

Authorised Officers

1. Who are authorised officers?

Authorised officers are appointed by the Director-General of the Department of Communities. Usually they are Child Care Resource Officers, Managers, Team Leaders and Regional Executive Directors of the Department. Officers are provided with identification cards that are clearly displayed when visiting a child care service.

2. What is the role of an authorised officer?

In Queensland all child care service providers are required by law to comply with the standards set out in the *Child Care Act 2002* and the *Child Care Regulation 2003*. Authorised officers visit licensed child care services to ensure that the services are complying with the requirements contained in the Act and Regulation.

Complaints made about child care services by parents, staff or members of the community are investigated by authorised officers.

3. When can authorised officers visit?

Under the legislation authorised officers may visit by appointment or arrive unannounced at a centre or home when child care is being provided under a licence. It is not necessary for the licensee to be present when the authorised officer makes a visit. After hours, authorised officers are required to obtain permission to enter the premises from the licensee or person in charge. If permission is not granted the authorised officer may apply for a warrant to enter the premises. (Section 118 of the *Child Care Act 2002*.)

4. What powers do authorised officers have once they have entered a licensed child care centre?

In the process of monitoring compliance with the *Child Care Act 2002*, authorised officers may –

- search premises,
- inspect, measure, test, photograph or film the premises,
- take objects or samples for analysis, and
- copy documents.

Authorised officers may require staff and the licensee if he or she is there, to give –

- reasonable help, or
- information to help the officer find out whether the Act is being complied with.

For example, an authorised officer may require a staff member or the licensee to provide the name of a carer and to indicate where the staff records for that person are located. This enables the officer to confirm that the standards in the Act and Regulation are being met, eg record keeping requirements, qualification requirements, and carer/child ratios.

Authorised officers also have the power to issue compliance notices obliging licensees to take action to demonstrate compliance with legislative requirements.

(Sections 111-150 of the *Child Care Act 2002* set out these and the other powers of authorised officers in monitoring and enforcing the Act.)

5. What can child care staff do to help authorised officers?

By providing authorised officers with all the information they require quickly and accurately, service staff can help place authorised officers in the best position to make decisions in the best interests of Queensland children and the child care service

It is an offence for a person, without a reasonable excuse, to –

- fail to give reasonable help or information to an authorised officer if requested (section 126 of the Act), or
- obstruct an authorised officer who is exercising a power under the Act (section 149 of the Act).

6. How can I contact an authorised officer?

Authorised officers are located in local Department of Communities offices throughout the State. (see contact details over the page)

These questions and answers have been prepared by the Department of Communities to assist users of the *Child Care Act 2002* and the *Child Care Regulation 2003* in understanding the requirements of important provisions. If there are any inconsistencies between this document and the legislation, the legislation must be followed. You should refer to the legislation to properly understand its requirements.

For a list of Department of Communities regional office contacts please call the Child Care Information Service on 3224 4225 or freecall outside of Brisbane 1800 637 711.

Department of Communities
Office for Children
GPO Box 806
BRISBANE QLD 4001
Telephone: 3224 4225
Freecall outside of Brisbane: 1800 637 711
Email: ccis@communities.qld.gov.au
Website: www.communities.qld.gov.au/childcare