



These guidelines are part of a series intended to assist in the development of your service's policies and procedures required under regulations 168 and 169. They set out the main components to be included in your policies and procedures, and considerations for each component.

They should guide how you develop your policies and procedures, and are not an exact format to be followed.

WATER SAFETY

POLICY GUIDELINES

Under the *Education and Care Services National Regulations*, an approved provider must ensure that policies and procedures are in place for managing water safety, including during any water-based activities (regulation 168(2)(a) (iii)) and take reasonable steps to ensure those policies and procedures are followed (regulation 170).

For centre-based services, a copy of the service's proposed water safety policy must be included in the application for service approval if there is a swimming pool or other water hazard (regulation 25(1)(c)). For family day care (FDC) residences or venues, a copy of the service's proposed water safety policy must be included in the application for service approval if the approved provider permits a residence or venue with a swimming pool or something that may constitute a water hazard (regulation 26(1)(l)). Approved providers must ensure that residences or venues comply with fencing requirements and conduct monthly inspections of swimming pools and surrounds. In addition to these regulations, some states have prohibitions on swimming pools in services generally, or specific service types.

Services must have *Water safety policy* and *procedures* that include:

- how educators and staff are to manage any risks around water
- detailed risk assessments that consider any water hazards and associated risks, including water-based activities and excursions near water
- information about adequate supervision around water play, excursions and water hazards
- service procedures that give clear direction around any access to water while a child is enrolled in your service, e.g. water play, excursions, pools, water hazards, water features.

Your policies and procedures should address these requirements, as well as quality practices relating to water safety that align with the National Quality Standard.

Every service is different so it is not sufficient to apply generic policies and procedures to multiple services. You will need to contextualise your policies and procedures to your service's operations and its unique context.

1. Title

Water safety policy

2. Policy statement

The policy statement will reflect your service's philosophy about dealing with water safety with children.

For example:

Water safety policies and procedures help keep children safe in and around water and support children's learning in a safe environment. Children's safety and wellbeing will be protected in and around water through supervision and education.

3. Background

Your policy needs to include a statement of why this policy is in place.

For example:

The *Education and Care Services National Regulations* require approved providers to ensure their services have policies and procedures in place for managing water safety, including safety during any water-based activities.

According to Kidsafe (the recognised authority on the prevention of injuries in children), drowning continues to be one of the main causes of fatalities of Australian children. Every year a number of children drown or were in near drowning situations. Non-fatal drowning incidents are also of great concern as they can have potential long-term effects, including brain damage and permanent disability.

The most common factor in childhood drowning is a lack of supervision. A child can drown in as little as a few centimetres of water. A water hazard or water feature may include dams, ponds, water fountains, large drains or any areas that retain water. Items such as nappy buckets, sinks, pet drinking bowls, ponds, pools, water features and water tanks are also potential drowning hazards.

4. Legislative requirements

Your policy must be consistent with, and refer to, legislative requirements for managing water safety.

Examples include, but are not limited to:

Section 165	Offence to inadequately supervise children
Section 167	Offence relating to protection of children from harm and hazards
Regulation 25(1)(c)	Additional information about proposed education and care service premises
Regulation 26(1)(l)	Application for service approval – family day care – swimming pool
Regulation 101	Conduct of risk assessment for excursion
Regulation 115	Premises designed to facilitate supervision
Regulation 116	Assessments of family day care residences and approved family day care venues
Regulation 116A	Inspection of swimming pools, water features and other potential water hazards at family day care residences and approved family day care venues
Regulation 116B	Inspection report
Regulation 116C	Compliance with fencing requirements for swimming pools at family day care residences and approved family day care venues
Regulation 168(2)(a)(iii)	Education and care services must have policies and procedures on water safety, including safety during any water-based activities
Regulation 169	Additional policies and procedures – family day care service
Regulation 170	Policies and procedures to be followed
Regulation 171	Policies and procedures to be kept available
Regulation 172	Notification of change to policies or procedures
Regulation 274	Swimming pools (NSW only)
Regulation 345	Swimming pool prohibition (Tasmania only)

When writing your policy, you will need to break down what is required under each regulation and how your service will meet these requirements. How these work in practice will be contained in your procedures.

As you reflect on the *Water safety policy*, it might highlight the need to split its various areas into different policies and procedures that can be readily accessed by all staff members to follow. For example, you may wish to have separate policies for *Water play* and *Excursions that involve water*.

5. Principles to inform your policy

All decision-making should be carried out in accordance with the principles of your service's *Water safety policy*. Examples of principles could include, but are not limited to:

- The safety, health and wellbeing of children is our number one priority. All water-based activities will be adequately supervised and no child will be left unattended when in proximity to water.
- Water-based play is an important part of our children's healthy growth, learning, wellbeing and development. Our educators and other staff ensure that all precautions are employed to safeguard children during these experiences.
- Clear roles and responsibilities ensure that management, educators and other staff are aware of their roles and responsibilities in relation to water safety.
- We create opportunities for children to learn and develop. This includes incorporating water safety awareness into the educational program.

Considerations for family day care

Regulation 116 requires approved providers to assess each proposed FDC residence or venue before education and care is provided, to ensure the safety, health, and wellbeing of children. They must consider its suitability according to the number, ages and abilities of the children. This includes any swimming pools, water hazards or water features. A water hazard or water feature may include dams, ponds, water fountains, large drains or any areas that retain water. Approved providers must ensure that a diagram is displayed which shows the areas of a FDC residence or approved venue indicating the areas of the residence or venue suitable for the provision of education and care to children. The diagram should include the existence of any water hazards, water features or swimming pools at or near a FDC residence or venue.

The approved provider (or a person nominated by the approved provider to represent the approved provider such as the service coordinator) must conduct monthly inspections of water hazards, water features or swimming pools at each family day care residence and approved family day care venue with a water hazard, water feature or swimming pool. Please note that this cannot be undertaken by someone who provides education and care to children at the residence or venue, or someone who resides at the residence.

An inspection may be conducted in person or remotely using technology that enables the person to conduct the inspection without visiting the residence or venue in person. However, no more than six 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.

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

1. the address of the residence or venue; and
2. the date and time of the inspection; and
3. the full name of the person who conducted the inspection and the person's signature; and
4. whether the inspection was conducted on site or remotely; and
5. details of any safety risks or issues identified during the inspection; and
6. if any safety risks or issues are identified:
 - a. the action that the person who conducted the inspection considers should be taken to rectify it and mitigate risks associated with it before it is rectified; and
 - b. an estimate of the time needed to rectify the identified safety issue.

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.

Approved providers will be required to keep the inspection reports available for inspection.

Regulation 136 requires that FDC educators and educator assistants hold a current approved first aid qualification.

The following qualifications are taken to be current if the qualification was attained or the training was undertaken within the previous three years:

- Approved first aid qualifications (except in the case of emergency life support training and cardio-pulmonary resuscitation training, which must be completed within the previous year to be taken as current)
- Approved anaphylaxis management training
- Approved emergency asthma management training.

Considerations for regional, remote and rural services

In addition to creeks, rivers and canals found at all locations, services or any FDC educators located in regional, remote or rural areas may need to consider additional water hazards such as dams, waterways, water troughs, and animals accessing water or drinking containers. These may require extra care in assessing and managing risk.

6. Key terms

To make it easier for your audience, provide definitions of key terms that may not be used every day. For example:

Term	Meaning	Source
ACECQA – Australian Children’s Education and Care Quality Authority	The independent national authority that works with all regulatory authorities to administer the National Quality Framework, including the provision of guidance, resources, and services to support the sector to improve outcomes for children.	acecqa.gov.au
Adequate supervision	Means: <ul style="list-style-type: none"> • an educator can respond immediately, particularly when a child is distressed or in a hazardous situation • knowing where children are at all times and monitoring their activities actively and diligently. 	Guide to the NQF (Operational Requirements – Quality Area 2)
Approved first aid qualifications	A qualification that includes training in the matters set out below, that relates to and is appropriate to children, and has been approved by ACECQA and published on the list of ACECQA’s approved first aid qualifications and training. Matters are likely to include: emergency life support and cardio-pulmonary resuscitation; convulsions; poisoning; respiratory difficulties; management of severe bleeding; injury and basic wound care; and administration of an auto-immune adrenalin device.	National Regulations (Regulation 136)
Risk assessment	A systematic process of evaluating the potential likelihood and consequences of risks that may be involved in a projected activity or undertaking.	
Serious incident	For the purposes of the definition of serious incident in section 5(1) of the Law, each of the following is prescribed as a serious incident: <ol style="list-style-type: none"> the death of a child— <ol style="list-style-type: none"> while that child is being educated and cared for by an education and care service; or following an incident occurring while that child was being educated and cared for by an education and care service; any incident involving serious injury or trauma to a child occurring while that child is being educated and cared for by an education and care service— <ol style="list-style-type: none"> which a reasonable person would consider required urgent medical attention from a registered medical practitioner; or for which the child attended, or ought reasonably to have attended, a hospital; <p>Example: A broken limb.</p> <ol style="list-style-type: none"> any incident involving serious illness of a child occurring while that child is being educated and cared for by an education and care service for which the child attended, or ought reasonably to have attended, a hospital; 	

Term	Meaning	Source
Serious incident, cont.	<p>Example: Severe asthma attack, seizure or anaphylaxis reaction.</p> <p>d. any emergency for which emergency services attended;</p> <p>e. any circumstance where a child being educated and cared for by an education and care service—</p> <ul style="list-style-type: none"> i. appears to be missing or cannot be accounted for; or ii. appears to have been taken or removed from the education and care service premises in a manner that contravenes these Regulations; or iii. is mistakenly locked in or locked out of the education and care service premises or any part of the premises. 	National Regulations (Regulation 12)
Hazard	Situations or things that have the potential to harm a person.	
Water hazard	<p>Any water body that poses a potential drowning risk to children and could include:</p> <ul style="list-style-type: none"> • large bodies of water, such as rivers, creeks, dams, ponds, swimming pools, jetted bathtubs (or jacuzzis), in-ground spas, above ground portable spas (or hot tubs) or any container with poor drainage that allows water to pool • smaller bodies of water, such as baths, nappy buckets and pet water containers. 	Guide to the NQF (Operational Requirements – Quality Area 7)

7. Links to other policies

Refer to related policies and procedures, for example:

- Providing a child safe environment
- The administration of first aid
- Emergency and evacuation
- Excursions
- Incident, injury, trauma and illness
- Assessment and reassessment of residences and venues for FDC

8. Induction and ongoing training

State information about induction training and frequency of ongoing training and information sharing to assist managers, coordinators, educators and other staff to fulfil their roles effectively.

9. Policy created/reviewed

Include the date the policy was created, reviewed or changes were made.

10. Monitoring, evaluation and review

State when the policy will be reviewed and who will be responsible for this. All procedures need to be monitored and reviewed regularly to ensure that they are up to date and compliant with the National Law and National Regulations. Your policies should record the dates they have been reviewed or when changes have been made, as well as the next review date. In the event

of a revision or change of policy, you will need to ensure educators and families are made aware of the changes and the revised policy, removing access to electronic or hardcopies of the older versions. Follow appropriate record-keeping processes for each updated version of the policy.

State when the policy will be reviewed and who will be responsible for this.

11. Checklist

Have you referenced the relevant regulations and are these reflected in the policy?

Does the title provide a clear and concise statement identifying the intent of the policy?

Have you checked the policy requirements and referenced related legislation that applies to your service type?

Does your policy statement provide a framework for decision-making and ensure consistent practice?

Does your policy statement reflect your service's philosophy?

Is it clear why this policy exists?

WATER SAFETY

PROCEDURES GUIDELINES

Under the *Education and Care Services National Regulations*, an approved provider must ensure policies and procedures are in place in relation to the health and safety of children. These guidelines are part of a series intended to assist in the development of your policies and procedures required under regulations 168 and 169. They are to guide you to develop your policies and procedures, and are not an exact format to be followed.

Your procedures should be written in clear and concise language, making them easy to read and understand.

The steps and guidelines you document will not only guide your practice, but also inform regulatory authorities and families of educator and staff expectations and responsibilities at the service.

When thinking about your procedures for water safety with children, they need to be practical and achievable. For example, all water dishes for pets should not be accessible to children without adult supervision.

1. Title

Water safety procedures

2. Reference to policy and philosophy

Here you refer to your *Water safety policy* as seen in your policy documents. You can reference where you will find the policy to help those looking for it.

Your procedures will also reflect your service's overall philosophy and evidence-based health and safety best practices.

3. Procedures

This is where you detail the way you will implement the *Water safety policy*.

It is the 'How to' in your service and includes specific step-by-step procedures for managing water safety, e.g. outlining the daily responsibilities for educators and staff in relation to safety during any water-based activities.

Among the factors to consider are the age of the children and their physical capabilities, particularly in a service with a mixed age group.

Some areas that will be outlined here will include:

- where the procedures will be kept
- when they were last reviewed
- how you are using the procedures as part of your educator and staff inductions, including your processes around students and volunteer inductions and family members who might be attending an excursion where water has been identified as a risk
- templates and documents that might be required and/or used as a part of the procedure
- resources required for the implementation of procedures, where necessary
- systems to monitor the implementation of the procedures.

As you reflect on the *Water safety policy*, it might highlight the need to split its various areas into different procedures, which will be displayed or accessed by all educators and staff to follow in relation to their required actions. For example, you may wish to have separate procedures for *Water play*, *Cleaning* and *Risks associated with water filled buckets*.

4. Roles and responsibilities

This is where you will designate specific roles and responsibilities for the different people within the service. This needs to align with the *Education and Care Services National Regulations* (see p. 9 below).

It is important to note that it is the legal responsibility of approved providers to ensure systems are in place to minimise risk and ensure health and safety procedures are implemented by the responsible people in services including family day care environments (if applicable). Ultimate responsibility lies with the approved provider to ensure their service/s are meeting the requirements under the *Education and Care Services National Law*.

When developing this section consider:

- What are the roles and responsibilities of the approved provider, responsible person, nominated supervisor, coordinators, educators or other staff in your service in relation to managing water safety and conducting monthly inspections of water hazards, water features or swimming pools?
- How will you clearly define these roles and expectations and where will it be documented?
- Why are clear and robust procedures for water safety important for children’s health, safety and wellbeing?
- How will you learn from the administration of these procedures to improve your practices?
- How will you ensure that the necessary tools are available so educators and staff can follow the procedures in relation to managing water safety? How will educators and staff be made aware of the procedures?
- Do the roles and responsibilities reflect your service type?

An example of roles and responsibilities could include, but is not limited to:

Roles	Responsibilities
Approved provider	<ul style="list-style-type: none"> • ensure that obligations under the <i>Education and Care Services National Law</i> and <i>National Regulations</i> are met • keep a child safe environment • ensure that there is adequate supervision provided given the ages and developmental needs of children undertaking water activities (including ratios) • ensure risk assessments are undertaken, and water hazards and risks associated with water-based activities are taken into consideration; in a FDC setting, ensure risk assessments are undertaken monthly and records are made and kept. • in a FDC setting, a diagram showing the areas of a FDC residence or approved venue indicating the areas of the residence or venue suitable for the provision of education and care to children. The diagram should include the existence of any water hazards, water features or swimming pools at or near a FDC residence or venue • ensure that any swimming pool at a family day care residence or approved family day care venue is fenced in accordance with the requirements for fencing a swimming pool under relevant fencing laws, regulations and standards in the participating jurisdiction in which the residence or venue is located. • take reasonable steps to ensure that the policy and procedures are current, reviewed regularly, and communicated to educators, staff and stakeholders • take reasonable steps to ensure that nominated supervisors, educators, staff and volunteers follow the policy and procedures • ensure copies of the policy and procedures are readily accessible to nominated supervisors, educators, staff and volunteers, and available for inspection • notify families at least 14 days before changing the policy or procedures if the changes will: <ul style="list-style-type: none"> » affect the fees charged or the way they are collected or » significantly impact the service’s education and care of children or » significantly impact the family’s ability to utilise the service.

Roles	Responsibilities
Nominated supervisor	<ul style="list-style-type: none"> • ensure that there is adequate supervision provided given the ages and developmental needs of children undertaking water activities (including ratios) • inform families about water safety practices at the service • ensure first aid and CPR qualifications and requirements are met at all times • ensure that at least one educator, staff member or nominated supervisor who holds a current approved first aid qualification is in attendance at all times that children are being educated and cared for by the service • undertake risk assessments for excursions near water and for water-based activities • take reasonable steps to ensure that the policy and procedures are current, reviewed regularly, and communicated to educators, staff and stakeholders • take reasonable steps to inform and support educators and staff of their responsibilities in implementing the policy and procedures at all times • guide and mentor educators and staff to be able to follow the policy and procedures.
Centre-based educators	<ul style="list-style-type: none"> • reinforce water safety messages within the children’s education program • make sure water hazards are managed as outlined in your procedure, e.g. water trough is emptied and packed away as soon as play has ended • ensure buckets that contain liquids are not accessible to children • empty, safely cover or make inaccessible to children all water containers when they are not in use, e.g. mop buckets, nappy buckets, bathtubs, water troughs, pet water containers • ensure water troughs or containers for water play will be supervised at all times and containers or troughs will be emptied after use • inspecting indoor and outdoor environments for potential water hazards, particularly during and after wet weather.
Family day care educators	<ul style="list-style-type: none"> • ensure risk assessments are undertaken and risks associated with water hazards (e.g. spa baths, water features, swimming pools and their respective fencing requirements), water-based activities and excursions are taken into consideration • consider implementing a family day care pool safety daily reminder checklist and undertake a risk-based approach to ensure there is a safe environment for children around swimming pools. • implement management strategies for water hazards and excursions • ensure that there is adequate supervision provided given the ages and developmental needs of children undertaking water activities (including ratios) • empty, safely cover or make inaccessible to children all water containers when they are not in use, e.g. mop buckets, nappy buckets, bathtubs, water troughs, pet water containers • ensure water troughs or containers for water play will be supervised at all times and containers or troughs will be emptied after use • inform families about water safety practices in the home • hold a current approved first aid qualification • inspecting indoor and outdoor environments for potential water hazards, particularly during and after wet weather.

The following table will assist you in developing procedures specific to your service’s needs and context. Referring to the *Education and Care Services National Regulations* when you are writing your procedures will assist you to ensure that you are meeting your obligations.

Areas to include in your procedures	Things to consider and outline in each area (this will be specific to the context of your service)	Strategies for monitoring and implementing procedures	Related policy and/or procedures
<p>Preventing and managing water safety incidents</p> <p>Act: 167</p> <p>Regs: 168, 170, 171, 172</p> <p>QA2: 2.1.2, 2.1.3, 2.2.1, 2.2.2</p> <p>QA3: 3.1</p> <p>QA4: 4.1.1</p> <p>QA7: 7.1.2, 7.1.3</p>	<ul style="list-style-type: none"> • How best to conduct risk assessments: <ul style="list-style-type: none"> » for water-based activities (at the service premises, FDC residence, FDC venue or on excursions) » of any swimming pools, water hazards or water features (at the service premises, FDC residence, FDC venue or on excursions), including the placement of items that could allow children to access the hazard, e.g. to climb a pool fence. • What your management processes are for the risks identified with water-based activities, water hazards, and excursions where water has been identified as a risk • How you will ensure there are the required first aid trained educators and staff at the service. • The type of water-based activities and how they are led and influenced by the ages and abilities of children. • How you are going to meet and monitor any supervision plans or ratio checks. • How will you manage a venue with groups of children participating in other activities. • How you intend to meet the regulations related to preventing incidents, injury, trauma and illness in relation to water safety. • The actions needed to manage water hazards as they arise, e.g. water features and pools, water spilt during play. • Clear procedures for managing the risks around backyard pools and water hazards (e.g. ponds, riverbeds). • Developing a water safety management plan. • Actions to be undertaken if a child is found unattended in a pool or other water hazard. 	<ul style="list-style-type: none"> • Make sure your policy and procedures are available for all to access. • Ensure risk assessments are carried out, reviewed and updated as required. • Regularly reflect on supervision plans and ratio checks. • Include procedures for water safety, supervision and removal of water hazards in educator and staff induction training, reflect and review in meetings. • Consider creating tools to help educators and staff identify water hazard risks. • Clearly defined roles and responsibility statements in relation to specific hazards. • Ensure educators and staff understand their supervision, water play and safety responsibilities and clearly communicate with each other if handing over the role of direct supervision to another educator. 	<ul style="list-style-type: none"> • Providing a child safe environment • Incident, injury, trauma or illness • Excursions • Emergency and evacuation • Interactions with children

Areas to include in your procedures	Things to consider and outline in each area (this will be specific to the context of your service)	Strategies for monitoring and implementing procedures	Related policy and/or procedures
Preventing and managing water safety incidents, cont.	<ul style="list-style-type: none"> • What local authority or government requirements there may be for fencing, pools, spas or other water hazards, e.g. pool registration certification. • Ways to integrate water safety into educational programming and planning. 		
<p>Documenting and reporting water safety incidents</p> <p>Act: 167</p> <p>Regs: 87, 168</p> <p>QA2: 2.1.2, 2.2.2</p> <p>QA3: 3.1</p> <p>QA7: 7.1.2, 7.1.3, 7.2.1</p>	<ul style="list-style-type: none"> • Ensure that a written report is provided to each family day care educator that outlines details of a risk identified in relation to the water hazard, the water feature or the swimming pool located at the residence or venue, including; any action that the person who conducted the inspection considers should be taken either to rectify the risk; or to mitigate the risk before it is rectified; and an estimate of the time required to rectify the risk: <ul style="list-style-type: none"> » The actions needed to notify of an incident to the regulatory authority. » Identify steps taken for managing water hazards and include in documentation. » Reflect and identify improvements and or changes to water safety procedures to ensure incident doesn't happen again. 	<ul style="list-style-type: none"> • Clearly defined roles and responsibility statements or shift descriptions. • Ensure all educators and staff understand each step of the procedure. 	<ul style="list-style-type: none"> • Governance and management • Incident, injury, trauma and illness

5. Procedures created/reviewed

Include the date the procedures were created or reviewed.

6. Monitoring, evaluation and review

Your service, in consultation with educators and other key staff, families and other stakeholders, should review the effectiveness of this procedure within a set timeframe or earlier if there is a change in relevant legislation.

State when the procedures will be reviewed and who will be responsible for this. All procedures need to be monitored and reviewed regularly to ensure that they are up to date and compliant with the National Law and National Regulations. Your procedures should record the dates they have been reviewed or when changes have been made, as well as the next review date. In the event of a revision or change of procedure, you will need to ensure educators and families are made aware of the changes and the revised procedure, removing access to electronic or hardcopies of the older versions. Follow appropriate record-keeping processes for each updated version of the procedures.

7. Checklist

Do the *Water safety procedures* align with your *Water safety policy*?

Have your procedures been written in plain English and can they be easily implemented by an educator or staff new to your service?

Is it clear who is responsible for the implementation of the procedure?

Are all educators and staff aware of the procedures and can implement them if required?

Have your policies and procedures been communicated with families?

Do you need to develop any resources to monitor and record the procedure?

REFERENCES AND RESOURCES

Include links to useful resources that have helped inform the development of your policy. Be mindful of any state or territory specific content.

Some examples include, but are not limited to:

- ACECQA – [Guide to the National Quality Framework](#)
- ACECQA – [Opening a new service](#)
- ACECQA – [Risk assessment and management](#)
- Kidsafe – [Water safety resources](#)
- ACECQA – [New South Wales Government – Water safety](#)
- South Australian Government – [Education Standards Board – Water safety](#)
- [Swim Australia – Water safety in Australia](#)