



DAME NELLIE MELBA  
KINDERGARTEN  
EST 1915

# Water Safety Policy

Mandatory – Quality Area 2



## PURPOSE

This policy will outline the procedures that apply to managing water safety, including safety during any water-based activities at DNМК.

## POLICY STATEMENT

### VALUES

DNМК is committed to:

- the safety, health and wellbeing of children. All water-based activities will be adequately supervised and no child will be left unattended when in proximity to water
- ensuring that the approved provider, educators and all other staff are aware of their roles and responsibilities in relation to water safety
- providing opportunities for children to explore their natural environment including through water play
- ensuring that children are protected from the risks associated with drowning or non-fatal drowning experiences
- ensuring that curriculum planning incorporates water safety awareness
- providing information to educators, staff, parents/guardians, volunteers and others at the service about water safety.

### SCOPE

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, staff, students, volunteers, parents/guardians, children, and others attending the programs and activities of DNМК, including during offsite excursions and activities.

RESPONSIBILITIES	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
<b>R</b> indicates legislation requirement, and should not be deleted					
Ensuring that obligations under <i>the Education and Care Services National Law and National Regulations</i> are met	R	√	√		√
Ensuring parents/guardians are informed of the <i>Water Safety Policy</i> on enrolment ( <i>Regulation 168(2)(a)(iii), 171</i> )	R	√	√		√
Assisting the approved provider to implement the <i>Water Safety Policy (Regulation 170)</i>		R	√		√

Ensure that there is adequate supervision ( <i>refer to Definitions</i> ) provided given the ages and developmental needs of children undertaking water activities (including ratios) ( <i>National Law: Section 165, Regulation 115</i> )	R	√	√		√
Adjusting supervision strategies to suit the activities being undertaken ( <i>refer to Supervision of Children Policy</i> )		√	√		√
Ensuring risk assessments are undertaken and water hazards and risks associated with water-based activities are taken into consideration both at the service and prior to conducting excursions and other offsite events ( <i>National Law: Section 16, Regulation 101</i> )	R	√	√		√
Conducting a risk assessment in relation to any water hazards on or near the premises that may be accessible to children ( <i>National Law: Section 165</i> )	R	√	√		√
Ensuring permission is obtained from parents/guardians for an excursion to a location where there is a water hazard ( <i>Regulation 102</i> ) ( <i>refer to Excursions and Service Events Policy</i> )	R	√	√		√
Ensuring increased levels of supervision for an excursion to a location where there is a water hazard ( <i>refer to Supervision of Children Policy</i> ) ( <i>National Law: Section 165</i> )	R	√	√		√
Conducting a regular safety check of the service premises ( <i>refer to Occupational Health and Safety Policy</i> ) ( <i>National Law: Section 167</i> )	R	R	√		√
Ensuring doors, gates and other barriers restricting access to water hazards are closed at all times and that fences are kept clear at all times ( <i>National Law: Section 167</i> )	R	R	√	√	√
Ensuring that containers of water (including nappy buckets and cleaning buckets) are sealed with child-proof lids ( <i>National Law: Section 167</i> )	R	R	√		√
Ensuring wading/paddling pools, water play containers, portable water troughs and pet water containers are emptied immediately after each use and stored in a manner that prevents the collection of water when not in use ( <i>National Law: Section 167</i> )	R	R	√		√
Checking the outdoor learning environment at the beginning and end of each day for puddles or filled containers that could pose a potential risk to small children after heavy rain ( <i>National Law: Section 167</i> )	R	R	√		√
Ensuring any water hazards that are not able to be adequately supervised at all times are isolated from children by a child-resistant barrier or fence (particularly large bodies of water including swimming pools, rivers, ponds etc.) ( <i>National Law: Section 167</i> )	R	R	√		√
Ensuring that an educator with a current approved first aid qualification ( <i>refer to Definitions</i> ) is in attendance and immediately available at all times children are being educated and cared for by the service ( <i>Regulation 136</i> )	R	√			
Ensuring that all educators' current approved first aid qualifications meet the requirements of the National Regulations	R	√			

and are approved by ACECQA ( <i>refer to Administration of First Aid Policy</i> ) ( <i>Regulation 136</i> )					
Ensuring that details of current approved first aid qualifications ( <i>refer to Definitions</i> ) are filed with each staff member's record	R	√			
Reporting serious incidents ( <i>refer to Definitions</i> ) to DET ( <i>Regulation 174, 175</i> )	R	√			
Informing the approved provider immediately if any serious or notifiable incidents ( <i>refer to Definitions</i> ) occur at the service.		√	√		√
Reporting notifiable incidents ( <i>refer to Definitions</i> ) to WorkSafe Victoria	R	√			
Providing current information to parents about water safety		√	√		√
Providing water safety education and information as a part of the service's program		√	√		√

## BACKGROUND AND LEGISLATION

### BACKGROUND

The supervision and safety of children with and around water is of paramount importance.

Learning spaces and environments should offer an array of possibilities and connect children with natural materials. Water is one experience that offers children sensory-rich, open-ended experiences that engage their curiosity and imagination. Children may encounter these resources in the service environment and/or when on excursions. These experiences, especially those conducted with and near water, will be carefully supervised ensuring the safety of children and adults. It is imperative that educators remain vigilant in their supervision of children in and around water and are alert to potential risks in everyday practice in the learning environment.

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Water safety relates to access to water in the building, the playground or on excursions, and to the availability of drinking water for children. It is important for services to have detailed risk assessments that consider any water hazards and associated risks, including water-based activities and excursions near water. The service's policy and procedures should outline quality practices relating to water safety that align with the NQS.

It is imperative that educators remain vigilant in their supervision of children in and around water and are alert to potential risks in everyday practice in the learning environment.

Drowning is a leading cause of death for children in Victoria, with infants and toddlers the group most at risk. Non-fatal drowning incidents can result in permanent brain damage and disability. Knowledge of potential hazards associated with water will assist educators to provide a safe, stimulating environment for preschool children.

Drowning hazards include large bodies of water such as swimming pools, rivers, creeks, dams and ponds. Smaller bodies of water, including nappy buckets, water containers, pet water bowls and poor drainage which allows water to collect can also present drowning hazards for young children. Children can drown in as little as a few centimetres of water.

Keep Watch is a public education program of Royal Life Saving Society – Australia, aimed at preventing the drowning deaths of children under 5 years of age in all aquatic locations. The program has four key actions:

- **supervise** children constantly around water
- **restrict access** to water hazards by using child-proof barriers and fences
- provide **water awareness** training to children
- **resuscitation** saves lives – ensure that staff have completed current first aid training

## LEGISLATION AND STANDARDS

Relevant legislation and standards include but are not limited to:

- Child Wellbeing and Safety Act 2005 (Vic)
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- National Quality Standard, Quality Area 2: Children’s Health and Safety

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)
- Commonwealth Legislation – Federal Register of Legislation: [www.legislation.gov.au](http://www.legislation.gov.au)

## DEFINITIONS

The terms defined in this section relate specifically to this policy. For regularly used terms e.g. Approved provider, Nominated supervisor, Notifiable complaints, Serious incidents, Duty of care, etc. refer Attachment 1.

**Hazard:** A source or situation with a potential for harm in terms of human injury or ill health, damage to property, damage to the environment or a combination of these.

**Water hazard:** (in relation to this policy) can lead to drowning or non-fatal drowning incidences. Drowning hazards include large bodies of water such as swimming pools, rivers, creeks, dams and ponds. Smaller bodies of water, including nappy buckets, water containers, pet water bowls and poor drainage which allow water to collect can also present drowning hazards for young children.

## SOURCES AND RELATED POLICIES

### SOURCES

- FUSE: [www.fuse.education.vic.gov.au](http://www.fuse.education.vic.gov.au)
- Kidsafe – Water Safety Fact Sheet: [www.kidsafevic.com.au](http://www.kidsafevic.com.au)
- Life Saving Victoria - School Swimming and Water Safety Toolkit: [www.lsv.com.au/toolkit/](http://www.lsv.com.au/toolkit/)
- Royal Life Saving Society – Australia: [www.royallifesaving.com.au](http://www.royallifesaving.com.au)
- Water Safety Victoria – Water Safety Guide: *Play it Safe by the Water:* <https://www.vic.gov.au/water-safety>

### RELATED POLICIES

- Administration of First Aid
- Child Safe Environment and Wellbeing
- Emergency and Evacuation
- Excursions and Service Events
- Nutrition, Oral Health and Active Play
- Incident, Injury, Trauma and Illness
- Occupational Health and Safety
- Supervision of Children

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## EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

- regularly seek feedback from educators, staff, parents/guardians, children, management and all affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk (*Regulation 172 (2)*).

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## ATTACHMENTS

- NIL

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## AUTHORISATION

This policy was adopted by the approved provider of DNMK on June 2023

**REVIEW DATE:** June 2025

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## Attachment 1

### General Policy Definitions

**Approved Provider:** An individual or organisation that has completed an application and been approved by the Regulatory Authority as fit and proper (in accordance with Sections 12, 13 and 14 of the National Law) to operate one or more education and care services. Where the applicant is an organisation, each person with management and control (see definition below) of that organisation must complete a separate application form. (Note: Under the Education and Care Services National Law Act 2010, Section 5, Definitions: "person with management or control, in relation to an education and care service, means – (b) if the provider of the service is an eligible association, each member of the executive committee of the association who has the responsibility, alone or with others, for managing the delivery of the education and care service".)

**Australian Children's Education and Care Quality Authority (ACECQA):** The national authority established to oversee the National Quality Framework and guide its implementation in a consistent way throughout Australia.

**Department of Education and Training (DET):** The Victorian State Government department with Primary responsibility for the approval, monitoring and quality assessment of services in Victoria in accordance with the national legislative framework and in relation to the *National Quality Standards*

**Early childhood teacher:** A person with an approved early childhood teaching qualification as listed on the ACECQA website [www.acecqa.gov.au](http://www.acecqa.gov.au)

**Educational Leader:** The Approved Provider of an education and care service must designate, in writing, a suitably qualified and experienced educator, coordinator or other individual to lead the development and implementation of education programs at the service (Regulation 118). This person must have a thorough understanding of the Early Years Learning Framework (or other approved learning framework), be able to guide other educators in their planning and reflection, and mentor colleagues in their implementation practices.

**Educator:** An individual who is qualified to provide education and care for children as part of an education and care service.

**Learning frameworks:** Under the National Quality Framework (NQF), education and care services are required to ensure that the program delivered to all children being cared for and educated by the

service is based on and delivered in a manner that accords with an approved learning framework. In Victoria, the approved frameworks are:

- ☐ *Early Years Learning Framework (EYLF)*
- ☐ *Victorian Early Years Learning and Development Framework (VEYLDF)*
- ☐ *My Time, Our Place: Framework for School Age Care in Australia.*

**National Law:** Refers to the *Education and Care Services National Law Act 2010*: the national law regulating education and care services for children.

**National Quality Framework (NQF):** This framework for the early childhood education and care sector helps providers to improve the quality of services in areas that impact on a child's development. The framework includes:

- ☐ a National Law – the Education and Care Services National Law Act 2010
- ☐ National Regulations – the Education and Care Services National Regulations 2011 (please check online to ensure the most current version is being used)

☐ the National Quality Standard

☐ an assessment and rating system

☐ a Regulatory Authority in each state and territory with primary responsibility for the approval, monitoring and quality assessment of services in their jurisdiction in accordance with the national legislative framework and in relation to the National Quality Standard

☐ the Australian Children's Education and Care Quality Authority (ACECQA). The national body responsible for providing oversight of the system and ensuring consistency of approach.

**National Quality Standard (NQS):** The NQS sets a National benchmark for the quality of children's education and care services. The NQS is comprised of guiding principles, quality areas, standards and elements. There are seven quality areas which capture aspects critical to the provision of quality education and care.

**National Regulations:** Refers to the *Education and Care Services National Regulations 2011*: the regulations or rules under which education and care services must operate. The regulations are the way in which the law is applied.

**Nominated Supervisor:** A person who has been nominated by the Approved Provider of the service under Part 3 of the Act and who has consented to that nomination in writing can be the Nominated Supervisor. All services must have a Nominated Supervisor with responsibility for the service in accordance with the National Regulations. The Approved Provider must take reasonable steps to ensure that the Nominated Supervisor is a fit and proper person (in accordance with Sections 12, 13 and 14 of the National Law), with suitable skills, qualifications and experience. The Regulatory Authority must be notified if the Nominated Supervisor for the service changes, or is no longer employed at the service.

**Person with management or control:** Means— (a) if the provider or intended provider of the service is a body corporate, an officer of the body corporate within the meaning of the Corporations Act 2001 of the Commonwealth who is responsible for managing the delivery of the education and care service; or (b) if the provider of the service is an eligible association, each member of the executive committee of the association who has the responsibility, alone or with others, for managing the delivery of the education and care service; or (c) if the provider of the service is a partnership, each partner who has the responsibility, alone or with others, for managing the delivery of the education and care service; or (d) in any other case, a person who has the responsibility, alone or with others, for managing the delivery of the education and care service (Note: Under the *Education and Care Services National Law Act 2010*, Section 5).

**Person in day-to-day charge:** A person is in day-to-day charge if (a) the person is placed in day-to-day charge by the approved provider or a nominated supervisor of the education and care service after meeting the definition for a service supervisor certificate: and (b) the person consents to the placement in writing (Regulation 54)

**Policy:** A formal statement of principles which provides a framework for decision-making and indicates the course of action to be taken in specific circumstances. Policies provide services with an approved way of operating in relation to particular matters and improve the management of risk. They reflect the values and beliefs of a service, current thinking, national standards and community expectations, and are relevant in terms of current laws and regulations.

**Procedures:** The steps required to implement and comply with a policy. Procedures specify how to achieve the necessary result by outlining who does what and when. Procedures are succinct, factual and to the point, and are generally expressed as a list.

**Program:** The group/activity in which a child is enrolled and which has specific hours of attendance.



**Regulatory Authority:** see definition for the Department of Education and Training.

**Responsible Person:** The Approved Provider (if that person is an individual, and in any other case the person with management or control of the service operated by the Approved Provider) or a Nominated Supervisor or person who has been placed in day-to-day charge of the service in accordance with the National Regulations.

**Service Supervisor Certificates:** On 1st November 2016 the National Regulations were amended to expand the classes of people who may be covered by a prescribed class supervisor certificate.

The new prescribed classes are set out in regulation 238A, and include a person who is:

- ☐ *responsible for day to day management of the service, or*
- ☐ *exercising supervisory and leadership responsibilities for part of the service, or*
- ☐ *a family day care coordinator*

Certificates issued for people working in one of these roles are referred to as “*service supervisor certificates*”.

Service supervisor certificates will not be issued to a particular person. Instead they may apply to any person working at the service who has been identified by the approved provider as working in one of the above roles.

For example, if the service director is responsible for day to day management of the service, they can be covered under the service supervisor certificate. Similarly, a room leader who is responsible for supervising part of the service can also be covered by the service supervisor certificate.

With this new flexibility, most individuals do not need to apply to the regulatory authority for a supervisor certificate.

Under these arrangements, a person is covered under the service supervisor certificate and may be a nominated supervisor if:

- ☐ the approved provider identifies that they meet the definition for a service supervisor certificate and
- ☐ they give their written consent to be the nominated supervisor (required under sections 35, 44 and regulation 56).

Nominated supervisors have specific obligations under the National Law (See Nominated Supervisors above).

A person is covered and may be placed in day to day charge of the service if:

- ☐ the approved provider or the nominated supervisor identifies that they meet the definition for a service supervisor certificate and
- ☐ they give their written consent to be placed in day to day charge of the service (required under regulation 54).

These arrangements apply for centre based and family day care services, and make it easier for providers to meet the requirements to ensure that:

- ☐ for centre based services, either the approved provider, nominated supervisor or certified supervisor in day to day charge is present at the service at all times the service is educating and caring for children (section 162) and
- ☐ for family day care services, either the approved provider, nominated supervisor or a certified supervisor in day to day charge is available at all times to support family day care educators

**Staff:** Any individual (other than the Nominated Supervisor or a volunteer) employed, appointed or engaged to work in or as part of an education and care service.

