

## PARENTAL ACCESS TO CHILDREN

**The Family Day Care educator must ensure that any parent not subject to custodial/contact court orders can contact their child at any time during the hours the child is attending the service** and that opportunities are provided to exchange information about the child at mutually convenient times on an ongoing basis.

Within the bounds of the applicable privacy legislation, Clarence Family Day Care will furnish the educator with any information in its possession regarding residency, parenting, contact/access or other specific issues regarding children in their care.

Copies of any relevant court orders are to be supplied to the scheme and the educator for their files, and will be regarded as confidential.

Educators will discuss all relevant issues with the parent regarding who has legal access to the children and who can collect the child/ren.

**An educator must not prevent a parent (*who is not subject to custodial/contact court orders*) of a child in care from entering the Family Day Care residence at any time that the child is in care.**

### However:

**If a parent, or other person, who has been denied contact/access to the child by court order, arrives at the educator's house, the educator will:**

- not provide any information to the person about the child
- not allow the person into the premises while the child is attending the service
- not allow the person contact with, or access to the child
- contact the custodial parent and advise them of the situation
- contact the police (*if necessary*)
- contact the scheme's co-ordination unit staff for help and support
- take all reasonable precautions to ensure the educator's own safety and the safety of all children in care

A Family Day Care educator is not required to allow a parent to enter the education and care service premises if—

(a) permitting the parent's entry would—

(i) pose a risk to the safety of the children and staff of the service; or

(ii) conflict with any duty of the provider, supervisor or educator under the Law; or

(b) the approved provider, nominated supervisor or family day care educator reasonably believe that permitting the parent's entry would contravene a court order.

**If a child is removed from the educator's premises against the educator's wishes the educator should contact the custodial parent, scheme staff, and the police immediately.**

**An educator's home is not to be used as a point of delivery or collection for access visits**, unless a written agreement exists whereby all parties involved (the educator and both parents) have agreed that they are comfortable for this to occur.

Where access to a child by a parent or other person has been prohibited by court order or Apprehended Violence Order, a photograph of the person denied access to the child should be requested by the educator and attached to the child's file for educator reference and child safety.

**Under no circumstances should the educator place themselves or other children at risk.**

**Relevant Legislation:** *Education and Care Services National Regulation 2011;*  
*Work Health and Safety Act 2011;*