REFUSAL OF AUTHORISATION PROCEDURE

Under the National Law and National Regulations, early childhood services are required to obtain written authorisation from parents/guardians for some circumstances, to ensure that the health, safety, wellbeing, and best interests of the child are met and upheld. An authorisation is given where a person who has legal responsibility for a child gives permission to another person to do something or to make a decision on that person's behalf. Decisions around refusing an authorisation will be made on a case-by-case basis by the Service in discussion with the Nominated Supervisor, Police or other authorities.

Working in conjunction with the *Acceptance and Refusal of Authorisations Policy*, this procedure provides guidance for the service when an authorisation would be refused

Education and Care Services National Law or Regulations (R. S170, S171, 99, 157, and 160) NQS QA 2 and 7: Element2.21, 2.2.2, 2.2.3 and 7.1.2 Health and Governance practices and procedures

Related Policy: Acceptance and Refusal of Authorisations Policy

IMPLEMENTATION		
The Approved Provider will:		
1	Review and update the *Acceptance and Refusal Authorisation Policy* every year	
2	Collect written authorisations for collection of children in accordance with all relevant legislation and regulations	
3	Ensure the name, address and contact details of each known parent and authorised nominee (including the types of authorisations given to them) are provided in the child's enrolment form	
4	Inform parents/guardians who disclose they have a child related court order, parenting orders, parenting plan or other relevant legal documentation to immediately provide a copy of this to the Service for confirmation (copies of all documents must be kept in the child's enrolment record)	
5	Develop and maintain a register of persons who are prohibited by any court order, parenting order or parenting plan from having contact or access to the child - *Refusal of Authorisation Register*	
6	If photographs of unauthorised persons are provided by the parent/guardians, attach these to the *Refusal of Authorisation Register*	
7	Adhere to Privacy Laws regarding confidentiality and privacy of information	
8	Ensure all staff are aware of their responsibility to adhere to all current court orders	

9	Ensure all staff are aware of the procedure required in the event of an unauthorised person attempting to contact or collect a child from the Service.	
10	Document any authorisation refused by the service	

ALL STAFF WILL:		
1	Contribute to the review and update the *Acceptance and Refusal Authorisation Policy* every year	
2	Ensure effective supervision and line of sight for all entry/access points to the Service	
3	Closely monitor visitors to the Service and refer to the unauthorised people listed on the *Refusal of Authorisation Register*	
4	Ensure the *Refusal of Authorisation Register* is kept securely in a file at reception and locked away when leaving the area to avoid breaching privacy and confidentiality laws	
5	Ensure any person attempting to collect a child is authorised on the child's record and can be verified by photo identification before permitting entry into the Service	
6	Ensure written authority (email) is provided for any additions or changes to people authorised to collect a child. This must be completed by the legally responsible parent/guardian.	
7	Ensure that a child is not transported by the Service unless written authorisation has been provided by the parent/guardian or an authorised nominee listed on the child's enrolment form	
8	Refuse an authorisation that does not meet the requirements under the Education and Care Services National Law, Regulations and the Service's Acceptance and Refusal Policy	
9	Inform the approved provider of any authorisations which have been refused	

UNAUTHORISED PERSON ATTENDS THE CHILDCARE PREMISES		
If an unauthorised person attends the Service, the staff at reception will:		
1	Discreetly alert the closest staff available and advise to implement your service's protocol used and practised within drills to alert others in the service to the presence of an unauthorised person	
2	Calmly explain to the unauthorised person that you are unable to permit them into the premises and explain why	
3	Avoid putting themselves or others at risk if the unauthorised person goes to collect the child. It is not always possible to prevent an unauthorised person taking a child.	
4	Educators will not be expected to physically prevent any person from leaving the Service with a child	
5	If such an event occurs, pay attention to details such as:	

	• the unauthorised person's appearance and clothing worn (hat, sunglasses, colour of clothing • child's appearance and clothing • direction taken after leaving the premises • make, colour and registration of the car/vehicle	
6	Provide information to any other staff member handling the situation to advise emergency services/Police	
7	Complete an *Incident and Event Record or Incident, Injury, Trauma & Illness Record* as soon as practicable	
The Nominated Supervisor/Responsible Person or notified staff will:		
1	Stay within hearing range to provide support to the staff member dealing with the unauthorised person and seek other available assistance if possible	
2	Alert other staff to action the Services' *Emergency Procedures* such as lock down or evacuation depending on the location of the unauthorised person	
3	Call emergency services/Police on 000 immediately and provide details of the unauthorised person details including any court order information	
4	Follow Police instructions	
5	Notify the parent/guardian, where appropriate, to advise an incident has occurred and the Police have been notified and are responding accordingly	
6	In the instance that the child has been taken by the unauthorised person, contact the Police and parent/guardian and provide updates accordingly	
7	Notify the regulatory authority of the serious incident within 24 hours through the NQA IT System	
8	Provide emotional and wellbeing support to staff and children	
9	Evaluate and review procedures and policies	

AUTHORISATION THAT DOES NOT MEET LEGLISLATIVE AND SERVICE POLICY REQUIREMENTS	
If an authorisation is provided that does not meet legislative or Service policy requirements, the nominated supervisor/responsible person will:	
1	Inform the parent/guardian that the authorisation cannot be accepted and explain why, referencing the Service policy and relevant legislation
2	Provide the parent/guardian with a copy of the Service's *Acceptance and Refusal of Authorisations Policy*
3	Make arrangements for an appropriate written authorisation to be provided to the Service and (where required) ensure the authorisation is updated on the child's enrolment record

REFUSAL OF AUTHORISATION RESOURCES	
Acceptance and Refusal Authorisation Policy	The *Acceptance and Refusal Authorisation Policy* provides clear guidelines to ensure authorisations are obtained in accordance with the National Law and National Regulations.
Refusal of Authorisation Procedure	The R*efusal of Authorisations Procedure* provides guidance for the Service where authorisations are obtained and refused.
Refusal of Authorisation Record	The R*efusal of Authorisation Record* documents any authorisations which have been refused if they do not comply with National Regulations or Child Protection Legislation.
Refusal of Authorisation Register	The *Refusal of Authorisation Register* keeps a record of persons who are prohibited by any court order, parenting order or parenting plan from having contact or access to the child.

REVIEW OF PROCEDURE			
Date procedure created	09/06/2023	To be reviewed	April 2026
Approved by	Krystle Hills	Signature	
Procedure Reviewed Date	Modifications/Changes		
April 2025	Procedure updated to include new form: *Refusal of Authorisation Record* Refusal of Authorisation Resources section added to procedure		
June 2023	Procedure created		