

Operational Policy

Department of Communities

Disability Services Queensland

Title: Prohibition Notices
Policy No.: 355-2
Category: Child care and family support > child care

Date of approval: 30 May 2007
Date of operation: 2 July 2007
Date to be reviewed: 1 July 2009

Office: Program Management Directorate
Help Contact: Office for Children 3224 4557

Authority:

Section 103 of the *Child Care Act 2002*

The Chief Executive may give a prohibition notice to a person if the Chief Executive is satisfied there would be an unacceptable risk of harm to children if the person were responsible for providing care for the children.

Objectives:

This policy aims to provide guidance as to the situations in which the Department will consider issuing a show cause (prohibition) notice or a prohibition notice and the steps that must be undertaken in those circumstances.

Scope:

This policy refers to prohibition notices contained in Part 6 of the *Child Care Act 2002*.

Principles:

The Department will:

- ensure that the safety of children is the paramount consideration;
- ensure that people who are the subject or will be the subject of a show cause (prohibition) notice or a prohibition notice are afforded natural justice;
- comply with the requirements of the *Child Care Act 2002* in issuing show cause (prohibition) notices and prohibition notices; and
- comply with best practice features of the Portfolio Compliance Framework.

Policy Statement:

The Department is committed to ensuring that child care is provided by appropriate people.

Roles and Responsibilities:

The Legislation Unit, Office for Children is responsible for making recommendations to the Chief Executive, in consultation with the relevant regional office and the Statewide Quality Team, concerning issuing show cause (prohibition) notices.

Delegations:

No delegations have been made by the Chief Executive

Links:

Procedures

Prohibition Notices

Related Legislation or Standard

Child Care Act 2002

Child Care Regulation 2003

Child Protection Act 1999

Related Government Guidelines or Policy

Portfolio Compliance Framework and Escalation Process

Forms

Child Care Form 23 – Application to Cancel Prohibition Notice

Rescinded Policies

Prohibition Notices (355-1)

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