



Regulatory Guidance: Preventing harm and creating child safe environments for Family Day Care

Harm prevention and creating child safe environments

As the NSW Regulatory Authority, the NSW Department of Education is responsible for effective oversight across all children’s education and care services. Our first priority is the health, safety and wellbeing of children. The Department is focused on harm prevention to ensure children’s safety, and we are committed to working with providers to ensure they are aware of their obligations.

As a Family Day Care (FDC) approved provider, nominated supervisor or educator, you are responsible for providing a child safe environment, protecting children from harm, abuse and neglect, and responding to and reporting incidents, suspected incidents and concerns.

There are several areas in the [National Law and Regulations](#) that set out how this accountability looks in practice. A good point of reference for this is the [ACECQA materials](#) developed exclusively for family day care.

Current challenges for NSW Family Day Care

Since July 2021:

569 visits to FDC settings

The number of planned visits was heavily impacted by COVID restrictions.

Over 1,500 confirmed instances of non-compliance

Across a range of harm prevention and child safety requirements.

Most common compliance breaches by FDC Services

As at July 2022:

Regulation/ Law	Quality Area
Regulation 160: Child enrolment records to be kept by approved provider and family day care educator.	Quality Area 7: Governance and leadership
Law 167: Offence relating to protection of children from harm and hazards.	Quality Area 2: Children’s Health and Safety
Regulation 97: Emergency and evacuation procedures.	Quality Area 2: Children’s Health and Safety

How to better safeguard family day care settings for children

These safety practices are just some ways you can prevent harm to children and create an environment that is safe for children.

Complete a **daily safety checklist** every day to make sure your house or apartment and yard/ play space is safe for children. As approved providers, ask to see these lists to ensure educators are completing them.

Be risk aware and **maintain the safety of FDC environments** at all times throughout the day by rechecking spaces for any potential risk to children.

Follow appropriate **safe sleep practices**. Red Nose Australia has [‘Safe Sleeping and Infant Safety’](#) resources that can help you to set up a safe sleep environment.

Lock doors or apply safety latches to shut off parts of the home that could contain hazards such as the kitchen, laundry or garage.

Ensure all **cleaning materials, detergents and poisons** including alcohol and cigarettes are locked away. Some plants are also poisonous to children.

Every FDC service must have an **evacuation plan**. You must also practice emergency and evacuation procedures with every child in your care every 3 months.

Remove hazards by putting safety plugs in all power points and check toys, furniture, play equipment, fences and flooring are safe and unbroken.

Make sure all adults living in the house have a **working with children check**.

Be aware that **some things you normally do at home, you should not do when caring for children in your home**. Like having a hot drink where a child might be able to reach it or where you might spill it.

Resources

ACECQA

- Access Family Day Care resources at <https://www.acecqa.gov.au/resources/supporting-materials/family-day-care>

NSW Family Day Care Association Inc.

- Use the NSW FDC Daily Checklist at <https://nswfdc.org.au/wp-content/uploads/2019/09/Daily-Safety.pdf>
- Use the Great spaces, Safe spaces: Keeping Children Safe in Family Day Care at <https://nswfdc.org.au/wp-content/uploads/2019/10/Keeping-children-safe-in-FDC.pdf>
- Use the 'What happens if something goes wrong in Family Day Care?' at <https://nswfdc.org.au/wp-content/uploads/2019/09/What-happens-if-something-goes-wrong-in-FDC.pdf>

NSW Department of Education

- Access the 'Emergency Planning, Management, Response and Recoveries' resources at <https://education.nsw.gov.au/early-childhood-education/operating-an-early-childhood-education-service/current-service-providers/emergency>


Red Nose Australia

- Access the 'Safe Sleeping and Infant Safety' resources at <https://rednose.org.au/resources/education>

To contact the NSW Regulatory Authority, you can email NSW Department of Education ececd@det.nsw.edu.au or phone 1800 619 113.

We acknowledge the homelands of all Aboriginal people and pay our respect to Country.

Say hello

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- education.nsw.gov.au

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GPO Box 33, Sydney NSW 2001
Australia
Phone: 1300 679 332

