



FDC Guidance

## WATER HAZARD SAFETY INSPECTIONS

# MONTHLY REPORT

WATER HAZARD SAFETY INSPECTIONS (APPROVED PROVIDERS)



Approved providers (or a person nominated by the approved provider to represent the approved provider) of family day care (FDC) services are required to undertake monthly inspections of any water hazards, water features or swimming pools.

If a safety issue is identified as a result of an inspection, the person who conducted the inspection, if not the approved provider, must provide written notice of the safety issue to the approved provider within 24 hours after conducting the inspection.

Within 7 days of conducting an inspection, the approved provider must ensure that the person who conducted the inspection provides the approved provider and family day care educator with a written report.

No more than 6 inspections may be conducted remotely in any given calendar year. An inspection may not be conducted remotely if the previous two inspections were conducted remotely at the FDC residence/venue.

If an issue cannot be rectified immediately, the approved provider should consider if access is appropriate and ensure that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and hazard likely to cause injury (as required under section 167 of the Education and Care Services National Law (National Law)).

You can access a Safety Inspection Checklist on the next page.

# SAFETY INSPECTION CHECKLIST

## REQUIRED INFORMATION

FDC residence/venue address: Click or tap here to enter text.

Name of FDC educator

Date of inspection      Time inspected

Select which mode of inspection

Virtual                  In person

Select mode of inspection from last visit

Virtual                  In person

Safety issue identified and **cannot be rectified immediately**. Provide a description of the issue and action required to make the area safe. Describe how risks will be mitigated before the issue is rectified and the estimated time frame to fix the issue.

## Safety issues summary

No safety issues identified on site

Safety issue identified and rectified immediately. Provide a description of the issue and action taken.

Inspector Name

Signature

## GATES AND SAFETY BARRIERS

All fencing should be secure and in good working order and a gate must be in good condition and working properly.

Has the safety barrier and gate (where appropriate) been assessed by a qualified pool inspector in order to ensure compliance with regulations in the jurisdiction? (see table below)

Yes                  No

Does the educator have evidence that demonstrates compliance with fencing requirements in the jurisdiction? (e.g. a certificate of compliance)

Yes                  No

Are all the fence panels in place and in good condition?

Yes                  No

Does the fence have any gaps or holes?

Yes                  No

Is the ground below the fence firm and stable? (i.e. no holes, children or dogs cannot dig underneath the fence)

Yes                  No

Does the gate swing automatically or without assistance back to the closed position after being opened?

Yes                  No

Does the gate stay closed after it returns to the closed position?

Yes                  No

Is the latch in good working order?

Yes No

Is the gate secure and will not open if a child bounces on the bottom rail of the gate?

Yes No

Is the gap between the gate and the safety barrier sufficient to avoid risk for children? (e.g. can a child get through the gap, or stuck in the gap?)

Yes No

Is the educator aware of the dangers of propping the gate open?

Yes No

Is the latch high enough from the ground to avoid risk for children?

Yes No

## AROUND THE SWIMMING POOL, WATER HAZARD OR WATER FEATURE

**The surrounding environment should be clear of any climbable objects or items.**

Are there any objects near the safety barrier that a child could use to climb a barrier or gain access to the pool/water hazard/water feature? (i.e. chairs, ladders, trees, pot plants, BBQs)

Yes No

Have trees or shrubs near the safety barrier been trimmed so that children can't use them to gain access?

Yes No

Are pool aids and toys removed from the pool and stored securely out of view after use?

Yes No

Refer to the following laws, regulations or standards for information around fences, gates and latch height and dimensions in your jurisdiction.

JURISDICTION	RELEVANT FENCING LAWS, REGULATIONS OR STANDARDS
NSW	<ul style="list-style-type: none"><li><a href="#">Swimming Pools Act 1992</a></li></ul>
ACT	<ul style="list-style-type: none"><li><a href="#">Building Act 2004</a> National Construction Code (Australian Standard 1926.1)</li></ul>
QLD	<ul style="list-style-type: none"><li><a href="#">Building Act 1975</a>, administered by the Queensland Building and Construction Commission</li></ul>
NT	<ul style="list-style-type: none"><li><a href="#">Swimming Pool Safety Act 2004</a></li></ul>
WA	<ul style="list-style-type: none"><li><a href="#">Building Act 2011</a> <a href="#">Building Regulations 2012</a></li></ul>
SA	<ul style="list-style-type: none"><li><a href="#">Planning, Development and Infrastructure Act 2016</a></li></ul>
TAS	<ul style="list-style-type: none"><li><a href="#">Building Act 2016</a>, section 11</li></ul>
VIC	<ul style="list-style-type: none"><li><a href="#">Building Act 1993</a></li><li><a href="#">Building Regulations 2018</a></li><li><a href="#">Building Amendment (Swimming Pool &amp; Spa) Regulations 2019</a></li></ul>

## WRITTEN REPORTS

If no safety issue is identified, the approved provider must ensure that the person who conducted the inspection provides the approved provider and FDC educator with a written report within 7 days.

If a safety issue is identified, the person who conducted the inspection, if not the approved provider, must provide written notice of the safety issue to the approved provider within 24 hours after conducting the inspection. The approved provider should consider their existing obligations under section 167 of the National Law and deem if continued access is appropriate.

Date report received by approved provider

Date notification of safety issue sent to RA (where relevant)

### Safety issue rectified

Date issue was rectified

Describe action taken to fix issue

Name

Title

Signature