LILIAN CANNAM KINDERGARTEN
97 Eastern Road
South Melbourne, VIC 3205

ROAD SAFETY AND SAFE TRANSPORT POLICY (EARLY CHILDHOOD SERVICES)

Best Practice – Quality Area 2 (and 6)

This policy was developed by Early Learning Association Australia in consultation with VicRoads and the early childhood sector as part of the VicRoads Starting Out Safely program.

PURPOSE

To provide evidence-based guidelines and procedures to ensure that all children attending Lilian Cannam Kindergarten are:

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

POLICY STATEMENT

1. VALUES

Lilian Cannam Kindergarten is committed to the Guiding Principles of the National Quality Framework, and also to:

- the rights of children to travel safely as passengers, pedestrians and cyclists
- 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.

2. SCOPE

This policy applies to the Approved Provider, Nominated Supervisor, Certified Supervisor, educators, staff, students on placement, volunteers, parents/guardians, children and others attending Lilian Cannam Kindergarten,including during excursions and regular outings.

3. BACKGROUND AND LEGISLATION

Background

Road trauma is one of the leading causes of death among young Australians[1]. 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).

Very high participation rates in early childhood education programs in Victoria enables service providers and educators to contribute to making children safer road users by:

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

- embedding road safety education in the curriculum in line with the *National Practices for Early Childhood Road Safety Education* (refer to Attachment 1)
- ensuring children wear correctly fitted bicycle helmets where bicycles or wheeled toys are used as part of the program
- adopting safe transport practices when children are participating in excursions or outings
- informing and encouraging parents/guardians to be proactive road safety role models for their children by adopting and promoting safe road user behaviours.

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 (refer to Attachment 2).

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).

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 (refer to Attachment 2 for road safety links to the NQS)
  - Quality Area 2: Children's Health and Safety
  - Quality Area 6: Collaborative Partnerships with Families and Communities

Notices

- *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

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 including during toileting, sleep, rest and transition routines. 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. Where the applicant is an organisation, each person with management and control of that organisation must complete a separate application form. (Note: Under the *Education and Care Services National Law Act 2010*, Section 5, Definitions: "***person with management or control**, in relation to an education and care service, means – (b) if the provider of the service is an eligible association, each member of the executive committee of the association who has the responsibility, alone or with others, for managing the delivery of the education and care service*".)

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.

The National Law and National Regulations do not specify a minimum age limit for an authorised nominee. Each service provider will need to determine if a person under the age of 18 is able to be an authorised nominee and, if so, what constitutes the minimum acceptable age at that service.

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 has been nominated by the Approved Provider of the service under Part 3 of the Act and who has consented to that nomination in writing can be the Nominated Supervisor. All services must have a Nominated Supervisor with responsibility for the service in accordance with the National Regulations. The Approved Provider must take reasonable steps to ensure the Nominated Supervisor is a fit and proper person (in accordance with Sections 12, 13 and 14 of the National Law), with suitable skills, qualifications and experience. The Regulatory Authority must be notified if the Nominated Supervisor for the service changes or is no longer employed at the service.

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/sample-forms-and-templates-now-available

5. SOURCES AND RELATED POLICIES

Sources

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

Service policies

- *Acceptance and Refusal of Authorisations Policy*
- *Child Safe Environment Policy*
- *Curriculum Development Policy*
- *Delivery and Collection of Children Policy*
- *Excursions and Service Events Policy*
- *Incident, Injury, Trauma and Illness Policy*
- *Inclusion and Equity Policy*
- *Occupational Health and Safety Policy*
- *Supervision of Children Policy*

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 (refer to *Definitions*) 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
- ensuring that all children are adequately supervised (refer to *Definitions*) 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* (refer to Attachment 1), is provided
- ensuring that all children attending the service are included in road safety education (refer to *Inclusion and Equity Policy*)
- ensuring that educators and staff have access to regular professional development/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 (refer to definitions) 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 (which might include using the 'safety door' (the rear kerbside door), driveway safety, child restraint information and role modelling safe road use)
- ensuring parents/guardians have access to this policy and its attachments

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 (refer to Attachment 3 for a sample procedure).

Under duty of care obligations, services must develop appropriate procedures to guide educators and other staff to address situations where a child is observed to be at risk while being transported to or from the early childhood service. This may include instances where a child is observed to be travelling unrestrained, in an inappropriate restraint, riding a bicycle or a wheeled toy without a helmet, or instances where a parent/guardian is in an unfit state to drive due to intoxication or impairment.

The Nominated Supervisor 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 educators undertake a written risk assessment (refer to *Definitions*) 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 (refer to *Definitions*) 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 professional development/training for educators and staff on road safety topics, including vehicle and driveway safety, current legislation, regulations, rules, standards and best practice information
- providing educators with access to a broad range of resources to support road safety education

- ensuring that bicycle helmets are available, in good condition and meet Australian/New Zealand Standard 2063 where bicycles or wheeled toys (refer to definitions) are used.

In relation to the safe transportation of children:

- ensuring that buses hired for excursions have seatbelts fitted, and that these are correctly used by all children, staff and volunteers for the entire trip
- ensuring that educators follow appropriate procedures in the event of a vehicle crash or transport-related injury involving children, staff or volunteers (refer to *Incident, Injury, Trauma and Illness Policy*)
- 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 (refer to Attachment 3).

Certified Supervisors and other educators are responsible for:

- allowing a child to participate in an excursion only with the written authorisation of a parent/guardian or authorised nominee. For a regular outing, this authorisation is required every 12 months
- checking that parents/guardians or authorised nominees sign and date permission forms prior to an excursion
- undertaking a written risk assessment (refer to *Definitions*) prior to conducting excursions, including details of the safest route for travel and the type of vehicle used
- providing adequate supervision (refer to *Definitions*) of children at all times including while on excursions and regular outings
- providing parents/guardians and visitors to the service with location-specific road safety information (e.g. details about where to park when delivering and collecting children and local area speed limits etc.)
- providing parents/guardians with general road safety information about transporting children to and from the service (which might include using the 'safety door' (the rear kerbside door), driveway safety, child restraint information and role modelling safe road use)
- delivering road safety education that is based on the *National Practices For Early Childhood Road Safety Education* (refer to Attachment 1)
- including all children attending the service in road safety education (refer to *Inclusion and Equity Policy*)
- undertaking regular professional development/training in road safety and keeping up to date with current legislation, regulations, rules, standards and best practice information
- using a broad range of resources to support the delivery of road safety education
- ensuring that bicycle helmets are available, in good condition, meet Australian/New Zealand Standard 2063 and are correctly fitted where bicycles or wheeled toys (refer to definitions) are used.

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
- providing appropriate information to parents/guardians about road safety
- following duty of care procedures in instances where a child is observed to be at risk while being transported to or from the premises (refer to Attachment 3).

Parents/guardians are responsible for:

- signing and dating permission 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 all 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).

ATTACHMENTS

- Attachment 1: *National Practices for Early Childhood Road Safety Education*
- Attachment 2: National Quality Standard linkages to road safety
- Attachment 3: Sample procedure when a child is observed to be at risk of harm while being transported to or from an early childhood premises

AUTHORISATION

This policy was adopted by the Approved Provider of Lilian Cannam Kindergarten on 20th November 2018.

REVIEW DATE: NOVEMBER 2020

Annual or more frequently in response to legislative and/or other changes.

ACKNOWLEDGEMENT

This policy was developed by Early Learning Association Australia in consultation with VicRoads and the early childhood sector as part of the VicRoads Starting Out Safely program.

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://roadsafetyeducation.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.

ATTACHMENT 2

National Quality Standard linkages to road safety

This document provides extracts from the NQS that relate to road safety and must be read in conjunction with the NQS.

Quality area 2: Children's health and safety

Standard	Element	Assessment Guide
2.3 Each child is protected. Questions to guide reflection on practice: • How do we ensure children are alerted to safety issues and encouraged to develop the skills to assess and minimise risks to their own safety?	2.3.1 Children are adequately supervised at all times.	***Guidance for children of all ages and all service types*** Assessors may **observe**: • educators supervising children closely when they are in a situation that presents a higher risk of injury – for example, on an excursion near a road or water.
	2.3.2 Every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury.	***Guidance for children of all ages and all service types*** Assessors may **observe**: • educators and coordinators talking with children about safety issues and correct use of equipment and the environment and, where appropriate, involving children in setting safety rules. Assessors may **sight**: • evidence of detailed information provided to families regarding excursions, including the destination, mode of transport, educator-to-child ratios and the number of adults in attendance, and written authorisation for children to be taken outside the service premises, including for excursions or routine outings (except in emergency situations)

Standard	Element	Assessment Guide
6.3 The service collaborates with other organisations and service providers to enhance children's learning and wellbeing.	6.3.2 Continuity of learning and transitions for each child are supported by sharing relevant information and clarifying responsibilities.	***Guidance for children of all ages and all service types*** Assessors may **observe**: • children being supported and appropriately supervised when being transported to or from the service by car, bus, train or tram or on foot. Assessors may **discuss**: • the strategies and processes used to support: – children with additional needs in their transition to school and to specialist services • how road safety education and any active transport initiatives are incorporated into the program.

ATTACHMENT 3

Sample procedure when a child is observed to be at risk of harm while being transported to or from an early childhood premises

Service providers have a duty of care to ensure the safety of children is paramount. Service providers must also comply with their obligations under state or territory child protection laws.

Where a parent/guardian or authorised nominee (refer to *Definitions*) is observed not using a child restraint, using the wrong child restraint, using a child restraint inappropriately or engaging in other unsafe behaviours such as parking illegally or not using a bicycle helmet, the **early childhood educator should**:

- talk with the parent/guardian/authorised nominee about the importance of safe transport procedures, including the correct use of child restraints and/or relevant road safety behaviours
- provide/refer the parent/guardian/authorised nominee to relevant information regarding safe transport
- inform the Nominated Supervisor or Approved Provider (where relevant).

If the parent/guardian or authorised nominee persists with unsafe road use behaviours, the early childhood educator must notify the **Nominated Supervisor or Approved Provider, who should**:

- contact the parent/guardian/authorised nominee directly and discuss the importance of child restraint use and/or safe road user behaviour, including legal requirements and implications
- provide the parent/guardian/authorised nominee with a copy of the *Road Safety and Safe Transport Policy*
- offer/provide assistance to the parent/guardian/authorised nominee with the choice/purchase/installation/fitment of the correct restraint or bicycle helmet for their child
- follow up with the parent/guardian/authorised nominee, where required, to ensure that they have the most appropriate restraint for their child and that it is being used correctly.

If a parent/guardian or authorised nominee appears to be impaired or intoxicated when arriving to collect their child, the **early childhood educator should:**

- encourage the parent/guardian or authorised nominee to use an alternative form of transport or contact another authorised person to collect the child. If the parent/guardian or authorised nominee is not willing to use an alternative form of transport, the educator cannot prevent the parent/guardian or authorised nominee from taking the child
- notify the police and/or child protection authorities immediately if the educator is of the opinion that the child may not be safe in the care of the parent/guardian or authorised nominee