

**Family day care self-assessment of compliance**

***Education and Care Services National Law (South Australia)***

**Education and Care Services National Regulations 2011**

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| This self-assessment tool is to be used by family day care services to conduct an assessment of their service against the National Law and Regulations that align with the National Quality Standard (NQS). You are required to return this form to the Education Standards Board when requested along with any supporting documentation evidence where indicated (shaded or stipulated). If you indicate no for any of the listed Laws or Regulations, you are required to complete the rectifications section at the bottom of the template.  The National Law and National Regulationsrelate to all education and care services. Services are defined as either centre-based care or family day care. Family day care services are required to comply with additional provisions  The Education and Care Services National Law is available at:  <https://www.acecqa.gov.au/nqf/national-law-regulations/national-law>.  The Education and Care Services National Regulations is available at:  <https://www.acecqa.gov.au/nqf/national-law-regulations/national-regulations>. |
| Date completed:  Name of person/s completing self-assessment of compliance:  Signature of person/s completing self-assessment of compliance: |



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| Ref. to Law (S) and Regulation (R) | QA1: Educational program and practice | Yes / No | Details of evidence and compliance |
| S 168  R 254 | * Is an approved framework (*Early years learning framework* and/or *My time, our place*) for preschool-school aged children used to guide the development of the program? * Is the educational program: * based on the developmental needs, interests and experiences of each child; and * designed to take into account the individual differences of each child? | Yes  No |  |
| R 73 | * Have you developed a program that contributes to each child’s learning outcomes outlined by the learning framework? | Yes  No |  |
| R 74 | * If you have children who are **preschool age or younger**, do you document: * an assessment of each child’s development, interests and participation in the program? * an assessment of each child’s progress against the outcomes of the program? | Yes  No |  |
| If you have **school aged children**, do you document:   * an evaluation of each child’s wellbeing, development and learning? | Yes  No |  |



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| R 75 | * Is the information about the program displayed in a place at the service that is accessible to parents? * Is a copy of the program available for inspection on request: * at each educator’s residence or venue for family day care? | Yes  No |  |
| R 76 | * If requested, do you provide families with: * information about the content and operation of the program and their children’s participation in the program? * a copy of their children’s assessment/evaluation documentation? | Yes  No |  |

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| Ref. to Law (S) and Regulation (R) | QA2: Children’s health and safety | Yes / No | Details of evidence and compliance |
| R 77 | * Are adequate health and hygiene practices implemented at the service? * Is food stored, handled, and served safely? | Yes  No |  |



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| R 78  R 79 | * Do you ensure that: * children can access water at any time; * children are offered food and drinks appropriate to their individual needs on a regular basis throughout the day; and * food and beverages are nutritious, adequate in quantity and appropriate for the dietary requirements of individual children (including specific cultural, religious or health requirements and each child’s growth)? | Yes  No |  |
| R 80 | * If you provide food at your service do you display a menu: * in a place accessible to parents; and * which accurately describes the food and beverages being supplied each day? | Yes  No |  |
| R 81 | * Are children’s individual needs for sleep and rest met at the service? | Yes  No |  |
| R 82  R 83  S 167 | * Do you ensure that the service environment is free from the use of tobacco, illicit drugs and alcohol and that staff are not affected by alcohol or drugs when educating and caring for children? | Yes  No |  |
| R 84 | * Do you ensure that the nominated supervisor and staff members at the service who work with children are aware of their child protection responsibilities and the current child protection law in SA? | Yes  No |  |
| R 85  R 86  R 87 | * Do you ensure that all educators follow service procedures in the event of an accident, injury or illness, including notification to parents within 24 hours? * Does the incident, injury or illness record include all details required by R 87? | Yes  No |  |



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| R 88 | * Do you ensure that all educators and families follow the service’s policies and procedures for preventing and dealing with the outbreak of infectious diseases? | Yes  No |  |
| R 89 | * Do you have sufficient first aid kits which are easily recognised and accessible? * Have you checked that they are fully stocked and removed all out-of-date items? | Yes  No |  |
| R 90  R 91  R 162 | * Does the medical conditions policy include all practices, including medical management plans and risk-minimisation and communications plan set out in R 90 and developed in consultation with parents? * Is a risk-minimisation plan, including a communication plan, in place for all children who have medical management plans and included in the children’s enrolment records? * Do you ensure that all educators and families are aware of the medical conditions policy and that families of children with medical conditions have been provided with a copy? | Yes  No |  |
|  | **Please provide evidence of completed medical management plans, risk minimisation and communication plans for a sample of children.** | |
| R 92–96  R 161 | * Does the medication record include all the details set out in R 92(3)? * Do you ensure that all educators, families and, where applicable, children are aware of the procedure for administering medication and always follow it? * Do you ensure that medical authorisations are kept in the enrolment record for each child enrolled at an education and care service or educated and cared for by a family day care educator? | Yes  No |  |



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| R 97 | * Has a risk assessment been conducted to identify potential emergencies that are relevant to the service? * Have you ensured that plans (including maps and instructions) are developed to manage emergencies and evacuations and are displayed near each exit? * Are emergency and evacuation procedures practiced and documented at least every three months by staff members, volunteers and children present? * Do educators have ready access to an operating telephone? | Yes  No |  |
| R 98 |  |
|  | **Please provide evidence of documented emergency rehearsals for the past 12 months.** | |
| R 99 | * Do you ensure that all educators follow service procedures about the delivery and collection of children from the service as set out in R 99? | Yes  No |  |
| R 100–102 | * Do you ensure that all educators follow service procedures in relation to excursions, including obtaining authorisations and conducting appropriate risk assessments? * Do risk assessments include consideration of all the points identified in R 101, and transport-related considerations as set out in R 102B–D? * Do authorisations include all of the details set out in R 102? | Yes  No |  |



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| Ref. to Law (S) and Regulation (R) | QA3: Physical environment | Yes / No | Details of evidence and compliance |
| R 104–110 | * Do you ensure that the service premise, venue, or residence meets all regulatory requirements? For example: * Each child has access to furniture, materials and developmentally appropriate equipment that are sufficient and suitable for their education and care? * If you have children who are preschool age or younger, do you have fencing that prevents them going over, under, or through it? * Are there appropriate toilet and handwashing facilities, which are safe and easily accessed by children? * Are arrangements for dealing with soiled clothes, linen and nappies, which do not pose a risk to children, in place? * Is there adequate light, ventilation and shade? | Yes  No |  |
| R 116–117 | * Have you ensured that all educators’ residences or approved venues are safe before children are placed in care, and at least annually? Have you included a risk assessment in this approval? * Do educators inform you of any renovations and changes to the family day care residence that create a serious risk to the health, safety and wellbeing of children? | ☐ Yes  ☐ No |  |



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| R 116-117 | * Do you ensure that any glazed area of a residence or approved venue is fitted with safety glass or treated with a product that prevents the glass from shattering if broken, or guarded by barriers that prevent a child from striking or falling against the glass if the area is accessible to children? | ☐ Yes  ☐ No |  |

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| Ref. to Law (S) and Regulation (R) | Location of principal office | Yes / No | Details of evidence and compliance |
| R 72(a) | * Is the principal office of the FDC service located within the jurisdiction in which the service approval is granted? | Yes  No |  |



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| Ref. to Law (S) and Regulation (R) | QA4: Staffing arrangements | Yes / No | Details of evidence and compliance |
| R 118  R 145 | * Have you ensured that a suitably qualified and experienced individual has been appointed as the educational leader at the service? Is this appointment designated in writing and held in the staff record? | Yes  No |  |
| R 119 | * Do you ensure that any family day care educator and any family day care educator assistant engaged by or registered with the service has attained the age of 18 years? | ☐ Yes  ☐ No |  |
| R 124  S 169 | * Do you ensure that the educator-to-child ratio is maintained at all times at a family day care residence, while taking the following into consideration? * This is inclusive of educator’s own children if aged under 13 years and no other adult present * There is to be no more than 7 children in care at any one time, including no more than four preschool age children or younger. | Yes  No |  |
| R 123A  R 243  S 55A  S 163 | * Do you ensure that qualified coordinator to educator ratios are maintained? | Yes  No |  |



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| R 32A  s51 | * Do you ensure that the service does not exceed the maximum number of family day care educators determined by the regulatory authority in the service approval? | Yes  No |  |
| R 128  S 163  R 325 | * Do you ensure that all coordinators have an approved diploma-level qualification as set out in R 128? | Yes  No |  |
| * Do you ensure that all educators have an approved certificate-III-level qualifications as set out in R 325? | Yes  No |  |
| R 136  R 143A | * Does the approved provider ensure that all educators and educator assistants hold an approved first-aid qualification and have completed approved training in the management of asthma and anaphylaxis as set out in R 136? | Yes  No |  |
| * Do you ensure minimum requirements for a family day care educator as set out in R 143A?   + In regard to each family day care educator’s history of compliance with the relevant laws?   + In regard to each family day care educator, any decisions made under the Law, to refuse to renew, suspend or cancel a licence, approval, registration, certification or other authorisation granted to the person?   + Take reasonable steps to ensure that each educator has adequate knowledge and understanding of the provision of education and care for children? | Yes  No |  |



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| R 143B | * Does the approved provider ensure compliance withongoing management of family day care educators as described in R 143B? * Each person engaged by or registered with the service remains an adequate knowledge and understanding of the provision of education and care to children? * Any serious incident that occurs whilst children are being educated and cared for is completed addressed? * Any complaint alleging that the Law has been contravened or serious incident has occurred is adequately addressed? | Yes  No |  |
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| R 144  S 164  S 164A | * If you employ educator assistants: * Do you ensure that you and the educator assistant comply with the requirements of R 144? * Do you ensure that any child being educated and cared for as part of the service is not educated and cared for by a person other than the family day care educator as set out in S 164A, except in circumstance set out in R 144 relating to educator assistance? * Do you ensure that one person of the described in S 164 is available to provide support to family day care educators whenever they are educating and caring for children? | Yes  No |  |



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| R 153  R 154  (R118, R 146-R 148) | * Do you ensure that the register of family day care educators, coordinators and assistants includes all the information set out in R 153? * If you operate a family day care service do you ensure staff records are kept as set out in R 154 and include: * The name of the person currently designated the role of educational leader in accordance with R 118? * In relation to the nominated supervisor, the information set out in R 146? * In relation to each other staff member, the information set out in R 147? * In relation to volunteers and students, the information set out in R 148? | Yes  No |  |



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| Ref. to Law (S) / Regulation (R) | QA5: Relationships with children | Yes / No | Details of evidence and compliance |
| R 155 | * Do you ensure that educators interact with children in a way that: * encourages children to express themselves and their opinions? * supports children to develop self-reliance and self-esteem? * maintains the dignity and rights of each child? * provides positive guidance and encourage acceptable behaviour? * reflects each child’s family and cultural values? * is appropriate for the physical and intellectual development and abilities of each child? | Yes  No |  |
| R 156 | * Do you ensure that the size and composition of each group of children provides them with the opportunity to interact and develop respectful and positive relationships with each other and with educators? | Yes  No |  |

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| Ref. to Law (S) and Regulation (R) | QA6: Collaborative relationships with families and communities | Yes / No | Details of evidence and compliance |
| R 157 | * Do you ensure that parents may enter the service at any time when their child is being educated and cared for other than at times when it may pose a risk to children, prevent staff from carrying out normal duties, or contravene a court order? | Yes  No |  |





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| Ref. to Law (S) and Regulation (R) | QA7: Leadership and service management | Yes / No | Evidence of details and compliance |
| S 161  S 161A | * Do you ensure that there is a nominated supervisor for the service at all times as set out in S 161? | Yes  No |  |
| S 170 | * Do you ensure that only authorised persons (described in S 170) or persons under the direct supervision of educators or other staff members of the service are present while children are being educated and cared for as prescribed in S 170? | Yes  No |  |
| S 171 | * Do you ensure that inappropriate persons as described in S 171 are excluded from the service premises at all times whilst children are being educated and cared for? | Yes  No |  |
| R 158  R 159  R 160-R 162 | * Do you ensure that all records relating to children at the service are maintained, including enrolment records, attendance records, health information, records of illness or accident? * If you are a family day care educator do you ensure that attendance records are kept? | Yes  No |  |



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| R 163–164 | * Do you ensure that: * all family day care educators follow service procedures about visitors to the residence or FDC venue? * records of working with children checks are current for adults living in residences used to provide a family day care service? * educators notify you of any new adults residing, or intending to reside, at the premises and any new circumstance that may affect whether a personal already residing at the premises is a fit and proper person? | Yes  No |  |
| R 165–166 | * Do you ensure that all records of visitors to a family day care service are maintained? Do you take all reasonable steps to ensure children are not left alone with visitors to a family day care residence of approved venue? | Yes  No |  |
| R 168–172 | * Do you ensure that: * all policies required by R 168 are in place and available at the service, including sleep and rest? * additional policies and procedures required for family day care service required by R 169 are in place? * your policies align with associated regulations, such as R 90? * all policies and procedures are followed? * copies of current policies and procedures are readily accessible to staff at the service and available for inspection at the premises? * parents are notified at least 14 days before making any changes to a policy or procedure that impact on the education and care of a child or a family’s ability to use the service? | Yes  No |  |



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| R 173  S 172 | * Do you ensure that: all of the information included in R 173 is displayed so that it is clearly visible from the main entrance to the family day care service and that, if applicable: * There is a notice stating that a child who has been diagnosed at risk of anaphylaxis is enrolled at the service; and attends the family day care residence. * There is a notice stating that there has been an occurrence of an infectious disease at the family day care residence. | Yes  No |  |
| R 174–176  S 173–174 | * Do you ensure that: * changes to the operation of the service, serious incidents and complaints which allege a breach of Law or Regulations are reported to the regulatory authority within the timeframe set out in R 176? * information regarding circumstances which pose a risk to the health, safety, or wellbeing of a child is notified to the regulatory authority as prescribed in R 175(2)(c)? * information regarding any incident where the approved provider reasonable believes that physical abuse or sexual abuse of a child, as occurred, or is occurring while the child is being educated and cared for by the service, is notified to the regulatory authority? * allegations that physical or sexual abuse of a child, has occurred, or is occurring while the child is being educated or cared for by the service (other than an allegation that has been notified under S 174(2)(b) of the Law) are notified to the regulatory authority? | Yes  No |  |



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| S 174A | * Do you ensure that family day care educators notify the approved provider of: * any serious incident that occurs while a child is being educated and cared for as part of the service; or * any complaints alleging that a serious incident has occurred, or is occurring, while a child is being educated and cared for by the educator? | Yes  No |  |
| R 177  S 175 | * Do you ensure that documentation set out in R 177 is kept at the service premises, is accurate, available for inspection by an authorised officer and available to a parent on request? | Yes  No |  |
| R 178  S 175 | * Do you ensure that family day care educators keep documentation, accurate and available for inspection by an authorised officer and available to parents on request? | Yes  No |  |
| S 179  S 178 | * Do you ensure that a family day care educator provides all required documentation to the family day care service on ceasing to be registered by the service? | Yes  No |  |
| R 29  R 180 | * Do you keep information about public liability insurance for your service at the principal office of the service, except if the prescribed insurance for the education and care service is a policy of insurance or an indemnity provided by the government of a state or territory? | Yes  No |  |
| R 30  R 180 | * Do you ensure that each family day care educator engaged by or registered with the service holds, and keeps evidence of, insurance against public liability with a minimum cover of $10 000 000? | Yes  No |  |
| R 181–184 | * Do you ensure that records are stored appropriately to ensure confidentiality and are retained for the period indicated in R 183? | Yes  No |  |



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| R 185 | Do you ensure that a copy of the Law and Regulations can be accessed by educators, staff, volunteers and families, including those seeking to enrol their child at the service? | Yes  No |  |

**Rectifications**

If you ticked no to any Law or Regulation listed above, please use the below table to indicate how you are going to rectify this and demonstrate your compliance and the expected timeframe, remembering that this needs to be completed as soon as possible.

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| **Ref. to Law (S) and Regulation (R)** | **Detail Law and Regulation and current practice that is non-compliant** | **Describe what you will do to ensure compliance in the immediate future.** |
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