



QUALITY AREA 2

MINIMISING THE RISK OF CHILDREN BEING MISTAKENLY LOCKED IN OR OUT OF SERVICE PREMISES

Quality Area 2 of the National Quality Standard (NQS) aims to safeguard and promote children's health and safety, minimise risks and protect children from harm, injury and infection.

All children have the right to experience quality children's education and care in an environment that provides for their physical and psychological wellbeing.



When incidents occur where children are mistakenly locked in or out of a service premises including transport, they can have severe consequences for children's health and safety.

A child being mistakenly locked in or out of the service premises, including transport, or in any part of the premises is defined as a serious incident under Regulation 12 of the Education and Care Services National Regulations.

Examples of when children have been mistakenly locked in or out of a service premises or in any part of the premises have included being:

- locked in a shed or storeroom
- asleep in a cot, staff leaving and the service closing for the day
- locked in a bus after being collected from home and arriving at the service, or attending an excursion.

Approved providers are required to notify state and territory regulatory authorities about these incidents under the [National Regulations](#) within 24 hours of the incident as per section 174(2)(a) of the Education and Care Services National Law Act 2010 and Regulation 176(2)(a)(ii).

Family day care educators must notify the approved provider of the service if a serious incident occurs as per section 174A of the National Law.

ACECQA uses data from the [National Quality Agenda IT System](#) (NQA ITS) to identify emerging trends in serious incidents over time.

The NQA ITS is the national IT system for service providers and regulatory authorities operating under the National Quality Framework (NQF). An analysis of this data has identified that-

LOCKED IN/OUT INCIDENTS ARE MORE LIKELY TO HAPPEN:



- between 4 and 6 pm



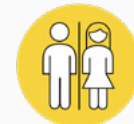
- during pickup and drop off



- during excursions and transition times
- in outdoor play areas



- on transport



- in bathroom/toilet areas and sheds



- to younger (2-3 year old) male children

A child being mistakenly locked in or locked out of the service premises, or in any part of the premises is defined as a serious incident under regulation 12 of the national regulations.

WAYS TO MINIMISE THE RISK OF CHILDREN BEING MISTAKENLY LOCKED IN/OUT OF SERVICE PREMISES:



- ensure compliance with National [Regulation 102E and 102F](#)*
- ensure active and effective supervision at all times – with a particular focus on late afternoons, transitions, drop off/pick up times, excursions, less frequented areas of the service, and younger children



- ensure educator-to-child ratios are maintained at all times



- conduct regular headcounts and/or attendance checks of children



- Ensure compliance with legal requirement to account for, check and record, children embarking and disembarking transportation (or similar) ([safe transportation of children](#))
- ensure relevant policies and procedures are up-to-date, and that all staff understand their roles and responsibilities



- regularly communicate with families about policies and procedures



- conduct staff induction on commencement of employment and regular refresher training
- hold regular staff discussions, debriefs and reviews, particularly following a serious incident or with any identified risk or concern

* From 1 March 2023

OTHER CONSIDERATIONS

In addition to reporting to the regulatory authority, it may be appropriate for approved providers, service leaders or educators to report a serious incident to the children's commissioner (or children's guardian if this is a separate role in your state or territory), child protection agencies or the police.

All states and territories have mandatory reporting requirements applicable to children's education and care staff who have concerns a child has experienced specified types of harm, or is at risk of experiencing this harm.

Reporting requirements vary between jurisdictions, and approved providers and other individuals can consult with their commissioner or children's guardian and the child protection legislation as a starting point to determine their obligations.

Consider the following questions when reviewing your procedures and strategies to ensure children's safety:

- How do you know policy and procedures are understood and followed correctly?
- What are the current 'handover' practices of educators that occur during a shift change? How is information about each child shared with educators that are either beginning or ending their shift?
- Do your policies and procedures include the National Law and Regulations relevant to transportation?
- What are your current supervision strategies for each indoor and outdoor play space?
- How do you ensure educator to child ratios are met throughout the day?
- When are new educators informed about your supervision strategies?
- When are the supervision strategies reviewed, and who reviews them?
- How do you know policy and procedures are understood and followed correctly? If your service transports children, when are the safe transportation of children policy and procedures reviewed and who reviews them? How are the policy and procedures communicated to new and existing staff?
- When developing risk assessments, does your service include supervision strategies for family day care residences, all spaces within centre-based and outside school hours care service premises and excursions? How do you communicate your service's pick up and drop off policy and procedures to families and new staff?

REFERENCES AND RESOURCES

For additional information, please refer to Section 3 in the [Guide to the National Quality Framework](#).

Visit the ACECQA website at acecqa.gov.au to download:

- National Law and National Regulations
- [Children's Health and Safety, Occasional paper 2](#)
- [Supporting materials](#) – including Information sheets, posters and other resources which are all freely accessible.