

## 10.33 Managing Notifications

The service recognises that strategies must be in place to ensure notifications are made as required and to the relevant authority. This policy and procedure identifies the relevant authorities to which there is an obligation to notify of an event or occurrence within the service.



### Relevant Laws and other Provisions

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Duty of Care
- Child Protection Act 1999 and Regulations 2000
- Child Protection (Mandatory Reporting— Mason's Law) Amendment Act 2016
- Family and Child Commission Act 2014
- Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011
- Australian Government Department of Education Children's Services Handbook
- Privacy Act 1988 and Regulations 2013
- Work Health and Safety Act 2011 and Regulations 2011
- *National Quality Standard, Quality Area 7 – Governance and leadership*
- Policies: 8.2 – Educational Leader Policy, 10.1 – Quality Compliance Policy, 10.5 – Approval Requirements under Legislation Policy, 10.6 – Nominated Supervisor Policy, 10.7 – Insuring Risks Policy, 10.9 – Risk Management and Compliance Policy.



### Procedures

The service shall make notifications as follows:

The *Education and Care Services National Law Act 2010 and Regulations 2011* sets out incidents and allegations that are notifiable to the Regulatory Authority while a child or children are being educated and cared for by the service. These include:

- The death of a child while that child is being educated and cared for at the service or following an incident while that child was being educated and cared for by the service;
- A serious injury or trauma while the child is being educated and cared for, which required urgent medical attention from a medical practitioner; or the child attended, or should have attended a hospital (e.g. broken limb);
- Any incident involving a serious illness at the service, where the child attended, or should have attended a hospital (e.g. severe asthma attack, seizure or anaphylaxis);
- Any circumstance where a child appears to have been taken or removed from the service premises by someone not authorised to do this;
- Any circumstance where a child is mistakenly locked in or out of the service premises or any part of the premises;
- A serious incident where emergency services attended an education and care service in response to an emergency.

- Any incident where you reasonably believe that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the service;
- Any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the service;
- Any circumstance at the service that poses a significant risk to the health, safety or wellbeing of a child attending the service;
- Notice of any appointment or removal of a person with management and control of the service
- Adding one or more nominated supervisors to the service (including the person's written consent);
- A nominated supervisor change;
- A nominated supervisor's name or contact details change;
- Any change to the hours and days of the operation of the service;
- A complaint that alleges a serious incident has occurred or is occurring while a child is being educated and cared for by a service;
- A complaint that alleges the National Law and/or National Regulations have been contravened;

See also <http://www.acecqa.gov.au/Notification-types-and-timeframes>

The Approved Provider/Nominated Supervisor of the service, under the *Education and Care Services National Law Act 2010* will make notifications to the Regulatory Authority through the National Quality Agenda IT System (NQA IT System), or by contacting them.

The *Child Protection Act 1999* requires education and care staff as 'mandatory reporters', to notify and make a report to Child Safety if they form a reasonable suspicion that a child has suffered, is suffering or is at an unacceptable risk of suffering significant harm caused by physical or sexual abuse, and may not have a parent able and willing to protect them. (see 2.5 Reporting of Child Abuse Policy)

The *Work Health and Safety Act 2011* sets out what sort of incidents are notifiable to Work Health and Safety Queensland (WHSQ). An incident is notifiable if it arises out of the conduct of a business or undertaking and results in the death, serious injury or serious illness of a person or involves a dangerous incident.

The person conducting a business of undertaking must keep a record of each notifiable incident for at least five (5) years from the date notified to WHSQ.

## References

<http://files.acecqa.gov.au/files/NQF/KeyChangesNotificationComplaints.pdf> accessed 26 Oct 2017

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