



Risk Assessments

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What is risk?

The National Law and Regulations do not define 'risk', though it can arise through any part of the environment where education and care is provided to children. This includes the physical environment, staff members and other people at the service.

How can risk arise?

Risk can arise from:

- an action taken
- failure to act
- systemic failure, such as a provider not having adequate systems in place to control/monitor risk.

How is risk measured?

A common tool used to analyse the level of risk is a risk matrix. This tool helps identify the level of risk by looking at the likelihood that a negative event may occur and the severity of the consequence.

The risk matrix includes five levels of consequence:

- insignificant
- minor
- moderate
- significant
- major

This takes into account the impact, or potential impact, of an event including its scale and duration.

Risk Matrix						
Likelihood						
		Rare	Unlikely	Possible	Likely	Almost Certain
Consequences	Major	Moderate	High	High	Critical	Critical
	Significant	Moderate	Moderate	High	High	Critical
	Moderate	Low	Moderate	Moderate	High	High
	Minor	Very Low	Low	Moderate	Moderate	Moderate
	Insignificant	Very Low	Very Low	Low	Moderate	Moderate

A risk matrix helps work out the priority of a particular risk, which can help determine which risks to address first. It is also important to consider how soon an event might occur, as this will help decide the most suitable action for responding to the risk.

The risk matrix includes five levels of likelihood, which are described below.

When do I need to develop and document a risk assessment or manage risk around a particular issue?

Health, hygiene and safe food practices
(National Regulations: Regulations 77, 168)

To minimise risks to children, an education and early childhood care service or a family day care educator must implement:

- adequate health and hygiene practices
- safe practices for handling, preparing and storing food.

Tobacco, drug and alcohol-free environment

(National Law: Section 167)

(National Regulations: Regulations 82–83)

An approved service (including centre-based and family day care services) must ensure the environment is free from the use of tobacco, illicit drugs and alcohol, eliminating the health risks towards children.

Medical conditions

(National Regulations: Regulations 90–91)

An approved service must have a policy for managing medical conditions which sets out practices in relation to:

- the management of medical conditions
- if a child enrolled has a specific health care need, allergy or relevant medical condition, procedures requiring parents to provide a medical management plan for their child and provided with a copy of the service's medical policy.
- medical conditions that must be outlined in the service policy including asthma, diabetes, or a diagnosis that a child is at risk of anaphylaxis.
- the development of a risk minimisation plan in consultation with the child's parents
- the development of a communications plan for staff members and parents, as service employees and volunteers must be informed about the appropriate practices to be followed where a child has been diagnosed as at risk of anaphylaxis, a notice stating this must be displayed at the service.

Administration of medication

(National Law: Section 167)

(National Regulations: Regulations 92–96, 178, 181–184)

Medication must not be administered to a child at a service without written authorisation by a parent or person with the authority to consent to administration of medical attention to the child.

This includes:

- prescriptions
- over-the-counter medications
- homeopathic medications.

In the case of an emergency, it is acceptable to obtain verbal consent from a parent, a registered medical practitioner or medical emergency services if the child's parent cannot be contacted.

In the case of an anaphylaxis or asthma emergency, medication may be administered to a child without authorisation. In this circumstance, the child's parent and emergency services must be contacted as soon as possible.

Adequate supervision

(National Law: Sections 165, 167, 174)

(National Regulations: Regulations 101, 166, 168, 176)

All children must be adequately supervised at all times whilst being educated and cared for at the approved

education and care service premises.

The regulatory authority must be notified within 24 hours if a child:

- appears to be missing or cannot be accounted for
- appears to have been taken or removed from the education and care service premises in a way that breaches the National Regulations, or
- is mistakenly locked in or locked out of the education and care service premises.

Excursions

(National Law: Section 167)

(National Regulations: Regulations 100–102, 168)

Undertaking a risk assessment is part of planning a routine outing or excursion and must be carried out for an excursion before permission is sought. The risk assessment must identify and assess risks that the excursion may pose to the safety, health or wellbeing of any child being taken on the excursion, and detail strategies for minimising and managing those risks.

A visit to the proposed excursion destination will assist in conducting a risk assessment. During a site visit information can be gathered about the availability of toilets, handwashing, drinking and shade facilities at the destination and details can be checked such as mobile phone coverage and access for emergency services.

While an increased educator-to-child ratio for excursions is not specified in the National Regulations, there is a requirement to adequately supervise children at all times.

A thorough risk assessment should determine whether minimum ratios are sufficient to provide adequate supervision while attending an excursion.

The risk assessment must consider:

- the proposed route and destination for the excursion
- any water hazards and risks associated with water based activities
- the method of transport
- the number of adults and children involved in the excursion, including head counts or allocating a group of children to a particular adult or educator.
- the number of educators or other responsible adults needed to provide adequate supervision and whether any specialised skills are required to ensure children's safety
- the proposed activities
- the likely length of time of the excursion
- the items that should be taken on the excursion.

Protection from harm and hazards

(National Law: Section 167)

An approved provider must ensure that every reasonable precaution is taken to protect children from harm and from any hazard likely to cause injury.

The service must have policies and procedures in place to support the protection of children from harm and hazards (including health and safety matters).

Reasonable precautions might include:

- daily safety checks of the environment and equipment
- secure storage of hazardous products including chemicals
- an equipment maintenance schedule
- risk assessments, including for excursions
- hot drinks being made and consumed away from children
- purchasing products that meets Australian Standards— for example, cots and playground equipment and under-surfacing
- safety plugs in electrical outlets
- procedures for releasing children only into the care of authorised persons.

This list is not exhaustive and services should conduct regular risk assessments to identify potential hazards relevant to their own service, and strategies to protect children.

The National Law does not require services to eliminate all risk and challenge from children's play or environments.

Emergency procedures

(National Regulations: Regulations 97, 168)

An emergency can refer to all situations or events posing an imminent or severe risk to those present in an education and care service premises. Services may need to seek advice from their local fire brigade in regard to fire regulations for emergency exits.

For example, an emergency could include a:

- fire
- flood
- situation that requires a service to be locked down.

An approved service is required to have policies and procedures which set out instructions for what must be done in an emergency and to have an emergency and evacuation floor plan. The policies and procedures must be based on a risk assessment that identifies potential emergencies relevant to the service.

The emergency and evacuation floor plan and instructions should be displayed in a prominent position near each exit at the service premises (including a family day care residence or approved venue).

For centre-based services, the approved provider must ensure that emergency and evacuation procedures are rehearsed every three months by the staff members, volunteers and children present at the service on the day of the rehearsal. The responsible person present at the time must also participate in the rehearsal. For family day care services, the approved provider

must ensure each family day care educator rehearses every three months with the children present on that day. The rehearsals must be documented, such as on a proforma, or noted in a centre diary or communications book.

Documenting the rehearsal allows the approved service to reflect on its procedures and determine necessary adjustments. Records can show who has been involved in emergency rehearsals, and can assist in ensuring that everyone participates regularly. Rehearsals should take place at various times of the day and week.

Consequences

A regulatory authority may suspend provider approval and also suspend a service approval without prior notification for up to six months if it is satisfied that there is immediate risk to the safety, health or wellbeing of a child or children.

What is 'unacceptable risk'?

The National Law and Regulations do not define 'unacceptable risk'. This is because the nature and degree of risk to children will vary depending on the particular circumstances.

The term 'unacceptable risk' appears in a number of provisions in the National Law and Regulations.

Risk assessments should be documented and include detailed information relating to the identified hazard and strategies to either remove or circumvent the risk.

Further information

The Operational Policy Manual for Regulatory Authorities available on the ACECQA website contains clear and detailed information about compliance monitoring. This is available at <http://acecqa.gov.au/operational-policy-manual-for-regulatoryauthorities>.

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