

10.5 Approval Requirements under Legislation Policy

As part of the service risk management and compliance obligations, the Approved Provider and the Nominated Supervisor/Coordinator shall jointly be responsible to ensure that the service complies with the approval requirements under the *Education and Care Services National Law 2010 and Regulations 2011*.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *National Quality Standard, Quality Area 7 – Governance and leadership*
- *Policies: 10.1 – Quality Compliance, 10.2 – Role and Composition of Management Committee, 10.6 – Supervisor Certificate, 10.8 – Information Handling (Privacy and Confidentiality).*



Procedures

An application for Provider Approval must be made, in writing, to the relevant regulatory authority prior to the service being operational.

An Approved Provider may apply in writing, to the regulatory authority for Service Approval to operate an education and care service and will be responsible for the management of the staff members and Nominated Supervisor for that service.

Information required to be provided to the regulatory authority as part of the service approval process includes, but is not limited to:

- The location and street address of the proposed service; and
- Plans prepared by a building practitioner showing the location of:
 - All buildings, structures, outdoor play and shaded areas;
 - Location of entry and exits;
 - Location of toilets and hand washing facilities;
 - Floor plan showing unencumbered indoor and outdoor spaces; and
 - Calculations verifying regulated space requirements.

As part of the service approval process, a Nominated Supervisor for the service must be delegated, in writing and with their consent, to the regulatory authority (see Policy 10.6 – Service Supervisor Certificate).

Whilst the service provides, or aims to provide, regular childcare to school age children, the Approved Provider and the Nominated Supervisor/Coordinator are jointly responsible to ensure that the service will not operate at any time if some person or body does not hold a current approval in respect of the service.

Whilst the service is approved to provide childcare, the Approved Provider/ and the Nominated Supervisor/Coordinator are jointly responsible to ensure that:

- *The service complies at all times with the specific conditions of the approval applicable to the service;*
- *The approval is renewed and kept current in accordance with the legislation; and*

- *The relevant current Provider Approval and Service Approval is kept on display at the service whenever child care is being provided.*

DATE DEVELOPED	DATE RATIFIED	DATE REVIEWED	DATE RATIFIED
August 2018	August 2018	10.08.21	October 2021
		October 2024	November 2024