as car seats and young children may need to be lifted into and out of the vehicle.

Child restraints

A child must be fitted in a child restraint that is suitable for the child's weight and height. Age is to be used as a guide only. The child restraint must be correctly fitted and adjusted. Staff that are unsure of how to correctly fit a child restraint or correctly adjust the restraint should seek advice. Restraints will only be fully effective when correctly fitted.

Workers should follow manufacturers' guidelines regarding the placement of child restraints in vehicles that have passenger airbags. Never fit a rearward facing child restraint where there is a possibility that it may be hit by a deploying airbag. Children will be safer travelling in the back seat, in correctly fitted restraints. It is the responsibility of staff to ensure that car seats are clean, safe and that they are appropriately trained in the installation and adjustment of the seats. Staff are obliged to report any accident or damage to a car restraint to ensure that the damaged item is not used subsequent to the incident.

Transport of clients

Staff are not to transport children without a parent / guardian being present.

Transport will be provided based on the assessment of the worker which considers the following:

- Disability
- Geographical limitations
- Socio-economic limitations
- Agreed support goals

General driver responsibilities and precautions

- Drivers are to familiarise themselves with the vehicle before embarking on a journey in a new vehicle and ensure there is enough petrol in the car to complete the trip and refuel as required.
- Drivers are to drive within their capabilities and with due consideration of prevailing conditions, for example, heavy traffic, bad weather, unfamiliar surroundings.
- Drivers are to have a good knowledge of the road traffic laws and will abide by them at all times.
- Drivers are to respect the rights of other road users and drive with courtesy at all times.
- Drivers are not to drive whilst affected by alcohol or drugs, including medication that has a sedative effect.
- Drivers are to ensure that all passengers are wearing a correctly fitted restraint or seat belt.
- Drivers are not to drive with unsecured items in the interior of the car as these items can become projectiles if the vehicle is involved in an accident.
- Drivers are not to use hand held mobile phones unless safely parked. It is both illegal and unsafe to do so.
- All personal belongings are to be stored in the boot or properly secured.

6. Records

Records shall be retained for at least the period shown below.

Record	Retention/Disposal Responsibility	Retention Period	Location
Not applicable			

7. Attachments

Attachment 1: *National Practices for Early Childhood Road Safety Education*

8. References

Related Surf Coast Shire Council and Early Years Services Policies

D15/42541	Acceptance and Refusal of Authorisations Policy
D15/35312	Child Safe Environment Policy
D14/94973	Delivery and Collection of Children Policy
D14/70705	Excursions Policy
D14/105413	Incident, Injury, Trauma and Illness Policy
D15/16286	Access & Inclusion Policy
D15/38696	Occupational Health and Safety Policy
D15/33004	Supervision of Children Policy
D15/35333	Transport/Vehicle Use Authority Policy

Related Surf Coast Shire Council and Early Years Services Work Instructions and Forms

D14/28577	FDC – Supervision of Children Work Instructions
D15/86212	FDC – Five Point Safety Check
D14/48378	FDC – Non-Regular Excursion Authority
D18/29066	FDC – Regular Excursion Authority
D14/108189	FDC – Vehicle Use Authorisation Form
D14/87971	WHS2.2 Early Years Risk Assessment Management Plan
D19/65026	Road Safety and Safe Transport – where a child is observed to be at risk while being transported to or from the premises work instructions

Other References

- Early Learning Association Australia: www.elaa.org.au
- Road Safety Education Victoria: www.roadsafetyeducation.vic.gov.au
- VicRoads: www.vicroads.vic.gov.au

Legislation and standards

Relevant legislation and standards include but are not limited to:

Acts

- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic) – Part 2: Principles for Children
- Children Youth and Families Act 2005 (Vic)
- Competition and Consumer Act 2010 (Cth)
- Education and Care Services National Law Act 2010: Section 167
- Road Safety Act 1986

Regulations

- Education and Care Services National Regulations 2011: Regulations 99, 100, 101, 102, 159, 160, 161
- Road Safety (Drivers) Regulations 2009
- Road Safety (General) Regulations 2009
- Road Safety (Vehicles) Regulations 2009

Rules

- Road Safety Road Rules 2009 (Vic)

Standards

- AS/NZS 1754 Australian/New Zealand Standard: Child restraint systems for use in motor vehicles
- AS/NZS 4370 Australian/New Zealand Standard: Restraint of children with disabilities, or medical conditions, in motor vehicles
- AS/NZS 8005 Australian/New Zealand Standard: Accessories for child restraints for use in motor vehicles
- AS/NZS 2063 Australian/New Zealand Standard: Bicycle helmets
- National Quality Standard
 - Quality Area 2: Children's Health and Safety
 - Quality Area 6: Collaborative Partnerships with Families and Communities
- Competition and Consumer Act 2010 – Consumer Protection Notice – Safety standard: Child restraint systems for use in motor vehicles
- Victorian Government Gazette, Approval of Child Restraints, Booster Seats and Child Safety Harnesses

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: <http://www.legislation.vic.gov.au>
- Commonwealth Legislation – ComLaw: <http://comlaw.gov.au>

Approval Date:	24/05/19	Approved by:	Manager Community Strengthening
Amendment/Review 1:		Approved by:	
Amendment/Review 2:		Approved by:	

ATTACHMENT 1

National Practices for Early Childhood Road Safety Education

The National Practices for Early Childhood Road Safety Education have been developed by early childhood education and road safety experts across Australia and New Zealand. The eight national practices are based on research and are aligned with the Early Years Learning Framework.

The national practices guide early childhood educators and policy makers to develop, implement and evaluate evidence-based road safety programs that support children's and families learning about road safety. Refer to:

<http://roadsafetymeducation.vic.gov.au/resources/early-childhood.html>

Holistic approaches

Recognise that children's learning is integrated and interconnected when making curriculum decisions about road safety education.

Responsiveness to children

Deliver road safety education which is responsive to individual children and extends children's strengths, knowledge and interests.

Learning through play

Through play-based learning seek opportunities to address road safety in a way that expands children's thinking and encourages problem solving.

Intentional teaching

Engage in intentional teaching which extends and expands children's learning about road safety.

Learning environments

Provide opportunities in the learning environment, including the local community, for safe and meaningful interaction with children, parents and carers about road safety.

Cultural competence

Implement road safety education that is culturally relevant for the diversity of children, their families and the community.

Continuity of learning and transitions

Use the opportunity of transitions, in active partnership with children, families and the local community, for road safety education.

Assessment for learning

Together with children and families, reflect on each child's learning and application of road safety to plan for future learning.