



## 7.17 Water hazards, Water Features or Swimming Pool Safety Policy

<b>Policy number:</b> 7.17
<b>Date last reviewed:</b> September 2023
<b>Reviewed by:</b> Child Care Team

This policy relates to	
Family Day Care/Venue Care/In Home Child Care	
National Quality Standards	<p>2.1.2 Effective illness and injury management and hygiene practices are promoted and implemented.</p> <p>2.1.3 Healthy eating and physical activity are promoted and appropriate for each child.</p> <p>2.2.1 At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.</p> <p>2.2.2 Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practised and implemented.</p> <p>3.1 The design of the facilities is appropriate for the operation of a service.</p> <p>4.1.1 The organisation of educators across the service supports children’s learning and development.</p> <p>7.1.2 Systems are in place to manage risk and enable the effective management and operation of a quality service.</p> <p>7.1.3 Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.</p>
Policy relates to	<p>Providing a child safe environment</p> <p>Administration of first aid</p> <p>Emergency and evacuation</p> <p>Excursions</p> <p>Incident, injury, trauma and illness</p> <p>Water Safety</p>

### Purpose

Children’s safety and wellbeing will be protected in and around water through supervision and education. A thorough risk assessment form and safety plan must be completed prior to any outing or experiences that may include access to water.

Educators will take precautions to ensure the swimming pool/spa is not accessible to children.

## Background

The Education and Care Services National Regulations require policies and procedures to be in place for managing water hazards, water features or swimming pool 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 leading causes of unintentional deaths for Australian children. Every year a number of children die by drowning and hundreds more are rescued from near drowning situations. Non-fatal drowning incidents can have potential long-term effects, including brain damage and permanent disability. <https://kidsafe.com.au/wp-content/uploads/2019/03/Drowning-Information-Sheet.pdf>

Drowning is a major killer of children under 5 years with more than 100 children drowning each year. Children can drown quickly and silently in only 5 cm of water. Children should be vigilantly supervised during water play form. Swimming pools remain the location with the highest number of 0-4 years drowning deaths.

## Policy

It is the educator's responsibility to advise all new parents prior to commencing care if they have a swimming pool, dam , water hazard or water feature on their property and what risk management plans are in place.

A water hazard or water feature may include dams, relocatable/paddling or fixed pools, ponds, water fountains, large drains or any areas that retain water. Any outdoor space used by children must be enclosed by a fence or barrier of a height and design that children preschool age and under cannot go through it, over it or under it

## Water Hazards, Water Features or Swimming Pool Risk Management

To maintain compliance with the Education and Care National Regulations the following documentation MUST be completed:

- *Pool/Water Hazards/Water Features Safety Daily Reminders* - completed each day by educators prior to children arriving for care that day
  - The daily safety reminders are developed to identify any issues and concerns with gates and safety barriers and areas surrounding the pool, water hazard or water feature.
  - Educators should be aware this is not an exhaustive list of checks to be undertaken.
  - Educators should assess and respond to risks that exist in their environment.
  - Educators should check if the swimming pool, water hazard or water feature will be accessible to children attending the education and care service.
  - If an issue cannot be rectified immediately, the educator must contact the coordination unit and ensure that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and hazard likely to cause injury.

- *Monthly Water Hazard Safety Inspection* – completed by the coordination unit each month with a copy kept by both Educator and coordination unit and available for inspection on request.
  - The educator will be provided with a copy of the *Monthly Water Hazard Safety Inspection*, with the required information including:
    - the address of the residence or venue; and
    - the date and time of the inspection; and
    - the full name of the person who conducted the inspection and the person's signature; and
    - whether the inspection was conducted on site or remotely; and
    - details of any safety risks or issues identified during the inspection; and
    - if any safety risks or issues are identified:
      - 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
      - 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 *Monthly Water Hazard Safety Inspection* will be provided to the educator within 24 hours of conducting the inspection. The coordination unit will follow up and monitor compliance with the inspection.
  - If no safety risk or issue is identified, the inspection report will be provided in seven (7) days.
- Annual inspection will occur as part of the annual review process.

Educators MUST have on display in the parent area, a property plan of their family day care premise indicating the approved and non-approved areas, including the existence of any water hazards, water features or swimming pools at or near the residence or venue.

*High risk management plan* will record how access has been prevented.

### **Swimming pool/spa**

Swimming is not permitted for any reason whilst children are in care due to the high risk.

Educators who have a pool/spa will be required to have a certified safety certificate (current within 6 months) from licensed pool safety inspector, prior to commencement. The educator will be required to have a new certificate supplied to the coordination unit in the event that there are renovations or changes to the environment that may affect the original pool certificate. Educators are responsible to maintain the fencing to the original certificate standard of approval. Educators are required to advise the coordination unit of any changes that occur or may occur, that could compromise the original pool safety certificate.

Educators are to provide a pool safety certificate from a licensed pool safety inspector every 2 years to the coordination unit.

If there are maintenance issues or changes are observed that may affect or compromise the pool safety certificate a new certificate will be requested from licensed pool safety inspector, and this may result in the suspension of care until resolved and a new certificate has been supplied.

Changes to the fence or gate may also lead to the coordination unit requesting a further certificate for safety reasons.

No person is to engage in swimming at a family day care premises whilst care is being provided. This is due to the following reasons:

- Inequity – It is unfair for a child in care to observe swimming and not be able to participate.
- Safety – Risks of the pool gate being left open are increased by family members and visitors accessing the pool area.
- Emergencies – The educator is unable to respond to an emergency in the pool area whilst children are in care.

Swimming pool fencing and gates must comply with ASA standards. Every fence shall be at least 1200mm high and prevent children accessing the pool area by going over, under, around or through. Every gate in such a fence shall be self-closing and self-latching and incorporate a latch which cannot be operated by a young child. The pool shall not be directly accessible from the house with doors or windows which allow access to the pool.

- Spas are to be rendered inaccessible by fencing which conforms to the above standard (AS1926).
- Any objects/ furniture/ equipment which could assist a child to climb up and over a fence or operate any gate, door or window must be removed from the outside area. Pool/spa toys, when left in and around the pool/spa, can attract the attention of children and draw them towards the pool/spa.
- A notice displaying current resuscitation procedures shall be permanently attached to a fixture within the pool area.

Wading pools may only be used with active constant supervision by the educator. Wading pools must only be used if the water is less than the height of the smallest child's knees.

Wading pools must be filled immediately before and emptied immediately after each separate use. Wading pools must be stored in a place inaccessible to children.

### **Ponds, Dams, Water Features and Other Water Hazards in an Educator's Care Environment**

Any pond or water hazard into which a young child could fall and drown must be:

- Covered by a material (mesh etc.) which must be secured and fixed in place and be capable of preventing the immersion of a young child's nose, mouth and/or face; Or
- Completely enclosed by a barrier, fence, wall, self-closing and self-latching gate in accordance to ASS1926, closing the door etc.

(This applies to water tanks where inlet openings are accessible to children).

Any premises which are adjacent to or provides access to any water hazards (such as dams, swimming pools, spas or fishponds), shall be isolated from such hazards by a fence or barrier of a height and design that children preschool age and under cannot go through it, over it or under it. Every gate in such a fence shall incorporate a secure latch, which cannot be operated by a young child.

## Activities Involving Water

Water experiences where there is no container of water e.g.: sprinkler, hose, slip and slide, tabletop water pouring experiences are able to occur as part of regular program and planning.

Water activities where water is in a container e.g., wading pool need to be planned 7 days in advance with a risk assessment displayed and approved by service and parents. (Planning in advance is recommended 5-7 days for parents to have opportunity to provide input, feedback or choose for their child to not participate). A **Water Activity Permission Form** must be completed in full then be forwarded to the coordination unit for approval

Educators shall ensure that children do not have access to any container in the outdoor play area that is capable of containing water or capable of allowing immersion of a young child's head or face (e.g. nappy bucket, animal drinking bowl etc.) unless directly supervised by the educator.

Containers must be filled immediately before and emptied immediately after each separate use. Wading pools must be stored in a place inaccessible to children.

## Outings Where Water is Accessible (also refer to 7.13 Outings and Excursions Policy)

It is recommended that outings do not occur where there are bodies of water (e.g. canals, waterways, ponds or dams) that could be accessed by children. If an outing is planned for an area where there is water such as a lake, a risk assessment needs to be conducted prior to the outing to ensure that the risk of water has been identified and assessed. This needs to be sent to the coordination unit at least 7 days prior to the outing occurring to allow further discussion on risk assessment.

Adult to child water ratios will also need to be met for any outing where there is a water risk, including lakes, canals, waterways, ponds and dams. A **Risk assessment for transportation of Regular outing and Excursion**, and **Excursion Consent form** must be completed prior to the outing, signed by the parent and forwarded to the coordination unit at least 7 days prior to the outing occurring (*Refer 7.13 Outings and Excursions Policy*).

The 7 days' notice is to ensure the following:

- The venue where water is located has been adequately risk assessed.
- Pre visit to venue has occurred.
- Parents have been provided adequate time to consider if the excursion is suitable for their child to attend. If they do not wish child to attend, the opportunity is given to make alternative arrangements for their child.
- The approved provider has had adequate time to confirm an appropriate risk assessment has occurred.

Where there are bodies of water identified as accessible the following ratios need to be considered, as part of risk management:

- For children who are less than 3 years – 1 adult accompanying for each child;
- For children who are at least 3 years but not yet 6 years of age – 1 adult accompanying for each 2 children;

- For children who are 6 years of age – 1 adult accompanying for each 4 children.

These ratios include all children in the Family Day Care service and include the educator's own children up to the age of 13 years.

Parents need to provide written permission prior to outings/excursions occurring and sign the "Risk assessment for transportation of Regular outing and Excursion" and "Excursion Permission Form" showing they have a clear understanding that there is water at the venue. The coordination unit requires a copy of the "Risk assessment for transportation of Regular outing and Excursion" and "Excursion Permission Form" to areas where there is water prior to the outing occurring due the outing being a higher risk situation and the need for risk assessment.

Consideration for risk assessment needs to include:

- Number, ages and abilities of children;
- Number and positioning of educators;
- Each child's current activity;
- Areas where children are playing, in particular the visibility and accessibility of these areas;
- Risks in the environment and experiences provided to children;
- The educator's knowledge and understanding of each child.

The educator must follow emergency procedures, and contact emergency services and the coordination unit immediately if a child appears to be missing. The Regulatory Authority must be notified within 24 hours if a child appears to be missing or cannot be accounted for.

#### **Relevant Legislation**

<https://www.qld.gov.au/law/your-rights/legal-and-property-rights/laws-for-building-houses-and-pools/pool-fencing-and-safety-laws>

Pool Legislation (Safety Certificate) AS1926

Building Act 1975

[www.legislation.qld.gov.au/legisln/current/b/builda75](http://www.legislation.qld.gov.au/legisln/current/b/builda75)

Education and Care Services National Law Act 2010

165 Offence to inadequately supervise children

167 Offence relating to protection of children from harm and hazards

174 Offence to fail to notify certain information to Regulatory Authority

Education and Care Services National Regulations 2011

25(1)(c) Additional information about proposed education and care service premises

26(1)(l) Application for service approval—family day care service

101 Conduct of risk assessment for excursion

116 Assessments of family day care residences and approved family day care venues

- 116a Inspection of swimming pools, water features and other potential water hazards at family day care
- 116b Inspection report
- 116c Compliance with fencing requirements for swimming pools at family day care residences and approved family day care venues
- 168(2)(a)(iii) Education and care service must have policies and procedures – Water safety, including safety during any water-based activities
- 169 Additional policies and procedures – family day care service
- 170 Policies and procedures to be followed
- 171 Policies and procedures to be kept available
- 172 Notification of change to policies or procedures

**Key Resources**

- Guide to the National Quality Framework - <https://www.acecqa.gov.au/nqf/about/guide>
- Risk assessment and management - [https://www.acecqa.gov.au/sites/default/files/2021-05/Risk\\_management\\_and\\_management.pdf](https://www.acecqa.gov.au/sites/default/files/2021-05/Risk_management_and_management.pdf)
- Water safety (Kidsafe Victoria) – <https://www.kidsafevic.com.au/water-safety/>
- Water safety resources (Kidsafe) – <https://kidsafe.com.au/water-safety/>
- National Drowning Report - <https://www.royallifesaving.com.au/research-and-policy/drowning-research/national-drowning-reports>  
[www.kidsafe.com.au](http://www.kidsafe.com.au)
- Royal Life Saving Society Australia - <https://www.royallifesaving.com.au/educate-participate/kids-zone>