

POLICY NO 44: HEALTH AND SAFETY – WATER SAFETY

Key Policy Contact Person: Manager, Our Village Family Childcare

POLICY STATEMENT:

Our Village Family Childcare Educators must ensure every precaution to provide children’s safety in and around water. An elevated level of vigilance is critical when it comes to water safety and children’s access to any water hazards.

All Educators takes every safety measure to identify the risk, then document and implement strategies to manage the hazard and protect the children from any water accidents.

Where excursions may take place near water – beaches, rivers etc a detailed Risk Assessment is completed prior to the excursion.

CRITICAL INFORMATION:

- A risk assessment for excursions where there is a water hazard must be comprehensive to ensure the safety of children – see Education & Care Services National Regulations, (current version October 1, 2023), Part 4.3, Regulation.101 (2) (b) (c) (for swimming at public pools refer to Excursion Policy 16 – inclusive of the risk assessment framework)

Adult supervision is essential when children are in or near water.

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PURPOSE:

Water is an essential part of all our lives – to bathe, drink, cook and even to play in it. Young children are often drawn to water and whether it is the bathroom, backyard or on a farm, children need to be protected from areas where water would constitute a hazard.

Our Village Family Childcare Service will ensure clear guidelines regarding water and that the service is always compliant with water safety requirements whilst children are in attendance.

SCOPE/RESPONSIBILITIES:

This document applies to the Educators, Families and Children, Coordination Unit Staff, Students and

Volunteers of Our Village Family Childcare Service.

STATEMENT OF DIVERSITY

Sunbury and Cobaw Community Health is committed to improving the health of our community and being accessible to all, including people from culturally and linguistically diverse (CALD) communities, those from Aboriginal and Torres Strait Islander background, people with a disability, Lesbian Gay Bisexual Transgender Intersex and Queer (LGBTIQA+) people and other socially vulnerable groups and supporting their communities across the lifespan from birth to older age.

DEFINITIONS:

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PROCEDURES:

EDUCATORS WILL ENSURE

- Children are supported to explore water safely while using activities and experiences and other learning opportunities as ways to prompt water safety messages to the children.
- Always supervise children closely when around any body of water or other water carrying vessels that could be a drowning hazard – regardless of the quantity E.G., water play, bird bath, buckets, drums
- Ensure all water vessels that could be a drowning hazard are emptied, allowed to dry to prevent a build up of potentially harmful bacteria and mould at the end of each day and are locked away and stored out of reach of children.
- Water waste in minimal and strengthen water saving with education on age-appropriate activities and experiences.
- Undertake risk assessments for any excursion, including excursions that include boy's and access to water – seek written permissions from parents/guardians prior to the outing.
- Any swimming pool or spa fence, barrier, gate, or door must be maintained in good working order.
- All gates and doors providing access to a swimming pool, or a spa must be built to the Australian Standard and have self-closing and self-latching devices, regardless of when they were built.
- Signage must be displayed in the pool and/or spa area giving instructions for child CPR.
- Gates or doors to pool or spa areas must never be propped opened to provide access.
- Objects that could help a child climb into the pool or spa area are removed from the area.
- Remove floating toys from the pool as they can be a temptation to young children.
- Swimming activities in the home pool for children registered in the service is not permitted.
- If swimming activities are undertaken by the Educator's family members during the hours that the Educator is working, another adult, who is covered by the registration requirements of the service, must be present to provide supervision.
- Holes, wells, trenches, and excavations are adequately fenced or covered securely.
- Ponds including fishponds are covered with mesh that is strong enough to hold a child's weight without bending, contains squares that prevent children's face emerging in the water and be securely attached to the sides of the pond.

- Wading pools are emptied immediately after use and stored away when not in use.
- A risk assessment for excursions where there is a water hazard must be comprehensive to ensure the safety of children – see Education & Care Services National Regulations, (current version October 1, 2023), Part 4.2, Regulation 101 (b) (c) (for swimming at public pools refer to Excursion Policy 16 – inclusive of the risk assessment framework)
- Bathrooms and Laundries – never leave a child unattended in the bath or under the supervision of an older child.
- When bathing a child, leave the phone answering machine on, or if you must answer the phone, take the child with you.
- Nappy buckets if in use, must have a firm fitting lid and must be kept off the floor.
- A fenced and safe play area needs to be provided on farms to separate children from dams, lakes, and creeks.
- Educators are not permitted to take pre-school age children to the beach to swim.
- If an activity with school-age children involves the beach and swimming, the local life-saving club must be contacted to ensure only designated safe areas are used for swimming.
- The ratio for such an activity is one adult: two children over the age of five years.

Adult supervision is essential when children are in or near water.

NEW POOL, SPA, AND INSPECTION REQUIREMENTS:

On 1 December 2019, new laws to improve swimming pool and spa safety came into effect in Victoria. New registration, inspection, and certification requirements for property owners.

As part of the changes, **owners are required to register their pool and spa with their local council and have their safety barrier inspected once every four years.**

Relocatable pools that do not consist of multiple components and do not require any assembly are not subject to the barrier requirements. An example of such a product is a small inflatable pool that requires no assembly other than inflation.

Following the Education and Care Services National Regulations (current version October 1, 2023)

OVFC coordination unit must ensure:

116A Inspection of swimming pools, water features and other potential water hazards at family day care residences and approved family day care venues

- (1) *Without limiting regulation 116(1B), the approved provider of a family day care service must conduct an inspection each month of any swimming pool, water feature or other potential water hazard located at each family day care residence or approved family day care venue of the service to ensure that the health, safety and wellbeing of children who are educated and cared for by the service are protected.*
- (2) *An inspection must identify and assess any risks that a swimming pool, water feature or other potential water hazard located at a family day care residence or approved family day care venue may pose to the health, safety and wellbeing of children who are attending, or likely to attend, the residence or venue.*
- (3) *The approved provider may nominate a person (other than a person specified in sub regulation (4)) to conduct an inspection of a family day care residence or approved family day care venue.*
- (4) *The following persons are specified—*
 - (a) a family day care educator who provides education and care to children at the residence or venue.*

(b) a family day care educator assistant who provides education and care to children at the residence or venue.

(c) a person who resides at the residence or venue.

(5) An inspection may be conducted—

(a) in person; or

(b) subject to sub regulation (6), remotely by means of technology that enables the approved provider or a person nominated by the approved provider to inspect the family day care residence or the approved family day care venue without being physically present.

(6) An inspection must not be conducted remotely if—

(a) the previous 2 inspections of the family day care residence or the approved family day care venue were conducted remotely: or

(b) 6 or more inspections of the family day care residence or the approved family day care venue of the service were conducted remotely in the current calendar year.

116B Inspection report

(1) After conducting an inspection under regulation 116A, the approved provider of a family day care service or a person nominated by the approved provider (as the case may be) must prepare a written inspection report that includes the information specified in sub regulation (2).

(2) The following information is specified—

(a) the address of the residence or venue.

(b) the date and time of the inspection.

(c) the full name of the person who conducted the inspection and their signature.

(d) whether the inspection was conducted in person or remotely.

(e) if the approved provider or the person nominated by the approved provider identifies that a swimming pool, water feature or other potential water hazard poses a risk to the health, safety and wellbeing of children who are attending, or likely to attend, the residence or venue—details of the risk identified in relation to the swimming pool, water feature or other potential water hazard located at the residence or venue, including—

(i) any action that the person who conducted the inspection considers should be taken—

(A) to rectify the risk; and

(B) to mitigate the risk before it is rectified; and

(ii) an estimate of the time required to rectify the risk.

(f) if the approved provider or the person nominated by the approved provider identifies that a swimming pool, water feature or other potential water hazard does not pose a risk to the health, safety and wellbeing of children who are attending, or likely to attend, the residence or venue—confirmation that the inspection did not identify any risks in relation to the swimming pool, water feature or other potential water hazard located at the residence or venue.

(3) If an inspection is conducted by a person nominated by the approved provider, the person must provide the inspection report to the approved provider—

(a) if sub regulation (2)(e) applies—within 24 hours of conducting the inspection; or

(b) if sub regulation (2)(f) applies—within 7 days of conducting the inspection.

(4) As soon as practicable after receiving an inspection report under sub regulation (3) or preparing an inspection report under sub regulation (1), the approved provider must give the inspection

report to each family day care educator who provides education and care to children at the residence or venue.

- (5) *The approved provider must keep a copy of an inspection report prepared under this regulation.*

116C Compliance with fencing requirements for swimming pools at family day care residences and approved family day care venues

The approved provider of a family day care service must ensure that any swimming pool at a family day care residence or approved family day care venue of the service has a fence that complies with the law of the participating jurisdiction that applies to fences around swimming pools in which the residence or venue is located.

PLANING A NEW POOL OR SPA:

In Victoria, the design, construction and installation of swimming pools, spas and safety barriers are subject to strict requirements under the Regulations.

Swimming pools, spas and safety barriers must comply with several requirements, including:

- being constructed by a domestic builder registered in the appropriate category or class, or an owner-builder who have an owner-builder certificate of consent.
- have self-latching and self-closing pool gates.
- safety barriers must comply with AS1926.1-2012.

Property owners and occupants are responsible for making sure pool barriers are maintained, repaired, and kept in working order. A new outdoor pool or spa must not have direct access from any building.

BARRIER REQUIRMENTS:

- All swimming pools and spas **capable of** containing water greater than 300mm (30cm) must have a compliant safety barrier to restrict access to the pool area by young children (under the age of five). Barriers are required for:
 - in-ground pools and spas
 - above-ground pools and spas, including relocatable and inflatable pools that can hold more than 300mm (30cm) of water and require assembly on site.
 - indoor pools and spas
 - bathing and wading pools **capable of** containing more than 300mm (30cm) of water <https://www.vba.vic.gov.au/consumers/swimming-pools>

APPENDIX:

- Home and Vehicle Safety Check

REFERENCES:

- [Victorian Building Authority](#)
- [Education and Care National Regulations, \(current version October 1, 2023, 116A, 116B, 116C\)](#)
- [Education and Care Services National Law Act 2010 \(version 015\), 104a, Part 6, Section 167](#)
- [Royal Life Saving](#)
- Home and Vehicle Safety Check Work Instruction

RELATED POLICIES & PROCEDURES/ WORK INSTRUCTIONS:

- Excursions – 16
- Incident, Injury, Trauma, and Illness - 14
- Active Supervision – 52
- Occupational Health and Safety – 28
- Health and Safety – Sun Protection – 38
- Home and Vehicle Safety Check Work Instruction
- Orientation of FDC Educators Work Instruction

VERSION CONTROL AND LEGISLATION:

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