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PURPOSE

This policy will provide guidelines and procedures to ensure that:

- all people who attend premises where Whittlesea Family Day Care services are provided, including the Coordination Unit, educators, children, parents/guardians, students, volunteers, contractors and visitors, are provided with a safe and healthy environment
- Educators are well informed and supported by Whittlesea Family Day Care to provide a safe environment for children and their families
- all reasonable steps are taken to ensure the health, safety and wellbeing of all people who attend the service



POLICY STATEMENT

VALUES

Whittlesea Family Day Care has an overarching moral and legal responsibility to provide a safe and healthy environment for educators, children, parents/guardians, students, volunteers, contractors and visitors where it is within its control to do so. Educators contracted to provide child-care services through Whittlesea Family Day Care hold the responsibility to maintain a safe environment within their workplace (home). This policy reflects the importance Whittlesea Family Day Care places on the wellbeing of educators, children, parents/guardians, students, volunteers, contractors and visitors, by endeavouring to protect their health, safety and welfare, and integrating this commitment into all of its activities.

Whittlesea Family Day Care is committed to ensuring that:

- the Coordination Unit, educators and volunteers are aware of their health and safety responsibilities as an Approved Provider, contracted educators and volunteers
- systematic identification, assessment and control of hazards is undertaken at the service
- effective communication and consultation form a fundamental part of the management process to encourage innovative ways of reducing risk in the service environment
- training is provided to assist educators to identify health and safety hazards which, when addressed, will lead to safer work practices at the service
- it fulfils its obligations under current and future laws (including the Education and Care Services National Law Act, Regulations and , the *Occupational Health and Safety Act 2004*), and that all relevant codes of practice are adopted and accepted as a minimum standard.

SCOPE

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, educators, students, volunteers, parents/guardians, children, and others attending the programs and activities of Whittlesea Family Day Care, including during offsite excursions and activities.

RESPONSIBILITIES	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Educators	Parents/guardians
	Employers are responsible for providing and maintaining a work environment, so far as is reasonably practicable, that is safe and without risks to health (<i>OHS Act: Section 21</i>). This includes ensuring that: - there are safe systems of work - all plant and equipment provided for use by educators, including machinery, appliances and tools etc., are safe and meet relevant safety standards - substances, and plant and equipment, are used, handled, and stored safely - there are adequate welfare facilities e.g. first aid and dining facilities etc. - there is appropriate information, instruction, training and supervision for employees Note: This duty of care is owed to all employees, children, parents/guardians, volunteers, students, contractors and any members of the public who are at the employer's workplace at any time			
	Ensuring there is a systematic risk management approach to the management of workplace hazards. This includes ensuring that: - hazards and risks to health and safety are identified, assessed and eliminated or, if it is not possible to remove the hazard/risk completely, effectively controlled - measures employed to eliminate/control hazards and risks to health and safety are monitored and evaluated regularly Organising/facilitating regular safety audits of the following: - indoor and outdoor environments - all equipment, including emergency equipment - playgrounds and fixed equipment in outdoor environments - cleaning services - horticultural maintenance - pest control			
	Ensuring that all cupboards/rooms are labelled accordingly, including those that contain chemicals and first aid kits, and that			

child-proof locks are installed on doors and cupboards where contents may be harmful				
Ensuring the physical environment at the service is safe, secure and free from hazards for everyone at the service (<i>refer to Child Safe Environment and Wellbeing Policy</i>)	R	√	√	
Ensuring that all equipment and materials used at the service meet relevant safety standards	R	√	√	
Ensuring that all plant, equipment and furniture are maintained in a safe condition (<i>Regulation 103</i>)	R	√	√	
Maintaining a clean environment daily, and removing tripping/slipping hazards as soon as these become apparent	R	√	√	
Ensuring the service is up to date with current legislation on child restraints in vehicles if transporting children (<i>refer to Road Safety and Safe Transport Policy</i>)	R	√		
Monitoring the conditions of the workplace and the health of educators to ensure they are fit an proper to provide child care services	R	√	√	
Taking care of their own safety and the safety of others who may be affected by their actions	R	√	√	
Involving children in conversations regarding OHS and incorporating OHS into the curriculum.		√	√	
Protecting other individuals from risks arising from the service's activities, including holding a fete or a working bee etc., or any activity that is ancillary to the operation of the service e.g. contractors cleaning the premises after hours (<i>OHS Act: Section 23</i>)	R	√	√	
Providing adequate instruction to educators in safe working procedures, and informing them of known hazards to their health and wellbeing that are associated with the services that they provide	R	√	√	
Developing procedures to guide the safe use of harmful substances, such as chemicals, in the workplace	R	√		
Ensuring this policy is available to employees, parents/guardian, students, volunteers, contractors and educators; and displayed in a prominent location.	R	√		
Allocating adequate resources to implement this policy	R	√		
Implementing/practising emergency and evacuation procedures (<i>refer to Emergency and Evacuation Policy</i>)	R	√	√	
Implementing and reviewing this policy in consultation with the nominated supervisor, educators, , contractors and parents/guardians	R	√	√	√
Identifying and providing appropriate resources, induction and training to assist educators, contractors, visitors, volunteers and students to implement this policy	R	√		

Ensuring the nominated supervisor, educators, contractors, volunteers and students are kept informed of any relevant changes in legislation and practices in relation to this policy	R			
Notifying WorkSafe Victoria about serious workplace incidents, and preserving the site of an incident (<i>OHS Act: Sections 38–39</i>)	R	✓	✓	
Holding appropriate licenses, registrations and permits, where required by the OHS Act	R	✓		
Producing OHS documentation as required by inspectors and answering any questions that an inspector asks	R	✓	R	
Not obstructing, misleading or intimidating an inspector who is performing their duties.	R	✓	R	
Ensuring that all educators/educators are aware of this policy, and are supported to implement it at the service	R	✓		
Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.	R	✓	✓	



BACKGROUND AND LEGISLATION

BACKGROUND

Everyone involved in an early childhood education and care service has a role to play in ensuring the service's operations are safe and without risk to the health and safety of all parties. In Victoria, health and safety in the workplace is governed by a system of laws, regulations and compliance codes that set out the responsibilities of employers, employees and contractors to ensure safety is maintained at work.

The *Occupational Health and Safety Act 2004 (OHS Act)* sets out the key principles, duties and rights in relation to workplace health and safety. The *Occupational Health and Safety Regulations 2017* specifies the ways duties imposed by the *OHS Act* must be undertaken and prescribes procedural/administrative matters to support the *OHS Act*, such as requiring licenses for specific activities, or the need to keep records or notify authorities on certain matters.

The *OHS Act* places the responsibility on employees and contractors for:

- taking care of their own safety and the safety of others who may be affected by their actions
- co-operating with reasonable OHS actions, including following guidelines, attending OHS-related training, reporting incidents, co-operating with OHS investigations, encouraging good OHS practice with others at the service, and assisting with conducting OHS inspections during operating hours
- not interfering with safety equipment provided at the service, such as fire extinguishers

LEGISLATION AND STANDARDS

Relevant legislation and standards include but are not limited to:

- Accident Compensation Act 1985 (Vic)
- AS/NZS 4804:2001 and 4801:2001 Occupational health and safety systems
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- National Quality Standard, Quality Area 2: Children's Health and Safety
- National Quality Standard, Quality Area 3: Physical Environment
- National Quality Standard, Quality Area 7: Governance and Leadership
- Occupational Health and Safety Act 2004

- Occupational Health and Safety Regulations 2017

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: www.legislation.vic.gov.au
- Commonwealth Legislation – Federal Register of Legislation: www.legislation.gov.au



DEFINITIONS

The terms defined in this section relate specifically to this policy

Duty of care: A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of education and care services to provide children, educators, students, volunteers, contractors and anyone visiting the service with an adequate level of care and protection against reasonable foreseeable harm and injury.

Hazard: An element with the potential to cause death, injury, illness or disease.

Hazard identification: A process that involves identifying all foreseeable hazards in the workplace and understanding the possible harm that each hazard may cause.

Hazard management: A structured process of hazard identification, risk assessment and control, aimed at providing safe and healthy conditions for employees, contractors and visitors while on the premises of Whittlesea Family Day Care or while engaged in activities endorsed by Whittlesea Family Day Care

Harm: Includes death, or injury, illness (physical or psychological) or disease that may be suffered by a person as a consequence of exposure to a hazard.

OHS committee: A committee that facilitates co-operation between an employer and employees in instigating, developing and carrying out measures designed to ensure the health and safety of employees in the workplace.

Risk: The chance (likelihood) that a hazard will cause harm to individuals.

Risk assessment: A process for developing knowledge/understanding about hazards and risks so that sound decisions can be made about the control of hazards. Risk assessments assist in determining:

- what levels of harm can occur
- how harm can occur
- the likelihood that harm will occur.

Risk control: A measure, work process or system that eliminates an OHS hazard or risk, or if this is not possible, reduces the risk so far as is reasonably practicable



SOURCES AND RELATED POLICIES

SOURCES

- Early Childhood Management Manual, ELAA
- Risk Assessment and Management Tool, ACECQA: www.acecqa.gov.au
- WorkSafe Victoria: www.worksafe.vic.gov.au

RELATED POLICIES

- Child Safe Environment and Wellbeing
- Code of Conduct
- Emergency and Evacuation

- Incident, Injury, Trauma and Illness
- Participation of Volunteers and Students
- Privacy and Confidentiality
- Road Safety and Safe Transport

EVALUATION



In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness, particularly in relation to identifying and responding to occupational health and safety issues
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk ([Regulation 172 \(2\)](#)).



ATTACHMENTS

- Nil



AUTHORISATION

This policy was adopted by the approved provider of Whittlesea Family Day Care on 30 July 2026

REVIEW DATE: 30 July 2029

Review History		
Version	Date	Responsible Person
1.0	30/10/2024	FDC Coordination Unit
1.1	30/07/2026	FDC Coordination Unit