

UNAUTHORISED COLLECTION AND REMOVAL OF CHILDREN POLICY

WHY?

Children are not to be released into the care of persons not authorised to collect or take them from Thrive early learning educational and child care services.

This requirement is an important one and aimed at protecting children from harm and avoiding their exposure to potentially dangerous and unsafe situations.

Thrive recognises that on occasions, situations may arise where an unauthorised person presents to collect or take a child from care. Accordingly, it is paramount that Thrive has clear procedures for staff/Educators to follow on these occasions.

WHO?

This policy applies to families, staff and Educators enrolled with, or working in the following T Children's Services:

- Early Learning Services
- Outside School Hours Care Services
- Family Day Care Services

WHAT?

Definition

For the purpose of this Policy, an unauthorised person is somebody who has not been listed on the enrolling parent's electronic record, as having permission to collect the child from care.

Following are four types of situations which may give rise to an unauthorised person arriving to collect or remove a child from the services care:

- A parent breaches a Court Order which prevents or denies him/her access to a child i.e. Family Court Orders, Family Violence Related Orders, Child Protection Orders and Bail Orders.
- A parent who is not legally prevented from accessing a child (no Court Order) but has been refused permission to collect the child by the enrolling parent, yet arrives to collect the child.
- An emergency arises where the enrolling parent and authorised persons are unable to collect the child/children but an alternative person e.g. neighbour can do so at short notice.
- A sibling or person under sixteen years of age arrives to collect the child from care.

HOW?

Please refer to the Unauthorised Collection and Removal of Children Procedure (following this Policy).

WHEN?

If an unauthorised person arrives to collect or remove child/children from care, it is imperative that the staff member/Educator implement the following procedure immediately.

Reports need to be completed and forwarded to the Thrive Person with day-to-day Charge within twenty-four hours of the collection incident.

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OF CHILDREN POLICY**

Thrive will provide families, staff and Educators with a copy of this policy to ensure they are aware of their responsibilities and obligations.

Thrive retains the sole discretion to reasonably vary, terminate or replace this policy from time to time. Thrive will consult before any amendments are made and will notify and train those that the amendments apply to.

All persons covered under the paragraph 'Who' who breach this policy may be subject to the appropriate disciplinary action in accordance with the Disciplinary Policy and Procedure or removal from the workplace or termination of services (workers, other than employees and other persons in the workplace).

POLICY VERSION & REVISION INFORMATION:

Policy Authorised by General Manager
Review Date/s:
Review Date: As required by GM or as legislation changes

Original Issue: July19
Current Version: March22Ver1
NOTE: the digital version of this document is the most current version. Printed versions cannot be relied upon for accuracy and are always superseded by a digital copy.

UNAUTHORISED COLLECTION AND REMOVAL OF CHILDREN PROCEDURE

HOW?

If there is a Court Order in place which restricts a person from having access to a child and that person attempts to collect or remove the child from care, the staff member/Educator must:

- Explain the services legal position to the person i.e. that Thrive cannot let the child leave with him/her
- Inform the person that the service needs to contact the enrolling parent to discuss the situation
- Contact the enrolling parent and explain the circumstances of the child/children's attempted removal from care
- Politely and firmly ask the person attempting to collect the child/children to leave the premises
- If the person refuses to leave, becomes abusive or violent and threatens to forcibly remove the child/children, and the staff member/Educator is concerned for their safety and that of the other children, they should:
 - Allow them to go
 - Immediately contact the Police
 - Contact the relevant Thrive Person with day-to-day Charge as soon as possible on 6341 1555 (during business hours) or the nominated after hours number
 - Document the incident on the Incident, Injury, Trauma and Illness Record and forward to the relevant Thrive Person with day-to-day Charge.

Never put yourself or others in danger.

Make every attempt to mentally note the physical features of the unauthorised person removing the child and details of his/her vehicle and the direction of travel. If the staff member/Educator can take a photo of the person and their vehicle, this will be critical in identifying who they are.

If a person who is legally entitled to access a child but has been refused permission to collect or take the child by the enrolling parent, and that person attempts to collect the child, the staff member/Educator must:

- Explain Thrive's Delivery and Collection Policy and Procedure and the reasons why Thrive cannot permit the release of the child into his/her care. For example, lack of written authorisation from the enrolling parent
- Show the person Thrive's Policy and Enrolment Record details
- Request the person leave the premises
- If the person refuses to leave, asserts his/her legal rights and insists on taking the child, the staff/Educator has no option but to let the child leave with that person.

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The staff/Educator should then:

- Contact the enrolling parent and explain the circumstances of the child's removal from care
- Contact the relevant Thrive Person with day-to-day Charge and advise of the situation
- Document the incident on the Incident, Injury, Trauma and Illness Record and forward to the relevant Thrive Person with Management and Control within twenty-four hours.

Remember in the absence of a Court Order, the staff member/Educator can do no more than refer to Thrive's Delivery and Collection Policy and Procedure and the lack of written authorisation from the enrolling parent. Thrive has no legal basis for preventing access and collection by this other person.

If an emergency arises where the enrolling parent and other authorised persons are unable to collect a child from care, but an alternate person arrives to collect the child, the staff/Educator must:

- Explain Thrive's Delivery and Collection Policy and Procedure and the reasons why Thrive cannot permit the release of the child into his/her care. For example, lack of written authorisation from the enrolling parent
- Immediately contact the enrolling parent and explain the situation to them. Give the name, address and description of the person who arrived to collect the child
- If the parent provides verbal permission for this person to leave with the child, the staff/Educator needs to:

Request the person show the Thrive staff/Educator photo identification
Note the person's details in the diary, including licence number/ ID number and type of ID
Follow up subsequently with the enrolling parent as to whether this person should be listed on the Enrolment Record, as one who is authorised to collect the child/children.

If a sibling or person under sixteen years of age arrives to collect a child from care, the Thrive staff member/Educator must:

- Explain Thrive's Delivery and Collection Policy and Procedure and the reasons why Thrive is not permitted to release the child/children into his/her care i.e. due to age restrictions. Exceptions apply where the person under sixteen years is the parent of the child.
- Contact the enrolling parent and request that alternative collection arrangements are organised, and reinforce Thrive's policies to the parent.

BREACH OF THE PROCEDURE

Any breach of this procedure may result in disciplinary action including, but not limited to, termination of employment.

Thrive retains the sole discretion to reasonably vary, terminate or replace this procedure from time to time. Thrive will consult before any amendments are made and will notify and train those to whom the amendments apply.