



This guidance provides advice for centre-based providers and services around adequate supervision and risk assessment as it relates to transportation provided or arranged by the service, including the application of educator to child ratios. This includes factors that may influence an approved provider or nominated supervisor's decision on how many educators and/or responsible adults are required for transportation.

Guidance is also provided as to how to factor the driver into supervision requirements and the roles of responsible adults in providing adequate supervision along with educators.

GUIDANCE FOR ADEQUATE SUPERVISION DURING TRANSPORTATION

Services that provide transportation need to consider a number of regulatory requirements to ensure that children are safe and appropriately supervised during transport provided or arranged by a service.

EDUCATOR-TO-CHILD RATIOS

Educator-to-child ratios apply at all times, and across all locations, that an education and care service is operating (Regulation 123).

In addition to ensuring ratios are maintained across the service premises, consideration needs to be given to any other relevant locations where education and care is taking place. This includes excursions and any transport provided or arranged by the service.

To be included in the ratio, educators must:

- be working directly with children (Regulation 122)
- meet the qualification requirements for educators at centre-based services (Regulation 126)
- hold a valid working with children or vulnerable person check (jurisdiction specific requirements apply).

If the driver of a vehicle is an educator and meets the above requirements, the driver **may** be included in ratio calculations for the purpose of educator-to-child ratio requirements across the service during the period of transport.

If ratios are maintained across the service, the risk assessment could determine that an educator may not be required on the vehicle during regular transportation. Children may be supervised by a responsible adult where this situation meets all requirements, including a risk assessment prior to the transport of children.

OTHER SAFETY REQUIREMENTS THAT APPLY DURING TRANSPORT

- There must be at least one person with first-aid, asthma and anaphylaxis training in attendance during transportation.
- First aid, asthma and anaphylaxis training requirements apply when transport is provided as part of the education and care service and must be **met in each vehicle** (Regulation 136).
- If children remain at the service premises while other children are being transported, first aid, asthma and anaphylaxis training requirements must also be met at the service premises.
- Drivers who drive vehicles hired through an independent transport service may be considered a responsible adult for the purposes of regular transportation if they have a state/territory-required working with children or vulnerable person check. If they are the only responsible adult on the transportation, they must also have the necessary first aid, asthma management and emergency anaphylaxis training. Approved providers will need to be satisfied that adequate supervision is being provided.

ADEQUATE SUPERVISION AND RISK ASSESSMENT

Approved providers and nominated supervisors must ensure that adequate supervision is met when providing transportation, the requirements for which are supported by a risk assessment prior to the transportation of children.

The National Law requires that approved providers ensure all children being educated and cared for by the service are adequately supervised at all times (Section 165).

Educator-to-child ratios alone do not achieve adequate supervision. The National Regulations require risk assessments to be conducted prior to transporting children. The risk assessment must consider **the number of educators or other responsible adults appropriate to provide supervision** during the transport (Regulation 102C).

To determine whether supervision is adequate, the risk assessment conducted under Regulation 102C must consider:

- the number of children
- the number of adults providing supervision and whether any adults with specialised skills are required
- the proposed route and duration of the transportation
- the pick up and drop off locations during the transportation
- how children will be accounted for when embarking and disembarking the transport, and the processes for entering and exiting the education and care premises
- the type of transportation being used
- whether there are any water hazards
- the seatbelt and child restraint requirements of the jurisdiction that the service is operating in
- whether there is any special equipment or provisions required (for example, a mobile phone and list of emergency contact numbers for the children being transported).

When considering the risk factors under Regulation 102C, approved providers should also consider:

- the ages of children being transported
- the individual ability and needs of children (e.g medical conditions, mobility)
- the proposed route of transportation
- the likely traffic conditions on the proposed route of the transportation.

These considerations will assist the approved provider and nominated supervisor to decide on the supervision requirements for transportation, including how many educators and/or responsible adults are required to ensure the safety, health and wellbeing of all children involved in the transportation. It will also determine the experience, skills and knowledge required of each educator and/or responsible adult. These requirements should be listed in the risk assessment.

Consideration should also be given to quality practices and policies that relate to the safe transportation of children that align with the National Quality Standard (NQS). The NQS refers to quality transportation practices through elements:

- 1.1.3 Program and learning opportunities
- 2.2.1 Supervision
- 6.2.1 Transitions.

Section 3 of the Guide to the National Quality Framework unpacks these elements further.

WHO CAN BE A RESPONSIBLE ADULT TO PROVIDE SUPERVISION?

A responsible adult is a capable adult who has adequate knowledge and understanding of, and the ability to effectively provide supervision of, children on transportation. This may include a staff member, a nominated supervisor, a person employed or working for the service, or a volunteer.

Their role may include providing assistance to ensure that children are seated and using appropriate and necessary restraints during transportation, children are not behaving in a dangerous manner, children with specific needs have their needs met, and children embark and disembark at the appropriate locations.

An approved provider needs to consider a range of factors in determining whether children are being adequately supervised during transportation. These include those set out in the risk assessment, which includes the number of responsible adults appropriate to provide supervision according to the particular circumstances. As part of a risk assessment, the approved provider or nominated supervisor is expected to consider whether a responsible adult is capable of carrying out the role and responsibilities required of them, for the purposes of transportation.

Because child safety is paramount, all responsible adults involved in the transportation of children must have the jurisdiction specific working with children or vulnerable person check.



Example:

A service is meeting its educator-to-child ratios at the service premises. This means an educator may not be required to be present during transportation. Adequate supervision on the transportation must still be maintained, and a risk assessment must be conducted that includes the number of responsible adults appropriate to provide supervision.

In this example, the driver is not an educator and drives a vehicle arranged as part of an education and care service, through an independent transport service. This driver may be considered a responsible adult for the purposes of regular transportation if they have the jurisdiction required working with children or vulnerable person check.

First aid, asthma management and emergency anaphylaxis requirements need to be met in each vehicle.

When a driver is the only adult present on the transport, the risk assessment would be expected to show that the driver has been considered capable of providing supervision and satisfying the requirements of a responsible adult.

ADDITIONAL REQUIREMENTS FOR CENTRE-BASED SERVICES THAT PROVIDE OR ARRANGE REGULAR TRANSPORTATION

The 2019 National Quality Framework (NQF) Review identified that, despite educator-to-child ratios applying during periods of transportation and the requirement to conduct a risk assessment, transportation can still present heightened risks to the safety of children (particularly very young children), often during the period of movement between a vehicle and an education and care service premises or other location.

Serious incidents have occurred when children get on or off vehicles and are checked into or out of the service. Most notably, examples include when a child has been left alone inside a parked vehicle, or a child has not arrived at the service as expected and staff were unsure if the child had ever been on the bus.

To strengthen existing requirements, from 1 March 2023, the approved provider and nominated supervisor of centre-based services must ensure there is a staff member or nominated supervisor present while children are embarking and disembarking the vehicle at the education and care service premises during regular transportation. The person present must be in addition to the driver of the vehicle, and they must account for each child as they embark and disembark.

The approved provider and nominated supervisor must ensure the person conducts a check of the interior of the vehicle to ensure that no children remain on the vehicle (Regulations 102E and 102F).

The approved provider and nominated supervisor must ensure that records are made when a child is transported during regular transportation provided or arranged by an education and care service.

A record must be made immediately after all children have embarked the vehicle that states:

- Confirmation that each child was accounted for when embarking the vehicle at the education and care service premises
- How each child was accounted for when embarking the vehicle at the education and care service premises
- The name and signature of the person who accounted for the children who embarked
- The time and date the record was made.

A record must be made immediately after all children have disembarked the vehicle that states:

- Confirmation that each child was accounted for when disembarking the vehicle at the education and care service premises
- How each child was accounted for when disembarking the vehicle at the education and care service premises
- That the interior of the vehicle was checked after all children disembarked the vehicle at the education and care service premises
- The name and signature of the person or persons who accounted for the children who disembarked and completed the check of the vehicle
- The time and date the record was made.

These records must be kept until the end of 3 years after the last date on which the child was educated and cared for by the service.

As long as all of the above requirements are met, these records may be kept in one document.

These requirements help ensure adequate supervision is maintained, particularly at times of greater risk to children during transportation: embarking, disembarking and when no children are expected to be in a vehicle.