



## Safe Transportation of Children

### Children's Services Policy No 2.13

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**Replaces issue/policy:** NA

**Date Implemented:** July 2008

**Date Reviewed:** September 2009, May 10, March 2012, June 2013, April 2015; and May 2019

#### **Aim:**

- All precautions are taken by staff to ensure the safety of all children and staff whilst in transit.
- All children and adults will use appropriate recommended child restraints, boosters or seat belts that are properly fitted and suited to the size and age of the child.

#### **Background Information:**

Children who are not using appropriate and properly installed restraints are five times more likely to be killed or injured in an accident. In order to be as safe as possible when travelling in cars, children and adults must use restraints or seat belts that are properly fitted and suited to the size of the person.

The restraint (baby capsule, safety seat or booster seat) needs to be the correct size and design for the infant or child. Children have been harmed when riding in a car restraint that is too large for them. Children need to be placed in the appropriate car safety restraint until the child weighs the maximum amount recommended for that restraint.

#### **NSW Child Restraint laws:**

- Children younger than six months must be secured in a rear facing restraint; this is dependent upon the size of the child and the car restraint used. Some children may not need to be turned until 12 months plus, depending upon where their shoulders sit and the height of the harness.
- Children aged six months to less than four years must be secured in either a rear facing or forward facing restraint;
- Children aged four years to less than seven years must be secured in a forward facing child restraint or booster seat;
- Children younger than four years cannot travel in the front seat of a vehicle with two or more rows; and
- Children aged four years to less than seven years cannot travel in the front seat of a vehicle with two or more rows, unless all other back seats are occupied by children younger than seven years in a child restraint or booster seat.

#### **Relevant Legislation:**

- Education and Care Services National Amendment Regulations (modified July 2018)
- Children (Education and Care Services National Law Application) Act 2010
- Road Transport (Safety and Traffic Management) Act 1999.

#### **Resources:**

- Child Restraint Evaluation Program (CREP) - [www.childcarseats.com.au/](http://www.childcarseats.com.au/)
- Kidsafe NSW Inc. - Seat Me Safely - [www.kidsafensw.org/seatmesafely/](http://www.kidsafensw.org/seatmesafely/)
- National Quality Standards - Quality Area 2 – Standard 2.2, Elements 2.2.1., and 2.2.2.

**Note:** In this policy “staff” refers to staff employed by Willoughby City Council and educators registered with Council’s Family Day Care Scheme.

**Practices:**

To minimise the risks of transporting children, staff/educators will follow these safe-transportation guidelines. These practices apply to transporting children in cars and mini buses.

**All Services:**

Children are transported to and from the service safely when the service ensures that:

- Any transport used is suitable and safe for all children.
- The driver of the vehicle is appropriately licensed for the class of vehicle driven.
- The driver of the vehicle is not under the influence of alcohol, drugs or any medication that will alter their perceptions or make them drowsy.
- Car seats and restraints meet and are fitted in accordance with Australian Standards.
- Anchorage points for car seats are inspected annually by an authorised fitting station.
- Before a child is transported in a vehicle, the parent/guardian must approve transportation and be notified about the restraint type to be used in the vehicle.
- All children will be seated in the back seat in an approved child restraint. No child will be seated in the front seat of a car or bus.
- No child will be transported in the front seat of a vehicle fitted with an airbag.
- Before a child is transported in a vehicle where a staff driver is a probationary driver (P plates) the parent or guardian of the child must be notified and give permission in writing.
- Learner drivers (L plates) may not transport children at any time.
- A first aid kit type ‘C’ and emergency contacts lists are carried.
- At no time will an individual restraint be used for more than one child.
- At no time will the number of children exceed the number of legal restraints available in the vehicle.
- All children will have their seat belt, booster or car restraints done up before the vehicle is started, assisted by staff when required.
- Services will educate children and families on road safety and child restraints. Information on safe transportation and current recommendations from recognised authorities will be made available to parents and children at each service.

**Family Day Care:**

If staff/educators are transporting children in their care by private motor vehicle:

- Each child shall be correctly restrained in an approved car seat, booster or capsule appropriate to the child's age and size.
- Before a child is transported in a vehicle the parent or guardian of the child must be notified about the restraints to be used in the vehicle.
- Parents must sign a permission form to allow their child to sit in the front seat of a vehicle in a booster seat (between the age of 4 & 7 Years of age) or using the adult seat belt (children over the age of 7 years). This only applies to cars not fitted with airbags and for children over the age of 4 years. (A child between 4 years of age and under 7 years of age cannot sit in the front row of a vehicle that has more than one row of seats unless the other rows are occupied by younger children in approved child restraints. Note: You can only use a booster in the front row of a vehicle if that booster seat does not require a top tether strap).
- No child will be transported in the front seat of a vehicle fitted with an airbag.
- At no time will an individual restraint be used for more than one child.
- At no time will the number of children exceed the number of legal restraints available in the vehicle.

- Learner drivers (L plates) may not transport Family Day Care children by car at any time.
- Before a child is transported in a vehicle where the educator is a Probationary Driver (P plates) the parent or guardian of the child must be notified and permission note signed.
- Staff will assist children to enter and leave the vehicle on the kerb side -away from the traffic.
- During times of inclement weather staff/educators are to consider if it is appropriate to transport children. Risk Management of such a situation will be the responsibilities of the individual staff/educator. In determining the risk staff/educators are to take into account, at a minimum, the location to be travelled to, the forecast for the extreme weather and their confidence levels for driving in such weather.
- Staff will comply with all road rules and licensing requirements. The vehicle must be registered, insured and adequately maintained by adhering to the vehicles servicing requirements.
- Staff will inform the Co-ordination unit of vehicle changes. Another household member's car cannot be used unless the child restraints have been checked by an approved RTA fitting station and a certificate provided to the Family Day Care Co-ordination Unit office.
- All vehicle anchor points, seat belts and child restraints must be checked by an Approved RTA Fitting Station on an annual basis. A compliance form is to be completed by the agent and returned to the Family Day Care office.
- Staff must ensure there are no loose objects in the vehicle that could cause injury in the event of an accident.
- Staff will notify the coordination unit of any car accident including if a used or unused child restraint was in the car at the time.
- Staff will observe the NSW Government Transport, Roads and Maritime Services 'Seatbelts and Child Restraints' information at [www.childcarseats.com.au/legal-requirements](http://www.childcarseats.com.au/legal-requirements) and Transport for NSW Centre for Road Safety 'Seatbelts' information at [www.roadsafety.transport.nsw.gov.au/stayingsafe/vehiclesafety/seatbeltsrestraints/index.html](http://www.roadsafety.transport.nsw.gov.au/stayingsafe/vehiclesafety/seatbeltsrestraints/index.html)
- Children must be attended to at all times when in motor vehicles by a Staff/Educator.
- Staff must gain professional advice when purchasing car seats.
- All child car restraints must be replaced after 10 years old from the manufacturing date.

## Appendix 1

Adapted from 'Make the Safest Choice' - [www.childcarseats.com.au/](http://www.childcarseats.com.au/) and 'Legal Requirements' [www.childcarseats.com.au/legal-requirements](http://www.childcarseats.com.au/legal-requirements)

### National child restraint laws:

- Children up to the age of six months must be secured in an approved rearward facing restraint.
- Children aged from six months old but under four years old must be secured in either a rear or forward facing approved child restraint with an inbuilt harness.
- Children under four years old cannot travel in the front seat of a vehicle with two or more rows.
- Children aged from four years old but under seven years old must be secured in a forward facing approved child restraint with an inbuilt harness or an approved booster seat.
- Children aged from four years old but under seven years old cannot travel in the front seat of a vehicle with two or more rows, unless all other back seats are occupied by children younger than seven years in an approved child restraint or booster seat.

- Children aged from seven years old but under 16 years old who are too small to be restrained by a seatbelt properly adjusted and fastened are strongly recommended to use an approved booster seat.
- Children in booster seats must be restrained by a suitable lap and sash type approved seatbelt that is properly adjusted and fastened, or by a suitable approved child safety harness that is properly adjusted and fastened.

If the child is too small for the child restraint specified for their age, they should be kept in their current child restraint until it is safe for them to move to the next level.

If the child is too large for the child restraint specified for their age, they may move to the next level of child restraint.

### Choose the right restraint to suit your child's height, weight and age

Follow the guidelines below to ensure that you are choosing the safest restraint for your child and using it correctly.

- Select a child restraint approved to the Australian Standard. These restraints are marked with the Standard Australia 'tick-mark'.



- Child restraints are designed to match a child's height and weight. When you buy a restraint you need to consider:
  - The size and weight of your child.
  - If the restraint will fit in your vehicle.

Keep the child in the most appropriate restraint suitable for their size and weight and only move them to the next category of restraint when he or she no longer physically fits.

- In rear facing and forward facing restraints, ensure the inbuilt harness is adjusted for a comfortable but firm fit with no slack so that the harness straps are straight and in flat contact with the child.
- In booster seats, make sure the sash belt crosses the shoulder and is in contact with the child's chest. Make sure the lap belt sits low across the pelvis. Look for booster seats with:
  - Sash guides or locators that will position the sash belt comfortably at the child's shoulder level.
  - Features to prevent 'submarining', which occurs when a child slips under the lap section of the seatbelt during a crash, with the potential for serious or fatal injury.
- Always follow the restraint manufacturer's instructions when installing a restraint and placing the child in it. Incorrectly using a restraint or using a restraint that is not suitable for your child's size puts your child at a higher risk of serious injury or death in a crash.
- Use an authorised restraint fitter if you are unsure how to fit the child restraint.
- Consider the ease of use ratings. A restraint that is easier to use is more likely to be used correctly. A correctly fitted restraint offers better protection than an incorrectly fitted restraint.

**Warning:** Children should only use lap-only seatbelts when placed in a booster seat that incorporates a child safety harness. In a crash, the lack of upper body restraint means the

head and upper body of the child will travel forward possibly allowing the head to strike the seat in front or their knees.

## Appendix 2

### Types of Restraints

- To be as safe as possible when travelling in cars, children and adults need to be using restraints or seat belts that are properly fitted and suited to the size of the person.
- The restraint (baby capsule, restraint or booster seat) needs to be the correct size and design for the infant or child. In general terms, these sizes equate to the ages of typical children.
- It is important when choosing a child restraint that it is appropriate for the child's size. This may not necessarily match the child's age group, especially if they are bigger or smaller than the average children their age. Do not change from one to another just based on age.

There are a number of different types of child restraints currently available. These are outlined below:

### Rear Facing Restraints and Baby Capsules

- Suitable for babies up to at least 6 months of age or 9kg and up to 70cm in length or 12kg depending on the make of child restraint
- The baby is secured by an inbuilt six point harness and faces rearward when placed in the restraint.
- The restraint is secured in the vehicle by a tether strap which is attached to an anchor point and the adult seat belt.

### Convertible Forward Facing Restraints

- These restraints can be used in two positions - rear facing or forward facing (combines the features of rearward facing and forward facing restraints) and accommodates babies from birth up to at least 6 months or 12kg (depending on the type of restraint) in rearward-facing mode and can then be converted to forward facing for young children from 8-18kg
- After the child has outgrown the rear facing position it can then be converted to a forward facing restraint where the child sits upright and faces forward in the vehicle.
- In both positions the child is secured in the restraint by an inbuilt six point harness.
- It is important to follow manufacturer's instructions when changing between positions.
- These restraints in both positions are secured in the vehicle by the adult seat belt and a tether strap which is attached to an anchor point.

### Forward Facing Restraints

- These restraints are suitable and designed for young children who weigh from 8-18kg, or 6 months at the earliest to at least 4 years of age
- They have an inbuilt six point harness which is fed through slots in the restraint and allows the harness to be adjusted as the child grows.
- The restraint is held in position by the adult seat belt and a tether strap which is attached to an anchor point in the vehicle.

### Convertible Booster Seats

- Convertible booster seats combine the features of forward facing restraints for young children and booster seats for older children and can be used for children from 6 months at the earliest to at least 7 years.
- These restraints can be used in two positions:
  - When the child is small and until at least 4 years of age, it is used as a forward facing restraint with an inbuilt harness to secure the child in the restraint and is attached with a tether strap to an anchor point. The adult seat belt is used to keep it in position on the seat.

- When the child has outgrown the harness system, and is at least 4 years old or child reaches 18kg or until the harness straps are too tight over the shoulders, it can then be converted to a booster seat. The inbuilt harness system is removed and the adult seatbelt is used to restrain the child.

### **Booster Seats**

- Booster seats are suitable for children 14-26kg, or from 4 years of age at the earliest until at least 7.
- They come with and without top tether straps.
- Booster seats that have a tether strap are heavier and must be attached to an anchor point. The adult seat belt is used to restrain the child in the vehicle.
- Some booster seats have adjustable headrests to accommodate growing children.
- Foam booster seats are lighter and do not require a tether strap but still use the adult seat belt to restrain the child.
- Booster seats with high backs and sides provide protection for children in side impact crashes as well as providing support for when they are sleeping.

### **Seatbelts**

- Adult lap/sash seatbelts should only be used on their own when the child is too big for a booster seat.
- Lap/sash seatbelts offer greater protection to passengers than do lap only seatbelts, but they must fit correctly. This means that the lap belt is positioned over the hip and the sash belt sits on the shoulder and does not touch the neck.

## Appendix 3

### Important safety points and Installation

Infant restraints, child seats and booster seats with full backs provide excellent protection for children if they are fitted correctly.

Determine the suitable restraint, child seat or booster seat for your child by giving consideration to your child's height and weight as well as their age.

Remember:

- ▣ It is **illegal** to carry a child in your arms in a motor vehicle. In a crash the child could be crushed, thrown around the vehicle interior or thrown out of the vehicle.
- ▣ **Never** put a seatbelt around both yourself and a child on your lap.
- ▣ Children **must never** share a seatbelt, it is **illegal**.

### Installation

. Restraints must be fitted by an RTA Authorised Fitting Station.

An infant restraint or child seat is fitted correctly when the top strap of the child restraint is attached to the anchorage point. Usually, this anchorage point is positioned just behind the back passenger seat.

The law requires that all children must be restrained when travelling in a car. Choosing, correctly fitting and always using a restraint most appropriate to your child's size significantly reduces their risk of injury in a crash. Always choose a restraint with the Australian Standards mark.

Sizes and ages are provided as a guide only. Always seek the advice of an RTA Authorised Restraint Fitter and refer to restraint manufacturer's instructions.

For more information and to find your nearest Authorised Fitting Station:

- NSW – RTA Customer Service Enquiry on 132213.
- NSW – NRMA Technical Advice on 1300 655 443 or [www.mynrma.com.au](http://www.mynrma.com.au)
- Kidsafe NSW on 02 9845 0890 or [www.kidsafensw.org/seatmesafely/](http://www.kidsafensw.org/seatmesafely/)