

## TRANSPORT BY MOTOR VEHICLE

### **AIM:**

To protect the safety and well-being of children in care by maintaining transport arrangements at a high standard.

To ensure that educators are aware of the requirements regarding restraints for children being transported by motor vehicle.

### **RATIONALE:**

According to a 2010 government report in Australia, as many as eighty children a year are killed in car accidents and another four thousand are injured. Studies show that correct installation and use of child car restraints will greatly reduce the likelihood that a child will be injured or killed in a traffic accident.

### **PROCEDURES:**

Clarence Family Day Care policy regarding children travelling in motor vehicles during hours of care is as follows;

1. Prior to transporting any family day care child by motor vehicle the educator must ensure that the child's parent/guardian has signed the **Parent Permission to Transport by Motor Vehicle** and the **Parent Authorisation for Excursions**, and the educator must have completed and lodged with the coordination unit, a risk assessment that covers motor vehicle travel.
2. When travelling in cars, all children must be properly restrained in an appropriate child restraint (according to the age/size of the child). Family day care has a range of child car restraints available for loan, as required by educators.
3. If the passenger is **less than 6 months old**, he or she must be restrained in a suitable and properly fastened and adjusted **rearward facing** approved child restraint.

If the passenger is **6 months old or older, but is less than 4 years old**, he or she must be restrained in a suitable and properly fastened and adjusted –

- (a) **rearward facing approved child restraint; or**
- (b) **forward facing approved child restraint that has an inbuilt harness.**

If the passenger is **4 years old or older, but is less than 7 years old**, he or she must –

- (a) **be restrained in a suitable and properly fastened and adjusted forward facing approved child restraint that has an inbuilt harness; or**
- (b) **be placed on a properly positioned approved booster seat and be restrained by a seatbelt that is properly adjusted and fastened.**

A passenger who is **under 4 years old must not travel in the front seat of a motor vehicle.**

A passenger who is **4 years old or older, but is less than 7 years old, must not travel in the front seat of a motor vehicle unless all of the other seats in the rows behind the front row are occupied by passengers who are also under 7 years old.**

*The laws aim to cater for the majority of children; however there is a provision to allow a child who is too heavy or tall for the recommended restraint to use the restraint in the next age category.*

4. No child restraint shall be used in the front passenger seating position of a vehicle where this seating position is protected by an airbag. Educators should consult the manufacturer of their motor vehicle for appropriate guidance where the vehicle has side impact airbags/aircurtains installed.

5. Educators and parents should consult and reach agreement over the selection and use of child car restraints.

6. No child is to be transported in a motor vehicle (*other than a motor vehicle with seating for more than nine (9) persons*) that does not have seat belts, or where there are not enough *approved restraints* for one per person.

**7. Children should not be left alone in a motor vehicle, even for short periods.** Educators are reminded of their regulatory obligation to adequately supervise children at all times.

8. Where an educator receives a traffic infringement notice or is charged with a traffic offence, the educator is to inform the co-ordination unit of the details of the offence and the related penalty.

9. Animals should not be transported in the educator's car at the same time as family day care children. If, due to an emergency, a pet animal has to be transported in an educator's car while the educator has children in the car, the animal must be appropriately restrained in the vehicle.

10. The educator is to have the installation of child restraints certified by an authorised child restraint fitting station at least annually.

11. If an educator uses child restraints that are not supplied by the scheme, the full history of the restraint should be known by the educator and the restraint should be of a standard equal to or higher than those restraints provided to educators by the scheme.

12. The use of additional aftermarket (dikkie) seats is allowed for children aged 4 years and over, when all seating positions in the middle row of seats are already occupied, providing that the child passenger uses a suitable and properly fastened and adjusted lap-sash type seatbelt or a lap only type seatbelt, fitted with an approved child safety harness.

**Relevant Legislation:** *Education and Care Services National Regulations 2011;*  
*Work Health and Safety Act 2011;*  
*Australian Road rules 2008 (NSW) Reg. 266;*