



# Developing decision-making and risk management frameworks



Photo: Tony Phillips

Plans, policies and procedures provide the framework for increasing access and participation of children with disability in early childhood education and care (ECEC) services. ECEC services should also consider their decision-making and risk management approaches to support children with disability to participate in the program.

## Why use a framework?

When individual children with disability and complex additional needs and their families enquire about enrolling in your service, inclusion policies and principles come to life to produce positive outcomes for children and their families. Educators need to be able to personalise existing inclusion policies, plans and principles to align with a particular child's needs. This means that an ECEC service will make decisions about how to make adjustments to its program and environment, and how to manage risks for all children enrolled in the service. Developing and using your own frameworks can make this process simpler, more consistent and more transparent.

## Risk management frameworks

An ECEC service may already use frameworks to make decisions and manage risks surrounding inclusion and meaningful participation by all children. The frameworks do not need to be long or complicated—and they should always be closely linked to your service's policies and procedures for inclusion.

Risk management can be described as 'the collection of deliberate actions and activities that we carry out at all levels to identify, understand and manage risks to the achievement of our objectives' (DETE, 2012, p. 4). As a simple approach, a risk management framework will set out the 'actions and activities' that an ECEC service will take to identify and address risks to achieve outcomes. A risk management framework may also include additional elements, such as:

- a statement of 'risk appetite' (which types of risks you are prepared to accept without action)
- a description of the risk reporting process (who is responsible for reporting identified risks and how)
- allocation of responsibility for managing risks.

A risk management framework is not just a statement of principles and responsibilities. In ECEC services, a risk management framework must meet the needs of all children and staff, and be suited to the service's physical, social and operational context. Noah's Ark (2012) recommends that ECEC services use a 'Six Step Framework' for their risk management, comprising:

**Step One:** Name the activity

**Step Two:** Establish the context

**Step Three:** Identify the risks

**Step Four:** Evaluate the risks

**Step Five:** Develop the strategy to manage the risks

**Step Six:** Implement, monitor and review the response.

For a detailed example of how each of these steps build a risk management framework, view [Noah's Ark Risk Management Guidelines](#).

## Decision-making frameworks

When a family is interested in enrolling a child with disability, a process of information-sharing can help ensure that your ECEC service is able to cater for the safety and wellbeing of the child and, in turn, demonstrate how you are complying with your legal obligations. In this process, you will make decisions about how to best meet the needs of the child. These decisions will be informed by your approach to risk management, and they may also require you to update your risk management framework.

## The process for developing a framework

In some ECEC services, most of the risk assessment and decision-making will be undertaken by the service supervisors and management; in other services, these tasks may be delegated to educators within the team. In both cases, it is important that the approved provider understands and supports the considerations and the resources required to effectively undertake these processes of decision-making and risk management.

## Guidance for developing a framework

Table 1 provides guidance on common issues and questions related to the inclusion of children with disability and complex additional needs in ECEC services. Once you have answers to these questions, you can use them for making decisions about your program and in your risk management framework.



Photo: Gilimbaa

Key questions	Guidance
<p>1. Does the child have a right to be enrolled in the service?</p>	<p>Yes, these rights are set out in anti-discrimination legislation, such as the <i>Disability Discrimination Act 1992</i> (Cwlth) and the <i>Anti-Discrimination Act 1991</i> (Qld). Principles of inclusion should also be reflected in an ECEC service's plans and policies.</p>
<p>2. What information has the family and/or their disability service provider or support agency offered about the child's circumstances and needs?</p>	<p>The <i>National Quality Standard</i> requires ECEC services to collaborate with families and other professionals to support children's learning and wellbeing (Quality Area 6).</p> <p>For kindergartens, the <i>Disability Standards for Education 2005</i> specify that approved providers must consult with family members, carers and disability service providers or support agencies to identify what adjustments or changes are required for the child's successful inclusion in the program.</p> <p>This information must be dealt with in accordance with the service's confidentiality and privacy policies. It can also be helpful to explain to the family that this information is needed to help support the child's placement at the service.</p>
<p>3. Is the information sufficient to:</p> <ul style="list-style-type: none"> <li>• understand the children's interests, routines, abilities and needs?</li> <li>• identify changes or adjustments to the way the program is delivered?</li> <li>• identify any risks to be managed?</li> </ul>	<p>It is important to assess the information provided by families in the context of your own service's policies and procedures. If more information is required on how to support the child's participation in the program, you can also seek advice, in consultation with the family, their health care professionals, disability service providers and support agencies.</p>

Key questions	Guidance
<p>4. What adjustments, if any, have been identified?</p> <p>Are these adjustments 'reasonable' under the terms of the relevant disability legislation?</p> <p>Can these adjustments be accommodated within the service's existing resources?</p> <p>Would these adjustments cause 'unjustifiable hardship'?</p>	<p>Services have a legal obligation to make 'reasonable adjustments' to enable children with disability and complex additional needs to access and participate in the program. Reasonable adjustments may include:</p> <ul style="list-style-type: none"> <li>• changes to the physical environment</li> <li>• investment in equipment</li> <li>• provision of additional staff training and professional support</li> <li>• support from external support agencies, including engaging additional staff to work with the child</li> <li>• flexible staffing and timetable arrangements.</li> </ul> <p>It is important to identify the specific adjustments needed to support the child's participation in the program. Consultation with relevant staff can ensure all options for support are fully explored. In determining whether to implement a specific adjustment, the impact of that adjustment on other children should be considered and if there is an adjustment that is as good but less intrusive that could be used.</p> <p>If adjustments involve additional investment in equipment and infrastructure, consideration should be given to the associated cost and also whether external funding is available. In some cases, ECEC services may need to source external funding to provide additional supports.</p> <p>Legislation provides an exception if an adjustment would place an 'unjustifiable hardship' on a person or organisation (whether through cost, difficulty or fairness). Before concluding that a particular adjustment would impose an unjustifiable hardship, an ECEC service should:</p> <ul style="list-style-type: none"> <li>• thoroughly consider how access might be provided or adjustments made</li> <li>• discuss the issues directly with the person or groups involved</li> <li>• consult relevant sources of advice.</li> </ul> <p>If, after weighing up all of the options, the ECEC service finds that the adjustments would cause unjustifiable hardship, the matter should be referred to the approved provider for a final decision.</p>
<p>5. What risks have been identified?</p> <p>How have they been assessed?</p> <p>What plans are in place to manage the risks?</p>	<p>When supporting children with disability, it is important to identify any perceived or inherent risks to the child, other children and to staff. To do this, ECEC services can follow a risk management approach of identifying risks, assessing risks and developing plans to manage them. A risk management approach might also reveal further 'reasonable adjustments' to manage the risks and maintain the safety of all children and staff at the service. These additional adjustments might involve staff rosters, staff training or regular meetings with a child's family.</p>
<p>6. How have the information, decision-making and agreed actions or outcomes been documented?</p>	<p>It is important to keep records of the information provided by the families as well as short summaries of discussions and agreed outcomes, including assessment of risks and 'reasonable adjustments'. These records should form part of the child's Individual Education Plan.</p>



## Key questions

## Guidance

7. What plans are in place for monitoring and review?

The Disability Standards for Education 2005 highlight the importance of ongoing consultation with children and families. Scheduling regular times to meet with the family to review the child's progress can enable early action on any emerging issues. It also provides an opportunity to identify whether further adjustments should be made.

## Tips for effective decision-making on inclusion

In assessing risks and making decisions about how to build inclusion for children with disability and complex additional needs, it is important to:

- focus on strengths and solutions
- consult with families and other support agencies on an ongoing basis and remember your legal obligations to make reasonable adjustments
- consider how all children can benefit from inclusion
- show **demonstrable** reasons if access and participation cannot be reasonably supported.

## Where to find more information

The Noah's Ark's [\*Risk management guidelines for the inclusion of children with high on-going support needs into children's services\*](#) were developed to assist Inclusion Support Agencies working with children's services to achieve inclusion of children with complex additional needs, including children with disability. The guidelines include specific guidance for ECEC services, plus a detailed example of what a risk management framework for ECEC services might look like.

Further information on risk management frameworks is available from WorkCover Queensland [website](#).

## References

- Department of Education, Training and Employment (DETE). (2012). [\*Enterprise risk management framework 2012–2016\*](#). Brisbane, QLD: DETE.
- Noah's Ark. (2012). [\*Risk management guidelines for the inclusion of children with high on-going support needs into children's services\*](#). Yeronga, QLD: Noah's Ark.

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