



FDC Guidance

## ASSESSMENTS OF FAMILY DAY CARE RESIDENCES AND VENUES



This information sheet provides an overview of requirements for the assessment of family day care residences and proposed venues under the Education and Care Services National Law and National Regulations.

### WHAT IS THE APPROVED PROVIDER RESPONSIBLE FOR?

As the approved provider, every reasonable precaution must be taken to protect children from harm and from any hazard likely to cause injury. You are also responsible for:

- conducting an assessment, including a risk assessment, of each family day care residence and proposed venue **before** the commencement of education and care
- conducting an assessment (reassessment), including a risk assessment, of each family day care residence and approved venue **at least once a year**
- conducting a monthly inspection of any water hazards, water features or swimming pools at each family day care residence and approved family day care venue
- maintaining a record of assessments undertaken of each family day care residence and approved service.

### WHAT IS A RISK ASSESSMENT?

A risk assessment identifies potential hazards that may cause injury or harm to the children being cared for at the residence or venue, and describes actions to minimise risk.

### WHY ARE ASSESSMENTS CONDUCTED?

The purpose of the assessment is to ensure the health, safety and wellbeing of children is protected.

### WHAT NEEDS TO BE CONSIDERED WHEN CONDUCTING AN ASSESSMENT?

Things to consider when conducting an assessment include:

- Are the premises, furniture and equipment suitable for the children who attend the service?
- Is fencing and security adequate?
- Is there suitable and sufficient furniture, materials and equipment?
- Availability of laundry facilities or other arrangements for dealing with soiled clothing?
- Suitable toilet, washing and drying facilities?
- Is there enough ventilation and natural light?
- Have glass windows and doors been made child safe?
- Availability of nappy change arrangements for children who wear nappies?

- Are there any water hazards, water features or swimming pools\* at or near the premises?
- Are there any animals that could harm the children?
- \*\*For a service in a multi-storey building shared with other occupants, an assessment includes consideration of whether, for each storey on which the residence or venue is located, there is direct egress to an assembly area to allow the safe evacuation of all children attending the residence or venue, including non-ambulatory children.

## WHAT PENALTIES APPLY?

Penalties associated with non-compliance with risk assessment requirements, including non-compliance with record keeping requirements apply.

Things to consider when conducting an assessment:		
Premises, furniture and equipment to be safe, clean and in good repair	Regulation 103	<ul style="list-style-type: none"> <li>• Is the furniture:               <ul style="list-style-type: none"> <li>» safe</li> <li>» clean</li> <li>» in good repair?</li> </ul> </li> </ul>
Fencing	Regulation 104	<ul style="list-style-type: none"> <li>• Is the outdoor space secured by a fence?</li> <li>• Does the fence height and design prevent children from going through, under or over the fence?</li> <li>• Are items which children might use to scale a fence, such as play equipment and low tree branches, away from the fence?</li> </ul>
Suitable and sufficient furniture, materials and developmentally appropriate equipment	Regulation 105	<ul style="list-style-type: none"> <li>• Do you have enough seats and utensils for children to use at meal times?</li> <li>• Do the resources meet the range of interests, ages and abilities of children?</li> </ul>
Laundry and hygiene facilities	Regulation 106	<ul style="list-style-type: none"> <li>• Are there laundry facilities (or other arrangements) for soiled clothing?</li> <li>• Are the laundry facilities located and maintained in a way that doesn't pose a risk to children?</li> </ul>
Space requirements – indoor space	Regulation 107*	<ul style="list-style-type: none"> <li>• Is there enough indoor space for children?</li> </ul>
Space requirements – outdoor space	Regulation 108*	<ul style="list-style-type: none"> <li>• Is there enough outdoor space for children?</li> <li>• Does the outdoor space encourage learning through play and an opportunity for children to connect with nature?</li> </ul>
Toilet and hygiene facilities	Regulation 109	<ul style="list-style-type: none"> <li>• Can the children access the toilet and hand washing facilities easily?</li> </ul>
Ventilation and natural light	Regulation 110	<ul style="list-style-type: none"> <li>• Does the indoor space have:               <ul style="list-style-type: none"> <li>» good ventilation</li> <li>» adequate natural light</li> <li>» a comfortable temperature?</li> </ul> </li> </ul>
Glass	Regulation 117	<ul style="list-style-type: none"> <li>• Does glass that is accessible to children comply with safety requirements, including that glass below the specified height is safety glass?</li> </ul>
Suitability of the residence	Regulation 116 (2b)	<ul style="list-style-type: none"> <li>• Is your service suitable for the number, ages and abilities of children attending?</li> </ul>

\* Note that some jurisdictions restrict or have specific requirements regarding swimming pools at FDC residences and venues. If you are unsure, check with the regulatory authority in your state or territory. The approved provider of a FDC service must ensure that any swimming pool at a FDC residence or approved FDC venue of the service has a fence that complies with the law of the participating state or territory that applies to fences around swimming pools in which the residence or venue is located.

\*\* From 1 October, 2022

## Things to consider when conducting an assessment:

Residence or venue is located in a multi-storey building shared with other occupants	Regulation 116 (2ba)	<ul style="list-style-type: none"><li>If the residence or venue is located in a multi-storey building shared with other occupants, for each storey on which the residence or venue is located, whether there is direct egress to an assembly area to allow the safe evacuation of all children attending the residence or venue, including non-ambulatory children.</li></ul>
Suitability of nappy changing arrangements	Regulation 116 (2c)	<ul style="list-style-type: none"><li>Are nappy changing arrangements safe and suitable for the ages of the children attending?</li></ul>
Water hazards	Regulation 116 (2d) Regulation 116C Note: Regulation 116C does not apply in Western Australia	<ul style="list-style-type: none"><li>Is the residence or approved venue compliant with the fencing requirements of the participating jurisdiction that applies to fences around swimming pools in which the residence or venue is located?</li><li>Do you have a swimming pool compliance certificate if this is required in your jurisdiction? [Note these certificates may be required under other state and territory laws].</li></ul>
Risk posed by animals	Regulation 116 (2e)	<ul style="list-style-type: none"><li>Can animals be kept separate from children to protect their health and safety?</li></ul>

\*Please note that this regulation does not apply to residences, but does apply to approved family day care venues.

## RESOURCES AND REFERENCES

- [Guide to the NQF](#)
- [Family Day Care Safety Guidelines](#)
- [Family Day Care Checklist](#)
- Information sheets:
  - » [Legislative Requirements for family day care providers from 2023](#)
  - » [Legislative Requirements for family day care educators from 2023](#)

More information is available on the [ACECQA website](#).

