



Legal & Public Liability Issues for Support Groups

Thinking about insurance and legal matters for your group can seem unnecessary or daunting when all you want is to get together informally with other families and enjoy some activities with your children. This information sheet aims to get you thinking about some legal and public liability issues, and how Permanent Care and Adoptive Families (PCA Families) may be able to help.

Managing Risk- Things to think about

You want your group to be enjoyable for all; the last thing you want is for an injury or accident to occur. So it is worth spending a little time, as a group, to reflect on a few pertinent points. For instance have you considered who would cover the cost of any damage to property or equipment? Or what your group could do to reduce the likelihood of a child being injured by another child or as a result of a burn or a fall? Did you realise that individual group members could be held liable if you haven't taken adequate precautions?

If your group is run at a community organisation, school or church hall then much of the responsibility for risk management of the physical environment, and OH&S requirements will rest with them. So by carefully checking out the venue in advance, you may be able to avoid the chance of future problems. Check that:

- The premises are clean, well maintained and child-friendly
- Play equipment is regularly checked and maintained
- There are safe play areas with child-proof gates and safety guards for heaters; lockable cupboards; safe electrical appliances, cords and sockets
- There is fire safety equipment in place, evacuation plans, and a first aid kit.

However it is still your responsibility as a group to ensure a safe environment during your group sessions and to manage the risks associated with your group's physical environment and activities -to ensure that you are taking 'reasonable care'. Some of the ways you can do this include:

- Parents take responsibility for supervising their own children *at all times*
- During group times, all adults watch out for potential hazards and risks
- Consider establishing a guideline that requires two (or more) adults to supervise groups of children at all times
- Have an emergency plan in place for evacuations or medical emergencies and ensure all adults are aware of it
- Set clear guidelines for the preparation, handling and sharing of food: being mindful of food allergies
- Have safety rules for the children when using play equipment.

Legal & Public Liability Issues for Support Groups cont...

Insurance

While it is definitely advisable for your playgroup or support group to have adequate insurance cover, the good news is that it can be a lot simpler to arrange than you think:

- By holding your support or playgroup in a regular venue such as community centre, local government facility, school or Church hall you will be covered under their Public Liability policy. However, this may not cover all your insurance needs, so it is worth investigating thoroughly.
- Playgroup Victoria offers membership packages with insurance cover specially designed to meet all your playgroup's needs. For more information, you can call toll free on 1800 171 882 or visit their website: www.playgroup.org.au/Membership/Insurance.aspx If your group wants to consider this option, then becoming a PCA Families sponsored support group offers financial assistance which can help cover the cost of membership.
- For playgroups or support groups run from private homes, a House and Contents Insurance policy which includes public liability may offer cover for negligence.

Financial and in-kind assistance may be available through PCA Families sponsorship which is designed to assist parent or carer-led support groups that are open to families formed through permanent care and adoption.

Playgroups and other Government Regulations

In general playgroups are not required to follow Government regulations which apply to other children's services, and this is primarily because parents or caregivers attend with their children and it is assumed that they will be supervising their children at all times during the playgroup session.

One example of this is that parents or carers are not required to have Working with Children Checks (WWCC). However, your group may choose to consider applying for WWCC just as an extra safeguard.

Similarly, playgroups are exempt from food handling regulations unless a main meal is provided.

Remember that PCA Families staff are here to assist PCA Families' sponsored support and play groups. Please contact us to discuss how you can apply to become a sponsored group by phone on 9020 1833, or email info@pcfamilies.org.au

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