



Policy Owner: Director Community and Library Services

Category: Operational

Direction: 4. Our Social Vitality

1. STATEMENT OF INTENT

- 1.1 North Sydney Council's Vacation Care program aims to provide all children with stimulating, positive experiences and interactions in a safe, pleasant environment.
- 1.2 Council's Vacation Care program aims to provide a safe workplace for staff.
- 1.3 Council will actively seek to work with experienced not-for-profit contractors able to bring experience and support services to Vacation Care services.

2. ELIGIBILITY

- 2.1 This Policy applies to all children attending or applying to attend Council's Vacation Care programs and the parents and/or guardians of children attending Vacation Care programs.
- 2.2 This Policy applies equally to Council and the not-for-profit contractor for Vacation Care services, should Council choose this means of service delivery.

3. POLICY FRAMEWORK

- 3.1 Council's Vacation Care program participates in the Commonwealth Outside School Hours Care Quality Assurance program. This is a Federal initiative linked Child Care Benefit funding approval for Outside School Hours Care services.

As a participant in the Quality Assurance process, North Sydney Council follows the *Quality Practices Guide (2003)* that outlines eight quality areas and thirty principles of quality care.

Quality Area 7 Protective Care and Safety (page 61) states "the safety of children is paramount at all times. With this in mind, management and staff are required to exercise a duty of care. This means they have a legal and moral obligation to ensure the safety and well-being of all children.

"In exercising a duty of care both management and staff must take reasonable care to protect children from foreseeable risk of harm or injury."

3.2 Policies and Procedures Guidelines and Implementation by Contractor

Council has published *Vacation Care Policies and Procedures Guidelines (2006)*, to guide daily practice in its services.

These guidelines state:

- a) "We will not discriminate against any families needing care. However, priority of access will be determined by Federal Government guidelines as the *Family Assistance Act 1999*."
- b) "No-one will be discriminated against on the basis of his or her cultural background, religion, sex, disability, marital status or income."
- c) "We aim to provide an equally accessible service to accommodate and include children with additional needs, which ensures the safety of all children in care."
- d) "Consideration of the service's ability to cater for the specific needs of the child will be necessary before the child can be accepted into the program."
- e) "Places will be available for children with additional needs who have been identified through specialised funding or medical assessment."

Where Council delivers Vacation Care through a Contractor, the Contractor's own policies and procedures will be reviewed by Council's Manager Community Development. Where compliant with Council's own policies, or operating at a higher level, they will be adopted as Council's own policies for the life of the contract.

4. PROVISIONS

4.1 Prohibited behaviours

Program staff and management will deal firmly and respectfully with all children who engage in prohibited behaviours.

Prohibited behaviour includes:

- a) behaviour that endangers the safety of the child concerned or of other children;
- b) activity that interferes with the rights of others;
- c) physical abuse of other children, staff or other members of the public;
- d) abusive, threatening language and misuse or damage of physical surroundings

The behaviours listed are all unacceptable in the program whether exhibited by children or parents/carers visiting the centres.

4.2 Exclusion

This clause should be read on the understanding that management options for children with known behavioural issues will have been considered prior to the program commencement, in consultation with the parents/carers and relevant support services. Where Council delivers Vacation Care through a Contractor, the Contractor's own policies and procedures with respect to "guiding children's behaviours" will have been reviewed by the Manager Community Development, and where compliant with Council's own policies, or operating at a higher level, they will be adopted as Council's own policies for the life of the contract.

If prohibited behaviours are exhibited by a parent/carer, the parent/carer will be immediately excluded from the property. The continuance of the child of the parent/carer in question will depend on whether an alternative person can be nominated to collect the child concerned. If the matter is judged to be sufficiently serious it will be referred to the Police. The exclusion will be for a minimum of 12 months from the date of the incident. The parent/carer will be informed in writing.

If prohibited behaviours are exhibited by a child and after approved "guiding children's behaviours" procedures have been followed, however the Vacation Care Co-ordinator considers that the behaviour cannot be further managed without compromising the safety other persons in the program, consideration will be given to exclusion, and the following steps will be followed:

- a) the Co-ordinator (and/or a senior representative of the Contractor, where a contract is in place) will firstly liaise with the Manager Community Development and any appropriate support services, then communicate with the parents/guardian of the child; a face to face meeting is preferred
- b) the exclusion and period of exclusion, if implemented, will be on the advice of the Vacation Care Co-ordinator, and will be determined by the Manager Community Development
- c) the parents will be informed in writing by Council (or the Contractor, where a contract is in place)

4.3 Appeal Process

Excluded parents/guardians or parents/guardians of an excluded child may appeal to Council's Director Community and Library Services, if they consider the period of exclusion is excessive.

5. RE-ADMITTANCE

- 5.1 Once a parent has been requested to remove a child from the program then re-admittance of the child is contingent upon the implementation of a plan of action. The Vacation Care Coordinator, Service Director, primary contact staff, parents and child, in consultation with appropriate support services will develop an action/ management plan which will outline the expectations on all parties.

The action/management plan should outline the time frame, the resources required to assist the child, the expected behaviours, the unacceptable behaviours, and the possible consequences. Staff will also develop a work plan that will assist them to work with and manage the child within the context of the group setting.

6. RESPONSIBILITY/ACCOUNTABILITY

- 6.1 Council's Vacation Care Coordinator (or the Contractor where a contract is in place) is responsible for administration of this Policy.
- 6.2 Council's Manager Community Development (or a senior representative of the Contractor where a contract is in place) is responsible for monitoring exclusions and convening meetings to discuss the matter between staff and parents
- 6.3 Council's Manager Community Development is responsible for adjudicating exclusions and the periods of exclusion as advised by the Vacation Care Coordinator (or the Contractor where a contract is in place).
- 6.4 Council's Director Community and Library Services is responsible for oversight of the contract where a contract is in place, and to adjudicate appeals against the terms of an exclusion.

7. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following Council policies and documents:

- Child Safe Policy
- Vacation Care Policies and Procedures Guidelines

The Policy should be read in conjunction with the following documents/legislation:

- Anti-Discrimination Act 1977

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- Commonwealth Government Child Care Benefit Priority of Access guidelines
 - Disability Discrimination Act 1992
 - Family Assistance Act 1999
 - National Childcare Accreditation Council Outside School Hours Care Quality Assurance
 - National Standard of OOSH Section 4.6 (Access)
 - Quality Practice Guide 2003

Version	Date Approved	Approved by	Resolution No.	Review Date
1	4 June 2007	Council	348	2008/09
2	16 February 2009	Council	61	2012/13
3	18 February 2013	Council	61	2016/17
4	25 June 2018	Council	214	2020/21
5	10 October 2022	Council	324	2024/25