



ROAD SAFETY AND SAFE TRANSPORT POLICY

Best Practice – Quality Area 2 (and 6)

This policy was developed by Early Learning Association Australia in consultation with Department of Transport and the early childhood sector as part of the Department of Transport Starting Out Safely program.

PURPOSE

To define the responsibilities of Shine Bright EYM Services to ensure that all children are:

- adequately supervised at all times, including on excursions and regular outings
- kept safe while travelling as pedestrians, cyclists or passengers in a vehicle
- able to participate in road safety education to assist them in being and becoming safe and responsible road users.

POLICY STATEMENT

1. VALUES

[Service Name] EYM is committed to the Guiding Principles of the National Quality Framework, and also to:

- the rights of children to be active citizens in the community
- the rights of children to travel safely as passengers, pedestrians and cyclists
- an evidence-based approach in the provision of road safety education and practice
- the role of parents/guardians and families as children's first and most influential teachers

2. SCOPE

This policy applies to the Approved Provider, Nominated Supervisor, Responsible Person in Charge educators, staff, students on placement, volunteers, parents/guardians, children and others attending [Service Name] including during excursions and regular outings.

This policy **must** be read in conjunction with the:

- Excursions and Service Events Policy
- Supervision of Children Policy
- Incident, Injury, Trauma and Illness Policy

3. BACKGROUND AND LEGISLATION

Background

Road safety education can help to reduce the risk of serious injury and death among young children. Road safety education assists children to develop skills, knowledge, behaviours and attitudes that support them to be safer on our roads as passengers, pedestrians and users of bicycles and wheeled toys.

Working collaboratively with families to help children become safe and responsible road users aligns with the learning outcomes of the Early Years Learning Framework (EYLF).

Road trauma is one of the leading causes of death among young Australians¹. Young children are at risk as passengers in motor vehicles, as pedestrians and as cyclists. They are particularly vulnerable due to:

- their small size and changing needs as they grow
- their cognitive and perceptual skills still developing.

Under duty of care obligations, services must develop appropriate procedures to guide staff to address situations where a child is observed to be at risk while being transported to or from the early childhood service. This may include instances where a child is observed to be:

- travelling unrestrained
- travelling in an inappropriate restraint
- riding a bicycle or wheeled toy without a helmet
- instances where a parent/guardian is in an unfit state to drive due to intoxication or impairment

Legislation and standards

Relevant legislation and standards include but are not limited to:

Acts

- *Road Safety Act 1986*
- *Education and Care Services National Law Act 2010*

Regulations

- *Education and Care Services National Regulations 2011*: Regulations 99, 100, 101, 102, 102B, 102C, 102D, 158, 159, 160, 161

Rules

- *Road Safety Road Rules 2009 (Vic)*

Standards

- National Quality Standard
 - Quality Area 2: Children's Health and Safety
 - Quality Area 6: Collaborative Partnerships with Families and Communities

4. DEFINITIONS

The terms defined in this section relate specifically to this policy.

Adequate supervision: Supervision entails all children (individuals and groups) in all areas of the service, being in sight and/or hearing of an educator at all times including during toileting, sleep, rest and transition routines. Services are required to comply with the legislative requirements for educator-to-child ratios at all times. Supervision contributes to protecting children from hazards that may emerge in play, including hazards created by the equipment used.

Adequate supervision refers to constant, active and diligent supervision of every child at the service. Adequate supervision requires that educators are always in a position to observe each child, respond to individual needs, and immediately intervene if necessary. Variables affecting supervision levels include:

- number, age and abilities of children
- number and positioning of educators
- current activity of each child
- areas in which the children are engaged in an activity (visibility and accessibility)
- developmental profile of each child and of the group of children

- experience, knowledge and skill of each educator
- need for educators to move between areas (effective communication strategies).
- **Approved Provider:** An individual or organisation that has completed an application and been approved by the Regulatory Authority as fit and proper (in accordance with Sections 12, 13 and 14 of the National Law) to operate one or more education and care services. The Approved Provider has overall responsibility to ensure that every part of the National Law, Regulations and National Quality Standard are met.

Attendance record: Kept by the service to record details of each child attending the service including name, date and time of arrival and departure, signature of person delivering and collecting the child or of the Nominated Supervisor or educator (Regulation 158(1)).

Authorised nominee: A person who has been given written authority by the parents/guardians of a child to collect that child from the education and care service. These details will be on the child's enrolment form.

The National Law and National Regulations do not specify a minimum age limit for an authorised nominee. Each service provider will need to determine if a person under the age of 18 is able to be an authorised nominee and, if so, what constitutes the minimum acceptable age at that service.

Child restraint: A device used in conjunction with an adult seatbelt or ISOFIX-compatible lower attachment connectors and a tether strap, to restrain a child passenger of a motor vehicle in the event of a vehicle impact and thus minimise the risk of bodily injury.

Duty of care: A common law concept that refers to the responsibilities of organisations and staff 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 and their staff to provide children with an adequate level of care and protection against foreseeable harm and injury.

Nominated Supervisor: A person who has been nominated by the Approved Provider of the service under Part 3 of the Act and who has consented to that nomination in writing can be the Nominated Supervisor. All services must have a Nominated Supervisor with responsibility for the service in accordance with the National Regulations. The Approved Provider must take reasonable steps to ensure the Nominated Supervisor is a fit and proper person (in accordance with Sections 12, 13 and 14 of the National Law), with suitable skills, qualifications and experience. The Regulatory Authority must be notified if the Nominated Supervisor for the service changes or is no longer employed at the service.

Persons in day-to-day charge: A person may be placed in day-to-day charge of a service if:

- the approved provider or nominated supervisor determines they meet the minimum requirements outlined in Regulation 120B of the Education and Care Services National Regulations, and
- the person provides written consent.
- **Persons with management or control:** Means:
 - (a) if the provider or intended provider of the service is a body corporate, an officer of the body corporate within the meaning of the Corporations Act 2001 of the Commonwealth who is responsible for managing the delivery of the education and care service; or
 - (b) if the provider of the service is an eligible association, each member of the executive committee of the Part 1—Preliminary Education and Care Services National Law Act 2010 No. 69 of 2010 22 association who has the responsibility, alone or with others, for managing the delivery of the education and care service; or
 - (c) if the provider of the service is a partnership, each partner who has the responsibility, alone or with others, for managing the delivery of the education and care service; or
 - (d) in any other case, a person who has the responsibility, alone or with others, for managing the delivery of the education and care service; and care service.

Risk assessment: A risk assessment must identify and assess any hazard that poses a risk to a child's health, safety and/or wellbeing while on an excursion, and specify how these risks will be managed and/or minimised (Regulation 101). Risk assessments must consider:

- the proposed route and location of the excursion
- any water hazards
- any risks associated with water-based activities
- transport to and from the proposed location of the excursion(d)
- if the excursion involves transporting children—
 - (i) the means of transport; and
 - (ii) any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported; and
 - (iii) the process for entering and exiting—
 - (A) the education and care service premises; and
 - (B) the pick-up location or destination (as required); and
 - (iv) procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking; and
- the number of adults and children participating in the excursion
- the number of educators or other responsible adults who will be providing supervision given the level of risk, and whether or not specialised skills are required (e.g. lifesaving skills)
- the proposed activities, and the impact of this on children with varying levels of ability, additional needs or medical conditions
- the proposed duration of the excursion, and the impact of this on children with varying levels of ability, additional needs or medical conditions
- any items/information that should be taken on the excursion e.g. first aid kit, emergency contact details for children, medication for children with known medical conditions (such as asthma, anaphylaxis and diabetes) and a mobile phone.

ACECQA provides a sample Excursion Risk Management Plan at:

<https://www.acecqa.gov.au/resources/applications/sample-forms-and-templates>

Wheeled toy: A child's pedal car, skateboard, scooter (other than a motorised scooter) or tricycle or a similar toy, but only when it is being used by a child who is under 12 years old.

5. SOURCES AND RELATED POLICIES

Sources

- Early Learning Association Australia: www.elaa.org.au
- Road Safety Education Victoria: www.roadsafetyeducation.vic.gov.au
- VicRoads: www.vicroads.vic.gov.au
- Child Road Safety: www.childroadsafety.org.au
- Transportation of Children with Additional Needs: www.rch.org.au/tocan
- Car Seats Save Lives: www.carseatssavelives.com.au
- Best practice guidelines for the safe restraint of children travelling in motor vehicles. www.neura.edu.au/crs-guidelines/

Service policies

- *Acceptance and Refusal of Authorisations Policy*
- *Child Safe (Environment) Policy*
- *Curriculum Development Policy*

- *Delivery and Collection of Children Policy*
- *Excursions and Service Events Policy*
- *Incident, Injury, Trauma and Illness Policy*
- *Inclusion and Equity Policy*
- *Occupational Health and Safety Policy*
- *Supervision of Children Policy*

PROCEDURES

The Approved Provider is responsible for:

- Ensuring that a child is not transported without prior written authorisation by the parent/guardian or person named in the child's enrolment record, and that the authorisation includes all details required under Regulation 102D
- Ensuring the risk assessment (refer to *Definitions*) identifies and assesses the risks, specifies how these will be managed and/or minimised, and includes all details required by Regulation 102B, 102C
- ensuring that staff only allow a child to participate in an excursion with the written authorisation of a parent/guardian or authorised nominee including details required under Regulation 102(4). If the excursion is a regular outing, the authorisation is required to be obtained once every 12 months and kept with the child's enrolment record (refer to *Excursions and Service Events Policy*)
- ensuring that a written risk assessment (refer to *Definitions*) is undertaken prior to conducting excursions, including details of the safest route for travel and safety aspects for the chosen mode of transport e.g. motor vehicle, bus, train and tram
- ensuring that all children are adequately supervised (refer to *Definitions*) at all times, including while on excursions and regular outings
- Ensuring the provision of road safety education, based on the National Practices for Early Childhood Road Safety Education (Attachment 1).
- Ensuring that all children attending the service are included in road safety education.
- Ensuring access of educators and staff to regular professional development/training in road safety and ensuring they are kept up to date with current legislation
- Ensuring the availability (in good condition) and use of bicycle helmets which meet Australian/New Zealand Standard 2063 for bicycles and wheeled toys (refer to *Definitions*).
- Ensuring the provision of location-specific road safety information (e.g. details about where to park safely when delivering and collecting children and local area speed limits etc.) to parents/guardians and visitors.
- Ensuring the provision of general road safety information about transporting children to and from the service (which might include using the 'safety door' (the rear kerbside door), driveway safety, child restraint information and role modelling safe road use) to parents/guardians.
- Ensuring that parents/guardians have access to this policy and its attachments.
- Ensuring that buses hired for use on excursions have fitted seatbelts that are correctly used by all children, staff and volunteers for the entire trip.
- Ensuring that appropriate procedures are followed in the event of a vehicle crash or transport-related injury involving any children, staff or volunteers from the service (refer to Incident, Injury, Trauma and Illness Policy).
- Establishing agreed procedures for staff to follow where a child is observed being transported to or from the premises in an unsafe manner (refer to Attachment 2 for a sample procedure).

The Nominated Supervisor is responsible for:

- Ensuring that a child is not transported without prior written authorisation by the parent/guardian or person named in the child's enrolment record, and that the authorisation includes all details required under Regulation 102D
- Ensuring the risk assessment (refer to *Definitions*) identifies and assesses the risks, specifies how these will be managed and/or minimised, and includes all details required by Regulation 102B, 102C
- Ensuring the embedding in the curriculum of Road safety education, based on the National Practices for Early Childhood Road Safety Education (Attachment 1).
- Working with teachers and educators to develop appropriate strategies to ensure all children attending the service are included in road
- Organising access of teachers, educators and staff to regular professional development/training in road safety and are kept up to date with current legislation, regulations, rules, standards and best practice information.
- Providing teachers and educators with access to a broad range of road safety education resources
- Providing (in good condition) and use of bicycle helmets which meet Australian/New Zealand Standard 2063 for bicycles and wheeled toys (refer to *Definitions*).
- Monitoring the correct use of bicycle helmets whenever bicycles or wheeled toys are used.
- Ensuring that teachers and educators provide parents/guardians and visitors with location-specific road safety information.
- Ensuring that location specific road safety information is displayed at the service where relevant.
- Ensuring that teachers and educators provide parents/guardians with information about road safety.
- Ensuring that general road safety information is displayed at the service where relevant.
- Ensuring that parents/guardians have access to this policy and its attachments.
- Ensuring that buses hired for use on excursions have fitted seatbelts for use by all children, staff and volunteers.
- Ensuring that teachers and educators understand and follow appropriate procedures in the event of a vehicle crash or transport-related injury involving any children, staff or volunteers from the service (refer to Incident, Injury, Trauma and Illness Policy).
- Ensuring that teachers and educators understand and follow the service's procedures where a child is observed being transported to or from the premises in an unsafe manner.
- Implementing the services agreed procedures when notified by a teachers or educator regarding their observation of children being transported in an unsafe manner.

Staff are responsible for:

- Ensuring that a child is not transported without prior written authorisation by the parent/guardian or person named in the child's enrolment record, and that the authorisation includes all details required under Regulation 102D
- Ensuring the risk assessment (refer to *Definitions*) identifies and assesses the risks, specifies how these will be managed and/or minimised, and includes all details required by Regulation 102B, 102C
- Providing road safety education, based on the National Practices for Early Childhood Road Safety Including all children attending the service in road safety education.
- Participating in regular professional development/training in road safety to keep up to date with current legislation, regulations, rules, standards and best practice information.
- Using a broad range of resources to support the delivery of road safety education.
- Providing bicycle helmets which meet Australian/New Zealand Standard 2063 and ensuring that that they are correctly fitted where bicycles or wheeled toys (refer to Attachment 1, Definitions) are used.
- Providing parents/guardians and visitors with location-specific road safety information.

- Providing parents/guardians with information about road safety and actively communicating this information to families.
- Providing parents/ guardians with access to this policy and its attachments and actively communicating this information to families.
- Ensuring the correct use of seatbelts in buses hired for excursions by all children, staff and volunteers for the entire trip.
- Following appropriate procedures in the event of a vehicle crash or transport-related injury involving any children, staff or volunteers from the service (refer to Incident, Injury, Trauma and Illness Policy), including notifying the Nominated Supervisor and Approved Provider as soon as possible after the event.
- Implementing the service's agreed procedures where a child is observed being transported to or from the premises in an unsafe manner.
- Education (Attachment 1).

Parents/guardians are responsible for:

- signing and dating permission forms prior to excursions and regular outings
- ensuring that their child travels in a restraint suitable for their age/size when arriving at or departing from the service
- being aware of all location-specific and general road safety requirements including details about where to park to deliver and collect children, observing speed limits in the vicinity of the service, using the 'safety door' (the rear kerbside door), driveway safety and role modelling safe road use
- communicating any issues or concerns relating to their child's safety or wellbeing to the early childhood service
- being aware of this policy and of the service's procedures relating to the safe transportation of children to and from the service.

Volunteers and students, while at the service, are responsible for following this policy and its procedures.

EVALUATION

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

- regularly seek feedback from parents/guardians, children, educators, management and all affected by the policy regarding its effectiveness
- 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
- notify parents/guardians at least 14 days before making any changes to this policy or its procedures (this is a requirement under Regulation 172 of the National Regulations for policies mandated by law and would be considered best practice for all policies and procedures).

ATTACHMENTS

- Attachment 1: [National Practices for Early Childhood Road Safety Education](#)
- Attachment 2: [Sample procedure when a child is observed to be at risk of harm while being transported to or from an early childhood premises](#)

AUTHORISATION

This policy was adopted by the Approved Provider of Shine Bright EYM October 2019

REVIEW DATE: 2024

Annual or more frequently in response to legislative and/or other changes.

ACKNOWLEDGEMENT

This policy was developed by Early Learning Association Australia in consultation with VicRoads and the early childhood sector as part of the VicRoads Starting Out Safely program.