



# Guidance for approved providers — early childhood education and care services operating in multi-storey buildings

## What is the purpose of this document?

The Chief Executive of the Department of Education is the Regulatory Authority responsible for regulating approved Queensland early childhood education and care services (ECEC services). Most of these services are regulated under the National Quality Framework (NQF) which comprises the *Education and Care Services National Law* (the National Law), the *Education and Care Services National Regulations* (the National Regulations) and the National Quality Standard.

This document specifically outlines the matters the Queensland Regulatory Authority (QRA) will consider when assessing an application for service approval, and when conducting monitoring and compliance visits to ECEC services operating in multi-storey buildings.

The safety, health and wellbeing of children is a paramount consideration for the QRA.

Factors specific to the individual layout of the proposed ECEC service premises and facilities should be considered by the approved provider early in the planning and design stages of construction -either of a new building or where there is a material change of use to an existing building. The approved provider should consult an architect, developer, planner, and building practitioner who should be familiar with the requirements of the National Quality Framework.

## What is a multi-storey building?

The QRA describes ECEC services operating in multi-storey buildings as those services operating from premises that contain three or more storeys.

ECEC services operating in multi-storey buildings present a unique set of circumstances which must be taken into account when developing a safe environment for children, including the development and implementation of safe and effective emergency and evacuation plans.



## What does the National Law say?

Section 47 of the National Law provides that in determining an application for a service approval under section 43, the Regulatory Authority must have regard to matters including:

- the suitability of the education and care service premises and the site and location of those premises for the operation of an education and care service; and
- the adequacy of policies and procedures of the service.

Under section 51 of the National Law, a service approval is granted subject to the condition that the service is operated in a way that ensures the safety, health and wellbeing of the children being educated and cared for by the service.

Under section 51(5) of the National Law, a service approval is also granted subject to any other conditions imposed by the Regulatory Authority.

## What are your obligations as an approved provider?

Section 167 of the National Law provides that an approved provider of an ECEC service **must** ensure that every reasonable precaution is taken to protect children at the service from harm and any hazard likely to cause injury. This would include fire as well as foreseeable hazards in an emergency evacuation.

Regulation 168 of the National Regulations provides that the approved provider of an ECEC service must ensure that the service has in place policies and procedures in relation to certain matters, including emergency and evacuation, which must incorporate the matters set out in regulation 97.

Regulation 97(1) provides that the emergency and evacuation procedures required under regulation 168 must set out:

- (a) instructions for what must be done in the event of an emergency
- (b) an emergency and evacuation floor plan.

Regulation 97(2) provides that, for the purposes of preparing the emergency and evacuation procedures, the approved provider of an education and care service must ensure that a risk assessment is conducted to identify potential emergencies that are relevant to the service.

Regulation 97(3) provides that, in the case of a centre-based service, the emergency and evacuation procedures **are rehearsed every 3 months** by the staff members, volunteers and children present at the service on the day of the rehearsal and the responsible person in relation to the service who is present at the time of the rehearsal. These rehearsals must be documented.

In accordance with regulation 97(4), an approved provider must ensure that a copy of the emergency and evacuation floor plan and instructions are displayed in a prominent position near each exit at the education and care service premises.

**Note: The Building Fire Safety Regulation (s. 5) provides that an evacuation route in relation to a building means a path of travel to a place of safety outside the building.**

## Expert advice

It is the expectation of the Regulatory Authority that the required emergency and evacuation policies, procedures and plans are developed by, or in consultation with, a person or persons with appropriate expertise, such as a person licensed in respect of Emergency Procedures by the Queensland Building and Construction Commission, or an appropriately qualified fire safety advisor or fire safety engineer.



## Elements of an effective emergency and evacuation plan

Effective emergency and evacuation policies, procedures and plans for services located in a multi-storey building should address the following:

1. Premises
2. Processes
3. People
4. Educational program

### 1. Premises

An approved provider should consider the following matters:

- The requirements of other legislation or codes - for example:
  - installation of automatic smoke detection, alarm systems and sprinkler systems
  - installation of fire rated safe havens with applicable certification
  - installation of dedicated fire stairs
  - installation and testing of fire-fighting equipment to the required standards
  - the need for two fire isolated exits from each storey.

- Installation of child height handrails on fire stairs (considering both the height of the balustrades and any potential fall zones from the stairwell).
- Suitability of the external place of safety to which the evacuation must occur (e.g. is it located in a busy city street or carpark?). How will you manage the risks?
- Location of the younger age groups of children (e.g. non-ambulatory children and young toddlers should be located on the ground floor of the premises, or on a level that provides the easiest possible egress to a place of safety outside the building).

### 2. Processes

The processes in the ECEC service's emergency and evacuation policies, procedures and plans should be consistent with the overall approved fire evacuation scheme for the building. Building Management should be consulted in the development of these materials.

Examples of matters that the approved provider should consider (please note this is not an exhaustive list):

- Emergency and evacuation policies, procedures and plans are developed in accordance with the *Fire and Emergency Services Act 1990 (Qld)* and *Queensland Building Fire Safety Regulation 2008 (Qld)*.



- Adoption of emergency control procedures e.g. AS3745 – *Planning for emergencies in facilities (including emergency plans and emergency response exercises)*.
- The National Law requirement to conduct, every 3 months, rehearsals of emergency and evacuation procedures. This includes quarterly rehearsals of full evacuation exercises to a place of safety outside the building in addition to other emergency exercises such as ‘lock downs’, including the identification of who will attend to observe and provide guidance on the service rehearsals.
- The number of non-ambulant infants and young toddlers attending the ECEC service, including the number of children who may not be confident walking down stairs and the behaviour of young children during emergencies (usually relevant to children under 3 years of age).
- The physical capability of individual children to manage multiple flights of stairs and the number of children requiring assistance on stairs.
- The impact of a full building evacuation where the building is not solely occupied by the ECEC service (for example, offices situated in floors above and/or below the service with adult occupants). Is there a need for staged evacuation procedures?
- The currency of staff training and preparedness for emergencies, with consideration of staff confidence, any temporary/casual staff and knowledge of how to effectively follow a complex evacuation procedure during an emergency.
- The items that should be taken by staff during an evacuation, such as a mobile phone and emergency contact numbers for the children, first aid kit and possibly foot coverings for children. Such items could be placed in an ‘emergency bag’ to be collected by staff upon exiting the premises.



### 3. People

All staff at the service should be adequately trained in the emergency evacuation procedures and where necessary the use of fire-fighting equipment.

It will also be necessary to consider the need for additional staff to be available at all times (in addition to the number required to meet the educator to child ratios) to assist in the emergency evacuation of children. The calculation of additional staff should be done in consultation with a relevant expert in the development of emergency and evacuation policies and procedures.

### 4. Educational program

The approved provider should give consideration to:

- The educational program including the provision of opportunities for children to regularly practice and become confident in the skills used in an evacuation such as coordination, following instructions (language) and fine motor skills (regular practice in using stairs).
- Ensuring families are familiar with the evacuation procedures of the service and, as relevant, assist in embedding some of the above skills at home.

*It should also be noted that the fencing of outdoor play spaces above ground level and/or with a significant fall height on the other side presents specific challenges. In such cases the Queensland Regulatory Authority will require installation of a fence or barrier that is of a height and design that children preschool age and under cannot go through, over or under, including ensuring that there are non-climbable zones and the installation of fencing/ barriers that are at a height of at least 1.8 metres.*

**Further enquiries about this policy should be made by email at [ecis@qed.qld.gov.au](mailto:ecis@qed.qld.gov.au)**

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