

WODEN EARLY CHILDHOOD CENTRE

SAFE COLLECTION OF CHILDREN AND CUSTODIAL ARRANGEMENTS POLICY

POLICY STATEMENT: *Woden Early Childhood Centre has a responsibility to provide a safe nurturing environment for every child. Due to the current pattern of increased work commitments and family breakdown in our society, child care staff are often faced with the problem of dealing with parents re: custodial matters and the late collection of children. When such incidents arise our role is to protect the child's feelings of self worth and security, whilst clarifying with the parent/s the legal and/or financial implications of the situation. When undertaking such tasks staff are aware that it is important not put themselves at risk.*

This policy supports inclusive practices at Woden Early Childhood Centre. Please refer to the Inclusion policy.

RATIONALE: also sets out that the principles underlying this object are, unless it would be contrary to a child's best interests:

- children have the right to know and be cared for by both their parents regardless of whether their parents are married, separated, have never married or have never lived together; and
- children have a right of contact on a regular basis with both their parents and with other people significant to their care, welfare and development; and
- parents share duties and responsibilities concerning the care, welfare and development of their children; and parents should agree about the future parenting of their children. Parents are encouraged to agree matters concerning their children rather than seeking an order of the court.

If parents can agree about the parenting of their children, who their children should live with and the contact that their children should have with the other parent, then they may if they wish formalize that agreement in several ways through the Family Court. There is no obligation to do so.

If, unfortunately, parents cannot agree about the parenting of their children, then an application can be made to the Family Court for its assistance in resolving disputes. Through the court process, the Family Court will encourage parents to reach their own agreement about the children but ultimately, if parents are unable to agree, the Family Court can make parenting orders about a child. A child residence order is a parenting order.

Whenever the court makes any orders about children, the most important consideration is what is in the best interests of the child.

SCOPE: This policy applies to all families with children attending the Centre and all Staff including students and volunteers.

RELEVANT LEGISLATION: ACT Centre based Children Services Conditions 2000
1.18,

The Family Law Act

QUALITY ASSURANCE SYSTEM: Quality Improvement and Accreditation System – Practices Guide 5.1,5.2,

LOCATION OF INFORMATION: this information is made available to all families and staff during the orientation process. It is included in the CD Policy given to each family and staff member on orientation as well as being mentioned in the family handbook and staff handbook. Printed copies can be made available on request for those families without computer access.

Source Documents:

UNICEF, **A summary of the rights under the Convention on the rights of the child**
retrieved from www.unicef.org on 2 December 2008

Early Childhood Australia, **The Code of Ethics 2006**, retrieved from www.earlychildhoodaustralia.org.au on 3 December 2008

the family law act

POLICY REVIEW

This policy is reviewed on a biannual basis both by the centres staff and then by families. Once the Policy has been reviewed and changes are made it goes to the management committee for ratification. Please refer to the Policy development and review policy.

Date endorsed by Committee: 24.3.09

Date to be reviewed: 24.3.10

SAFE COLLECTION AND CUSTODY OF CHILDREN

On enrolment at Woden Early Childhood Centre parents must inform the director and/or staff if there are any custodial or access arrangements. It is the parent's responsibility whilst with the centre, to inform staff of any changes to these arrangements. Documentation of these arrangements should be provided for the centre, and is to be kept with the family's record.

SAFE COLLECTION OF CHILDREN

Staff take the wellbeing of the children in their care very seriously. They strive to maintain a secure environment by ensuring the safe collection of children.

Listed below are some guidelines parents should be aware of regarding the collection of children from the centre:

- The centre has Emergency Detail Forms which parents must keep up to date. Please advise office staff of any changes to the information listed on this form.
- Staff will not release a child into the care of anyone under the age of **eighteen (18) years of age**.
- Children will not be released into the care of persons who is not authorised to collect them. Eg **Court Order**.
- Staff will not release a child into the care of any person not known to them. If this person has been authorised to collect a child, they will be asked to produce photographic identification to prove they are the person authorised to collect the child.
- Parents are asked to give prior notice when their child is to be picked up by someone other than those listed on the child's emergency details. This person will be asked to produce photographic identification.
- Parents are asked to note the name of the person collecting their child on the room's **sign-in sheet** or the **communication book**.
- The centre can not stop intoxicated persons collecting children. However staff will offer to contact another authorised person and ask them to collect the child. **This is for the safety of the child involved.**

CUSTODIAL ARRANGEMENTS

If a staff member becomes aware of any change in the delivery and collection of children, which have not been authorised, they must notify the director immediately.

If a minor attempts to deliver/collect a child (regardless of parental permission) the director and room leader must be informed as soon as possible. They will follow up with the parents noting the safety and legal responsibilities related signing in/out.

If an order from the Family Court exists in relation to resident or contact (custody/access) arrangements for a particular child, the parent should be advised upon enrolment to supply a copy of this document to the director prior to the child commencing care.

If an unauthorised person attempts to collect a child/ren

1. The director must be informed immediately.
2. Staff members should discourage the person from removing the child until the director is available to assist.
3. The director should advise that the police will be contacted if the child is taken. If the director is not present a senior staff member should act in this capacity.
4. Under no circumstances should staff put themselves or the children in our care at risk of being injured, whilst negotiations are taking place.

If a child/ren is taken away by an unauthorised person

The director should immediately contact

1. The child's parents/primary caregivers (if they cannot be reached an emergency contact should be notified)
2. The Police
3. The director should then complete an Incident Report.

If a parent other than the enrolling parent attempts to remove a child/ren from the centre

1. To delay the parent to the best of our ability whilst a staff member contacts the police and enrolling parent can be made.
2. Ask parent for identification
3. Ask if they have current legal custodial or access rights or documents
4. Talk to the parent in a calm and reassuring manner, try to delay the parent to give time for the above contacts to be made by the other staff member

Note : If the parent at any time becomes aggressive or threatening violence to a staff member the child/ren is to be handed to the parent.

If legal action isn't in place then both parents have equal access to the child/ren.