

# Operational Policy

Department of Communities

Disability Services Queensland

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**Title:** Power of entry and other powers under the *Child Care Act 2002*  
**Policy No.:** 357-2  
**Category:** Child care and family support > child care

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**Date of approval:** 30 May 2007  
**Date of operation:** 2 July 2007  
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**Office:** Program Management Directorate  
**Help Contact:** Office for Children 3224 4557

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## Authority:

Part 7, Division 2 of the *Child Care Act 2002*

Authorised officers are permitted to exercise powers of entry and other powers to ensure compliance with the *Child Care Act 2002* and *Child Care Regulation 2003*.

## Objectives:

This policy provides a guide to authorised officers in exercising their monitoring and investigative powers in respect of child care services.

## Scope:

This policy refers to the powers of authorised officers for monitoring and enforcing compliance with the *Child Care Act 2002* and *Child Care Regulation 2003*.

## Principles:

Authorised officers under the *Child Care Act 2002* must:

- act in accordance with the requirements of the Act and Regulation; and
- undertake their duties properly and fairly and with primary regard to the welfare of children in child care; and
- exercise their powers in accordance with best practice features of the Portfolio Compliance Framework.

## Policy Statement:

The department is committed to ensuring that authorised officers properly and fairly exercise their powers under the *Child Care Act 2002* to ensure the safety and welfare of children in child care.

## Roles and Responsibilities:

Senior Support Officers and Community Support Officers are appointed as Authorised Officers pursuant to section 111 of the *Child Care Act 2002*.

Managers, Community Capacity and Service Quality and Regional Directors are also appointed as Authorised Officers.

Authorised Officers monitor and enforce compliance with the *Child Care Act 2002* and *Child Care Regulation 2003* and are permitted to exercise powers of entry and other powers to ensure compliance.

## Delegations:

There are no delegations required for Part 7, Division 2 of the *Child Care Act 2002*.

## Links:

### Procedures

Power of entry and other powers under the *Child Care Act 2002*

**Related Policies**

Obtaining and exercising a warrant in respect of licensed and stand alone child care services (358-2)

**Related Legislation or Standard**

*Child Care Act 2002*

*Child Care Regulation 2003*

**Related Government Guidelines or Policy**

Portfolio Compliance Framework and Escalation Process

**Forms, Standard Letters or Memorandum**

Child Care Form 12 - Acknowledgment of Consent to Enter

**Rescinded Policies**

Power of entry and other powers under the *Child Care Act 2002* (357-1)

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Linda A Apelt

**Director-General**