

# WATER SAFETY

QUALITY AREA 2 | VERSION 1.4

Adopted by Approved Provider of Golden Plains Shire Council Children's Services		Month / Year
Date revised		March 2024
Next revision due		March 2026



## PURPOSE

This policy will outline the procedures that apply to managing water safety, including pools, water features or any water hazard. This includes safety during any water-based activities at Golden Plains Shire operated service.



## POLICY STATEMENT

### VALUES

Golden Plains Shire Council 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, FDCE, staff, students, volunteers, parents/guardians, children, and others attending the programs and activities of Golden Plains Shire Council, 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, Family Day Care (FDC) educators and all other	Parents/guardians	Contractors, volunteers and students
R 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	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	√	√		√
Conduct monthly inspection of all pools, water features and water hazards a Family Day Care venues or premises (where applicable). The approved provider must ensure that the person who conducted the inspection provides the approved provider and the Family Day Care educator with a written report with the required information. ( <i>Regulation 116a</i> )	R	R			
Pool inspection reports must be kept by the approved provider who must make them available for inspection upon request. ( <i>Regulation 116b</i> )	R				
Ensure any swimming pool at a Family Day Care residence or approved venue has a fence that complies with <i>Australian standard AS 1926</i> and is maintained at all times. ( <i>Regulation 116c</i> )	R	√	√		
Ensure risk assessments are undertaken and risks associated with water hazards (ie. Spa baths, water features, swimming pools and	R	√	√		

their respective fencing requirements), water-based activities and excursions are taken into consideration. <i>(Regulation 116)</i>					
Ensuring permission is obtained from parents/guardians for an excursion to a location where there is a water hazard <i>(Regulation 102) (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) (National Law: Section 165)</i>	R	√	√		√
Ensure that a diagram is displayed at each Family Day Care residence or approved venue which shows the areas of the residence or venue suitable for the provision of education and care. The diagram should include the existence of any water hazards, water features or swimming pools at or near the residence or venue. <i>(Regulation 116)</i>	R	√	√		
Conducting a regular safety check of the service premises <i>(refer to Occupational Health and Safety Policy) (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 and are approved by ACECQA <i>(refer to Administration of First Aid Policy) (Regulation 136)</i>	R	√			
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 to the Definitions file of the PolicyWorks catalogue.

**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



## 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 \(2\)](#)).



## ATTACHMENTS

- Attachment 1: Water Hazard Safety Inspections – Monthly Report



## AUTHORISATION

This policy was adopted by the approved provider of Golden Plains Shire Council in March 2024.

**REVIEW DATE:** March 2026





FDC Guidance

### WATER HAZARD SAFETY INSPECTIONS

July 2023

FDC Guidance | Checklist

## MONTHLY REPORT

WATER HAZARD SAFETY INSPECTIONS (APPROVED PROVIDERS)



Approved providers (or a person nominated by the approved provider to represent the approved provider) of family day care (FDC) services are required to undertake monthly inspections of any water hazards, water features or swimming pools.

If a safety issue is identified as a result of an inspection, the person who conducted the inspection, if not the approved provider, must provide written notice of the safety issue to the approved provider within 24 hours after conducting the inspection.

Within 7 days of conducting an inspection, the approved provider must ensure that the person who conducted the inspection provides the approved provider and family day care educator with a written report.

No more than 6 inspections may be conducted remotely in any given calendar year. An inspection may not be conducted remotely if the previous two inspections were conducted remotely at the FDC residence/venue.

If an issue cannot be rectified immediately, the approved provider should consider if access is appropriate 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 (as required under section 167 of the Education and Care Services National Law (National Law)).

You can access a Safety Inspection Checklist on the next page.

FDC Guidance | Water hazard safety inspections

# SAFETY INSPECTION CHECKLIST

## REQUIRED INFORMATION

FDC residence/venue address: Click or tap here to enter text.

Name of FDC educator

Date of inspection Time inspected

Select which mode of inspection

Virtual ☐ In person ☐

Select mode of inspection from last visit

Virtual ☐ In person ☐

## Safety issues summary

☐ No safety issues identified on site

☐ Safety issue identified and rectified immediately. Provide a description of the issue and action taken.

☐ Safety issue identified and **cannot be rectified immediately**. Provide a description of the issue and action required to make the area safe. Describe how risks will be mitigated before the issue is rectified and the estimated time frame to fix the issue.

Inspector Name

Signature

## GATES AND SAFETY BARRIERS

All fencing should be secure and in good working order and a gate must be in good condition and working properly.

Has the safety barrier and gate (where appropriate) been assessed by a qualified pool inspector in order to ensure compliance with regulations in the jurisdiction? (see table below)

Yes ☐ No ☐

Does the educator have evidence that demonstrates compliance with fencing requirements in the jurisdiction? (e.g. a certificate of compliance)

Yes ☐ No ☐

Are all the fence panels in place and in good condition?

Yes ☐ No ☐

Does the fence have any gaps or holes?

Yes ☐ No ☐

Is the ground below the fence firm and stable? (i.e. no holes, children or dogs cannot dig underneath the fence)

Yes ☐ No ☐

Does the gate swing automatically or without assistance back to the closed position after being opened?

Yes ☐ No ☐

Does the gate stay closed after it returns to the closed position?

Yes ☐ No ☐

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FDC Guidance | Monthly water hazard safety inspections



Is the latch in good working order?

Yes ☐ No ☐

Is the gate secure and will not open if a child bounces on the bottom rail of the gate?

Yes ☐ No ☐

Is the gap between the gate and the safety barrier sufficient to avoid risk for children? (e.g. can a child get through the gap, or stuck in the gap?)

Yes ☐ No ☐

Is the educator aware of the dangers of propping the gate open?

Yes ☐ No ☐

Is the latch high enough from the ground to avoid risk for children?

Yes ☐ No ☐

### AROUND THE SWIMMING POOL, WATER HAZARD OR WATER FEATURE

The surrounding environment should be clear of any climbable objects or items.

Are there any objects near the safety barrier that a child could use to climb a barrier or gain access to the pool/water hazard/water feature? (i.e. chairs, ladders, trees, pot plants, BBQs)

Yes ☐ No ☐

Have trees or shrubs near the safety barrier been trimmed so that children can't use them to gain access?

Yes ☐ No ☐

Are pool aids and toys removed from the pool and stored securely out of view after use?

Yes ☐ No ☐

Refer to the following laws, regulations or standards for information around fences, gates and latch height and dimensions in your jurisdiction.

JURISDICTION	RELEVANT FENCING LAWS, REGULATIONS OR STANDARDS
NSW	<ul style="list-style-type: none"><li>• <a href="#">Swimming Pools Act 1992</a></li></ul>
ACT	<ul style="list-style-type: none"><li>• <a href="#">Building Act 2004</a> National Construction Code (Australian Standard 1926.1)</li></ul>
QLD	<ul style="list-style-type: none"><li>• <a href="#">Building Act 1975</a>, administered by the Queensland Building and Construction Commission</li></ul>
NT	<ul style="list-style-type: none"><li>• <a href="#">Swimming Pool Safety Act 2004</a></li></ul>
WA	<ul style="list-style-type: none"><li>• <a href="#">Building Act 2011</a> <a href="#">Building Regulations 2012</a></li></ul>
SA	<ul style="list-style-type: none"><li>• <a href="#">Planning, Development and Infrastructure Act 2016</a></li></ul>
TAS	<ul style="list-style-type: none"><li>• <a href="#">Building Act 2016</a>, section 11</li></ul>
VIC	<ul style="list-style-type: none"><li>• <a href="#">Building Act 1993</a></li><li>• <a href="#">Building Regulations 2018</a></li><li>• <a href="#">Building Amendment (Swimming Pool &amp; Spa) Regulations 2019</a></li></ul>

## WRITTEN REPORTS

If no safety issue is identified, the approved provider must ensure that the person who conducted the inspection provides the approved provider and FDC educator with a written report within 7 days.

If a safety issue is identified, the person who conducted the inspection, if not the approved provider, must provide written notice of the safety issue to the approved provider within 24 hours after conducting the inspection. The approved provider should consider their existing obligations under section 167 of the National Law and deem if continued access is appropriate.

Date report received by approved provider

Date notification of safety issue sent to RA (where relevant)

### Safety issue rectified

Date issue was rectified

Describe action taken to fix issue

Name

Title

Signature