

## 4.16 Vehicle Restraint Policy

The service promotes safety in the transporting of children in vehicles during the operation of program activities. In support of current legislation restraint measures will be implemented that reduce the effects of serious injury or death in the event of a crash.



### 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*
- *Transport Operations (Passenger Transport) Act 1994 and Regulations 2005*
- *Family and Child Commission Act 2014*
- *National Quality Standard, Quality Area 2 – Children's health and safety*
- *Policies: 3.5 – Excursions, 3.6 – Transport for Excursions, 10.9 – Risk Management and Compliance.*



### Procedures

In the case of children being transported in a private vehicle during the operation of the program, the service shall provide appropriate child restraints in accordance with recommendations for children 4-7 years, which are a booster seat with H-harness or a booster seat with a secured adult seatbelt. Booster seats provided shall be Australian Safety Standard approved. (*Australian Standard AS 1754 Child Restraint Systems Used in Motor Vehicles.*)

The following requirements will also apply:

- A child may stop using a child restraint once they turn seven or if their eye level is above the back of the booster seat;
- A child aged between four and seven years of age cannot sit in the front row of a vehicle that has more than one row of seats unless all the other seats are occupied by children under seven years of age; and
- Should the back seat have two child restraints fitted and there be no room for a third child restraint, a non-tethered booster seat or booster cushion can be used, providing the child using the booster seat is between four and seven years of age.

In the case of children being transported in a taxi during the operation of the program, the following guidelines shall be followed:

- Children under the age of seven must not be seated in the front row of seats in a taxi. Taxi drivers will be responsible for ensuring that children between the ages of seven and sixteen are properly restrained in a seatbelt. The service shall support the taxi driver in meeting such requirements; and
- The service shall ensure that children up to the age of seven are appropriately restrained when using Taxi transport, whether in an approved child restraint or adult seatbelt. This may mean that the service provides their own restraints, however there is no requirement in a Taxi to do so.

In the case of children being transported in a bus during the operation of the program, the following guidelines shall be followed:

- Bus transport with 13 or more seats does not need to be fitted with seatbelts and/or child restraints; and
- The restraint provisions for four- to seven-year-olds apply to a bus that has 11 or 12 seats with all passengers having to wear seat belts if they are fitted.

The indicative weight specified for this age range in the restraint laws is 14 to 26 kg. Children who are four (or more) years of age but below the indicative weight range may be recommended the forward facing child restraint with built-in harness. Children who are seven (or more) years of age, within the indicative weight range may still require the recommended child restraint.

## References

Queensland Department of Transport and Main Roads, *Child Restraints – questions and answers, 2011* - accessed 23<sup>rd</sup> June 2011.

DATE DEVELOPED	DATE RATIFIED	DATE REVIEWED	DATE RATIFIED
August 2018	August 2018	October 2021	October 2021
		April 2023	May 2023