
Access to a Child by Parent

Introduction

There are many reasons why a parent of a child in care may seek access to the child at a time other than the delivery or pick up time. Although parents have the right access to their child at any time, in some cases this may require planning to ensure smooth transitions and minimal disruption for the other children.

Purpose

To ensure that the parent of a child enrolled in NOOSH has access to that child in an appropriate manner and to protect a child when court orders deny access to a parent.

Policy

NOOSH staff shall allow access to a child in care, to either parent of the child, unless a court order specifies otherwise.

Unless a custodial parent has expressly granted permission for the noncustodial parent to contact a child at NOOSH, access to the child must be refused whether it involves physical, telephone or mail.

Procedures

- If a court order denies access to a parent or other family member, the custodial parent must supply a copy of the order to the NOOSH at enrolment and before the child is admitted to care.
- If the child is currently in care a court order must be provided to the NOOSH and the Educator as soon as practicable after a court order is made.
- NOOSH Staff will discuss the policy and requirements with the custodial parent.
- NOOSH Staff will retain a copy of the order in the child's file and provide the Educator with a copy.
- If an Educator receives a copy of the court order, they must give a copy to NOOSH
- Staff will discuss the situation with the Educator and explain the support available.
- A parent visiting a child while they are in care must ensure that the visit does not cause disruption to the child, the Educator or the other children in care.
- The Visitor's Book must be signed showing the arrival and departure time of the parent.
- Where visits are likely to be a regular arrangement, or an access visit by a parent who does not normally live with the child, arrangements must be made in agreement with the Educator to minimise possible disruptions and in accordance with any court orders.
- A parent may choose to take their child out of care for a period of time during the day, and return the child to NOOSH later. In this case the timesheet, signed by the parent, must show the time that the child left the NOOSH premises and the time the child returned.
- NOOSH Staff will not give the non-custodial parent any information about the child's care arrangements.
- NOOSH can refuse a parent access to their child only if a copy of the court orders have been received and that they stipulate restricted access
- If there are no court orders available, access to a child cannot be refused

- NOOSH staff will endeavor to prevent a non custodial parent, who is not permitted to do so, from seeing or taking their child.
- NOOSH staff are not permitted to use their own residence for a custodial interchange or as a point of contact for access visits
- When away from NOOSH on excursions, Staff must carry a mobile phone in case a parent needs to contact them for access to their child in an emergency

Suggested steps and strategies to prevent access by an unauthorized person:

1. Where possible a photograph of the parent denied access will be provided to NOOSH.
2. Tell the non-custodial parent that you are not authorized to release the child to them and ask that person to leave.
3. Refuse access to the premises, or if outside at the time, take the children inside and close the door.
4. When the person leaves, NOOSH staff should immediately contact the custodial parent
4. If the person *refuses* to leave, the Coordinator or assistant coordinator should inform them that they are calling the police.
5. NOOSH staff will contact the custodial parent.
6. If the situation is threatening, NOOSH staff should AT NO TIME put themselves or the children in their care at risk of harm.
7. If the parent does take the child, the Educator should immediately contact the police and the custodial parent.
8. With regard for appropriate levels of confidentiality, the Educator or NOOSH staff will inform all other parents about an incident that has occurred while their child was in care, what their child may have witnessed and what their child has been told about the incident.

Penalties

National Law.	Section 165	\$10000
National Law.	Section 167	\$10000
National Regulations	Regulation 99	\$2000

Related Documents

Arrival and Departure of Children Policy

Relevant Legislation:

Education and Care Services National Law Act 2010

Education and Care Services National Regulations 2011

Children and Young Persons (Care and Protection) Act 1998, No. 157. January 2012

**NORMANHURST OUT OF SCHOOL HOURS CARE (NOOSH)
POLICIES**

Normanhurst Road. Normanhurst, NSW, 2076

P: (02) 9489 0178

E: info@normanhurstoshc.com.au

W: www.normanhurstoshc.com.au



CONSIDERATIONS:

Education and Care Services National Regulations	National Quality Standard	Other Service policies/documentation	Other
		Education and Care Services National Law Act 2010. Sec 165, 167 Education and Care Services National Regulations 2011. Regulations 99, 158, 159, 176	

ENDORSEMENT BY THE SERVICE:

Approval date: __13th August 2014_____

Date for Review: __13th August 2015_____