Acceptance and Refusal of Authorisations Policy

Quick reference: authorisations | authorised nominee | authorised person | enrolment records | medication | medical treatment | emergency authorisations | collection of children | excursions | transportation | photographs | privacy | verification of authorisations | court orders | parenting orders | refusal of authorisations | record keeping | child safety | paramount consideration

PURPOSE AND BACKGROUND

(1) To set out:

- How we meet the requirements for obtaining, verifying, recording and accepting authorisations that are sensitive to the needs of children and families
- The process for refusing authorisations
- The process for staff to follow to verify authorisations
- How we provide clear and consistent guidance to parents and other authorised persons on how to provide compliant authorisations

(2) This policy is a requirement under the *Education and Care Services National Law* and *Education and Care Services National Regulations*. The approved provider must ensure that policies and procedures are in place for obtaining authorisations from families or authorised nominees in relation to:

- administering medication to children
- children leaving the premises in the care of the parent or the authorised nominee
- excursions, including transportation
- transport provided or arranged by the service
- seeking medical treatment for children and transportation by an ambulance service

(3) This policy helps us to comply with the National Quality Standard as well as laws governing child safety, work health and safety, and privacy and confidentiality.

POLICY STATEMENT

(4) The protection of the rights and best interests of all children is our paramount consideration in all decisions and actions taken when providing care and education for children (the paramount consideration) (*National Law* s 2A). The safety, rights and best interests of each child must prevail over all our other interests or obligations.

(5) Authorisations are specific: authority to collect a child does not automatically give authority to consent to medication, excursions, transportation or other matters.

(6) We will only act on an authorisation where it has been given by a person who has authority for that matter, contains the information required by law and our related policies, and does not unreasonably place a child at risk.

(7) We will maintain accurate enrolment records identifying authorised persons and relevant court orders, parenting orders and parenting plans. Staff must check these records when there is uncertainty about a person's authority.

(8) Families' decisions are respected wherever they are consistent with our legal obligations and the safe operation of the service.

(9) Staff will verify the identity and authority of people giving or relying on authorisations and will refuse unclear, incomplete, unsafe, fraudulent or non-compliant authorisations.

(10) Authorisations and refusals will be documented and stored in accordance with our record keeping, privacy and confidentiality obligations.

See Record Keeping and Retention Policy and Privacy and Confidentiality Policy

Accepting Authorisations

(11) To protect children's health and safety and comply with the National Law, National Regulations and our related policies, we will ensure that the following activities or arrangements are properly authorised where required:

- administration of medication, including any self-administration (*National Regulations* regs 92, 93 and 96)
- seeking medical treatment from a registered medical practitioner, hospital or ambulance service and transportation by ambulance (*National Regulations* reg 161)
- excursions and regular outings including transportation (*National Regulations* reg 102)

- transportation by, or arranged by, the service (*National Regulations* reg 102D)
- a child leaving the premises, including being collected by a parent, authorised nominee or other person authorised in accordance with *National Regulations* reg 99
- taking and using photographs or recordings of children, where consent is required under our policies
- posting or publishing children's photographs or recordings on service social media or other platforms, where consent is required under our policies or applicable child safety requirements
- disclosing personal information where consent is required under the National Regulations, privacy legislation or our *Privacy and Confidentiality Policy*.

See Record Keeping and Retention Policy, Excursions Policy, Transportation Policy, Medical Conditions Policy, Administration of Authorised Medication Policy, Delivery and Collection of Children Policy, Social Media Policy and Technology and Device Use Policy

(12) Written authorisations must contain all information required by the National Regulations and our related policies. Staff must use the relevant service form or approved electronic system where one is provided.

(13) We will store the following authorisations in the child's enrolment record as required under *National Regulations* reg 161:

- Authorisation, signed by a parent (or a person named in the enrolment record as authorised to consent to the medical treatment of the child), for the approved provider, nominated supervisor or educator to consent to medical treatment for the child from a registered medical practitioner, hospital or ambulance service and transportation of the child by an ambulance service
- Authorisation for the child to be taken on regular outings, if relevant
- Authorisations for regular transportation for the child, if relevant

See Record Keeping and Retention Policy, Excursions Policy, Transportation Policy and Enrolment and Orientation Policy

Verbal Authorisations and Emergencies

(14) Where medication is administered in an emergency following verbal authorisation from a registered medical practitioner or emergency service because a parent (or other person

authorised to consent to administration of medication) could not reasonably be contacted, the approved provider must give written notice to a parent or other family member as soon as practicable (*National Regulations* reg 93(2)).

(15) Medication may be administered without authorisation in an anaphylaxis or asthma emergency. A parent and emergency services must be notified as soon as practicable (*National Regulations* reg 94).

See Medical Conditions Policy and First Aid Policy

Over-the-counter pain relief medication - service <u>does not</u> routinely administer non-prescribed pain relief

(16) As a service policy, we do not accept written or verbal authorisations to administer over-the-counter pain relief medication such as paracetamol or ibuprofen unless it has been prescribed for the child by a medical practitioner, or verbal authorisation is given in an emergency as permitted by regulation 93. Pain relief medication may mask symptoms of serious illness.

Refusing authorisations

(17) Staff will refuse an authorisation if it unreasonably risks a child's safety, is inconsistent with the National Law, National Regulations or our policies and procedures, is incomplete or unclear, or appears fraudulent. Examples include where:

- the authorisation is not, or does not appear to be, given by a person who has authority for that matter
- the authorisation does not contain information required by the National Regulations or the relevant service policy
- medication is not supplied or labelled in accordance with our *Administration of Authorised Medication Policy*, is expired, has an illegible label, or the authorised dosage conflicts with the medication instructions or a medical management plan
- the proposed action conflicts with a court order or parenting order, or is inconsistent with a current parenting plan provided to the service and the authority recorded in the child's enrolment record
- a person seeking to collect a child cannot be adequately identified or their authority cannot be verified
- a person authorised to collect the child does not appear capable of safely caring for or collecting the child, including because they appear affected by alcohol or drugs or otherwise pose a risk to the child.

(18) When an authorisation is refused, staff will explain the reason where appropriate and record in the child's file:

- the details of the authorisation;
- why it was refused; and
- any action taken, for example asking a parent to provide medication in the original labelled container or provide a compliant written authorisation.

Parent or authorised person refusal to give an authorisation

(19) Parents and other authorised persons may refuse to give an authorisation. We will respect that decision, while ensuring the service continues to comply with the National Law, National Regulations and its duty of care.

(20) If an authorisation is refused, we will not proceed with the activity or arrangement that requires the authorisation and will make alternative arrangements where possible. For example, if an excursion authorisation is refused, the child will remain at the service with adequate supervision.

(21) If refusal of an authorisation may put a child at risk or prevent the service from meeting a legal or ethical obligation, the nominated supervisor will communicate clearly with the family about why the authorisation is requested, what alternatives are available and how the refusal may affect the child's health, safety or participation.

(22) If a family's refusal means the service cannot safely or lawfully provide education and care, the approved provider will consider reasonable alternatives and adjustments. If no safe and lawful arrangement can be made, enrolment may be refused or terminated in accordance with applicable law, the enrolment agreement and service procedures.

(23) The nominated supervisor will document significant refusals, including the date, the authorisation refused, reasons (if known), discussions with the family, alternative arrangements, risk assessments and actions taken.

PRINCIPLES

(24) Our paramount concern is the best interests, rights, safety, welfare and wellbeing of children. We are committed to implementing the Child Safe Standards and the National Quality Framework across all levels of our service.

(25) We comply with the relevant laws, regulations and standards at all times.

(26) Staff members exchange information about their roles and responsibilities effectively.

(27) Staff are given the training, resources and support to act on child safety and wellbeing concerns.

(28) Our governance, operations policies, risk management plans, procedures, systems and practices are best-practice and up-to-date.

(29) We regularly review and update our policies and procedures to make sure they still reflect current recognised best practice. We are committed to continuous improvement.

POLICY COMMUNICATION, TRAINING AND MONITORING

(30) The approved provider must take reasonable steps to ensure nominated supervisors, staff members and volunteers follow this policy and related procedures and can readily access current copies (*National Regulations* regs 170 and 171).

(31) This policy and related documents can be found online: https://www.village.wa.edu.au/policies

(32) Relevant staff, volunteers and students will be inducted and trained to understand who may give each type of authorisation, how to verify authorisations, when an authorisation must be refused, and how to record refusals.

(33) The nominated supervisor and staff leaders will regularly reinforce this policy through staff meetings, professional development, written material and workplace systems.

(34) The approved provider and nominated supervisor will monitor compliance and address non-compliance. Breaches may result in disciplinary action and, where required, notification to the Regulatory Authority or other relevant authority.

(35) At enrolment, families will be given access to this policy and related documents. Families must keep authorised-person details and court orders current.

(36) Families will be notified of changes to this policy in accordance with regulation 172.

LEGISLATION OVERVIEW

Education and Care Services National Law Application Act 2026 (WA)

Education and Care Services National Law (WA)

Education and Care Services National Law Regulations (WA)

Education and Care Services National Law Application (Local Regulations) Regulations 2026 (WA)

Law	Description
2A	Paramount consideration – safety, rights and best interests of children
175	Offence relating to requirement to keep enrolment and other documents
175A-J	Devices in education and care services (Part 6A)

Regulations	
92	Medication record
93	Administration of medication
94	Exception to authorisation requirement- anaphylaxis or asthma emergency
95	Procedure for administration of medication
96	Self-administration of medication
99	Children leaving the education and care premises
102	Authorisation for excursions
102D	Authorisation for service to transport children
160	Child enrolment records to be kept by approved provider and family day care educator
161	Authorisations to be kept in enrolment record
168	Education and care service must have policies and procedures
168(2)(ha)(ii)	Policies and procedures relating to obtaining authorisations for taking, using and storing photographs and videos of children
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
172	Notification of change to policies or procedures
177	Prescribed enrolment and other documents to be kept by approved provider
181, 183 - 184	Confidentiality and storage of records

Other applicable laws and regulations

Name	Description
Privacy Act 1988	Principal act governing the handling of personal information
Family Law Act 1975 (Cth)	Relevant to parenting orders and parenting plans recorded in enrolment records.
Disability Discrimination Act 1992 (Cth); Equal Opportunity Act (WA); Disability Standards for Education 2005 (Cth)	*Commonwealth and Western Australian legislation prohibiting unlawful discrimination on the basis of disability and supporting equal access and participation*

Early Years Learning Framework (V2.0): All outcomes are relevant

National Quality Standard

Standard / Element	Concept	Description
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazards.
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child's learning and wellbeing.
7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service that is child safe.

National Principles for Child Safe Organisations

Most relevant principles
Child safety and wellbeing is embedded in organisational leadership, governance and culture
Families and communities are informed and involved in promoting child safety and wellbeing
Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed

Policies and procedures document how the organisation is safe for children and young people

RELATED DOCUMENTS

Key Policies	Administration of Authorised Medication Policy | Delivery and Collection of Children Policy | Enrolment and Orientation Policy | Excursions Policy | Transportation Policy | Medical Conditions Policy | Incident, Injury, Trauma and Illness Policy | Technology and Device Use Policy | Privacy and Confidentiality Policy | Social Media Policy | Child Safe Environment Policy
Procedures	Roles and Responsibilities - Acceptance and Refusal of Authorisations (Appendix A)
Resources	ACECQA Policy and procedure guidelines- Acceptance and refusal of authorisations

SOURCES

National Quality Standard | National Principles for Child Safe Organisations |

POLICY INFORMATION

The policy will be reviewed annually by:

- Management
- Employees
- Families
- Interested Parties

POLICY REVIEWED	October 2026	NEXT REVIEW DATE	October 2027

Version	Date of release	Summary of changes
2.0	October 2026	Migrated to new policy template Revised to reflect child safety reforms to the Education and Care Services National Law and National Regulations applying in Western Australia

APPENDIX A

ROLES AND RESPONSIBILITIES - ACCEPTANCE AND REFUSAL OF AUTHORISATIONS

Approved provider responsibilities (not limited to)
Ensure the service has and implements this Acceptance and Refusal of Authorisations Policy and related procedures in accordance with regulation 168(2)(m).
Ensure enrolment records identify authorised nominees and persons authorised to consent to medical treatment, authorise the administration of medication, authorise an educator to take the child outside the premises, and authorise the service to transport or arrange transportation of the child, and contain relevant court orders, parenting orders and parenting plans.
Ensure authorisations required to be retained in enrolment records are kept, and prescribed records are stored securely and confidentially.
Take reasonable steps to ensure nominated supervisors, staff members and volunteers follow this policy and can access current copies.
Provide systems, forms and training that enable staff to obtain, verify, document and refuse authorisations consistently.
Notify families of policy changes in accordance with regulation 172.

Nominated supervisor / persons in day-to-day charge responsibilities (not limited to)
Implement this policy and related procedures and support staff to understand who may authorise each matter.
Check enrolment records, court orders and other relevant information where a person's authority is uncertain.
Ensure medication, excursions and transportation only proceed with a valid authorisation that meets the National Regulations and related policies, except where a lawful emergency exception applies.
Support staff to refuse authorisations that are unsafe, incomplete, unclear, fraudulent or non-compliant, and to communicate the reasons respectfully to families.
Ensure significant refusals and follow-up actions are documented and escalated to the approved provider where necessary.
Ensure alternative arrangements maintain adequate supervision and children's safety when an authorisation is not provided.

Educator / other staff responsibilities (not limited to)
Follow this policy and related procedures and do not proceed with an activity requiring authorisation unless a valid authorisation has been obtained.

Educator / other staff responsibilities (not limited to)
Check that the person giving the authorisation has authority for that matter and that the authorisation contains required information.
Verify the identity and authority of people collecting children when they are not known to educators.
Follow emergency medication authorisation requirements and immediately notify the nominated supervisor when emergency authorisation is relied on.
Refuse and document authorisations that do not comply with this policy or related procedures and seek guidance when uncertain.
Maintain privacy and confidentiality when handling authorisations, enrolment records and related family information.

Family responsibilities (not limited to)
Provide accurate, current enrolment information identifying authorised nominees and persons authorised for specific matters.
Promptly provide the service with relevant court orders, parenting orders or parenting plans and notify the service when these change.
Provide written authorisations containing all required information for medication, excursions, transportation and other activities where written authorisation is required.
Ensure persons authorised to collect a child can be adequately identified and are capable of safely collecting and caring for the child.
Notify the service promptly when an authorisation is withdrawn or changed.
Work with the service to make alternative arrangements when an authorisation is refused or not provided.