

## Early Childhood Facilities

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### 1. PURPOSE

The purpose of this guideline is to provide additional information and guidance to childcare providers and the designers of childcare facilities on the risks associated with the evacuation of children from multi-storey buildings, childcare facilities situated within bushfire prone areas and private dwellings that provide in-home care.

It is intended that this guideline be considered in conjunction with the requirements of the National Construction Code 2022 – Volume 1 (NCC) [1], *Children’s Services Act 1996* [2], Children’s Services (Child Care) Regulations 2020 [3].

### 2. SCOPE

This guideline is applicable to the development of childcare facilities that are situated within the Fire Rescue Victoria (FRV) fire district, which are either situated within multi-storey building settings, are located within a bushfire prone area or within private dwellings that provide in-home care.

### 3. BACKGROUND

The Australian Children’s Education & Care Quality Authority (ACECQA) is the independent national authority that assists governments in administering the National Quality Framework (NQF) for children’s education and care. The ACECQA and the Australian Building Codes Board (ABCB) worked together, to develop new and enhance the existing deemed-to-satisfy (DTS) provisions of for the NCC relating to early childhood centres. These new and enhanced DTS provisions specifically addressed the difficulties associated with evacuating young occupants.

In July 2023, ACECQA published NQF Design considerations for centre-based early childhood education and care services in multi-storey buildings – Information Sheet (NQF Information Sheet) [4]. The information sheet provides building practitioners with information relating to the NQF and the unique risks associated with childhood care services in multi-storey buildings. This information sheet should be read and applied in conjunction with the requirements set out in NCC.

### 4. DEFINITIONS

For the purpose of this Guideline, the following definitions apply.

**Early childhood centre** – maintains the same definition contained within Schedule 1 of the National Construction Code 2022. For the purpose of this guideline, the terms ‘early childhood centre’ and ‘childcare facility’ are used interchangeably throughout.

**Performance-based design brief** – maintains the same definition contained within Schedule 1 of the National Construction Code 2022.

**Rise in storeys** – maintains the same definition contained within Schedule 1 of the National Construction Code 2022.

**Upper level** – refers to any floor level or levels within a building that are situated above the ground floor level or level that discharges to road or open space.

## **5. NEW AND ENHANCED FIRE SAFETY REQUIREMENTS FOR CLASS 9B CHILDCARE FACILITIES**

The NCC 2022 introduced new and enhanced DTS provisions for early childhood centres. The following list summarises these main changes to the NCC 2022.

- a) Sprinklers are required in a Class 9b early childhood centre and throughout a whole building containing an early childhood centre (including any other class), unless exempted under DTS Clause E1D11;

Note: Exemptions include an early childhood centre that is situated wholly within a storey that provides direct egress to a road or open space, or where the early childhood centre is the only use in the building and has a rise in storeys of not more than 2.

- b) An automatic smoke detection and alarm system is required to be provided throughout the whole building and not just the floor levels and areas used by the early childhood centre;
- c) No fewer than 2 exits are required to be provided to any storey or part of a storey used by the early childhood centre;
- d) Early childhood centres situated within buildings containing other parts of different classifications, are to be fire separated from the remainder of the building, by walls and/or floors with a fire resistance level (FRL) not less than that required for a fire wall; and
- e) Portable fire extinguishers are to be installed at emergency services switchboards, kitchen/cooking facilities and within fire compartments less than 500m<sup>2</sup> that are not served by fire hose reels.

## **6. CONCURRENT NQF CONSIDERATIONS THAT SUPPORT THE SAFE DEVELOPMENT AND USE OF CHILDCARE FACILITIES**

Changes to the NQF that took effect on 1 October 2023, apply to childcare service facilities situated within multistorey buildings that do not have direct egress to a road or open space, which are also shared with other occupants and uses. These changes are identified in the NQF Information Sheet, which are applied mutually alongside the requirements of the NCC 2022.

Designers of childcare facilities and childcare service providers must have regard to the following matters to address risk as part of the NQF service approval process.

- a) Additional fire safety systems to support extended travel distances to exits to allow additional time for safe evacuation;
- b) Design/fit out of egress and evacuation stairs and size of staircases;
- c) Egress procedures of other building occupants;
- d) Requirements for fall barriers on evacuation only stairs (minimum 1.5m height) and general egress stairs (1.8m height);
- e) Design and fit out of high fire risk areas within the service, such as kitchens, offices, food preparation areas and laundry – including consideration of the location of the smoke compartmentation of kitchen/laundry areas that directly adjoining children's indoor/outdoor spaces;
- f) Location and distribution of designated exits to minimise any objects that may obstruct or hinder evacuation;
- g) Location of equipment used for evacuation or fire safety;
- h) Suitability of alternative means of evacuation (such as the use of fire rated lifts where the early childhood service is located several floors above ground); and
- i) Safe and designated assembly points.

**Note:** Refer to Section 3 National Quality Standard and Assessment and Rating section of the NQF for further information.

[Section 3: National Quality Standard and Assessment and Rating | ACECQA](#)

The NQF Information Sheet also has heavy regard to Australian Standard AS3745-2010 – *Planning for emergencies in facilities (AS3745)* [5]. Emphasis is given to the development of emergency plans and procedures that can be regularly and reliably rehearsed.

## 7. EMERGENCY PLANS

The evacuation of babies, young children and non-ambulant children have a heightened risk due to the children not being able to respond independently and therefore rely on staff members of the early childhood centre to manage their evacuation.

The risks associated with evacuation of an early childhood centre is heightened further in a multi-storey building due to the physical environment such as longer distance of travel, egress stairs and fire safety systems which can cause distress to young children (alarms, sprinklers, stair pressurisation etc.). Where a facility is located within a mixed-use building, evacuation can be more complex when other building occupants are required to use the same egress stairs accessed by the early childhood facility.

The NQF service approval process, as indicated in the NQF Information Sheet, requires the childcare service provider to develop an emergency plan in accordance with AS3745.

The evacuation strategy that forms part of the emergency plan, is expected to identify the likely evacuation assembly areas both within the building and externally. Emphasis and forethought should be given when planning evacuation procedures to consider that children may be sleeping, or that there may be babies that require carrying.

Where early childhood centres are situated within a multi-storey building and are located on levels above ground, it may be necessary to seek guidance from FRV during the testing phase

of any practice evacuation (a.k.a. fire drill), to ensure that the emergency plan is appropriately informed, and the activities of the responding firefighters are accurately taken into consideration.

It is critical that staff are trained in the use of fire equipment, participate in regular fire drills and to be aware of the emergency procedures for the building.

### **7.1. Stairs used during evacuation**

Staff should be aware that when descending a staircase, young children will have difficulty coping with the steps as they are not generally designed for use by young children during an evacuation. Staff should also be aware of other occupants' use of the stairs, as adults entering the stair at different levels, may delay the evacuation of young children.

Designers of buildings that are intended to be used wholly or in part as a Class 9b early childcare centre, should be aware that DTS Clause D3D22 of the NCC requires a second handrail to be constructed at the standard height of not less than 865mm above the nosing of each stair tread, with a second handrail located between 450mm and 700mm, to assist young children when using the stairs.

### **7.2. Lifts used during evacuation**

Designers of buildings that are intended to be used wholly or in part as a Class 9b early childcare centre, who intend to utilise lifts to evacuate children, must develop a performance solution that considers all aspects of Performance Requirement D1P7 of the NCC. Additional design and guidance material is provided within [FRV Fire Safety Guideline GL-31 – Use of lifts for evacuation](#) [6] and the [ABCB Handbook Lifts Used during Evacuation](#) [7].

Importantly, the use of lifts for evacuation should only be used to compliment an emergency plan's evacuation strategy that concurrently considers the use of (fire isolated) stairs during an evacuation.

## **8. DESIGNATED BUSHFIRE PRONE AREAS**

Where an early childhood centre is proposed to be situated within a designated bushfire prone area with a Bushfire Attack Level (BAL) not exceeding 12.5, the prescriptive provisions of DTS clause VIC G5D2 of the NCC apply. Where an early childhood centre is proposed to be situated within a designated bushfire prone area exceeding BAL 12.5, the design of the early childhood centre will need to be developed as a performance solution and demonstrate compliance with Performance Requirement VIC G5P2 of the NCC.

It is the expectation of the Fire Rescue Commissioner that engagement with FRV is undertaken in accordance with Clause A2G2 of the NCC, where the BAL rating exceeds 12.5.

All approved early childhood centre providers must assess all possible risks associated with bushfires and grassfires. These requirements are set out in the NQF and the Children's Services Act and Regulations. Class 9b early childhood centre buildings that are assessed as being at the highest risk of bushfire, are placed on a Bushfire at Risk Register (BARR), with additional requirements imposed on the service as a requirement of the NQF.

Early childhood centre operators must ensure that they close pre-emptively on days forecast as reaching a catastrophic fire danger rating. Pre-emptive means that the operator of the early childhood centre acts before an emergency occurs, as distinct from reacting to it.

The early childhood centre's emergency management plan must include procedures for monitoring and managing bushfire and grassfire risks and events, more information can be accessed via the Victoria Government website [www.vic.gov.au](http://www.vic.gov.au).

## 9. PRIVATE DWELLINGS IN HOME CARE (IHC)

Where care for children is provided in a private dwelling under a parent/carer agreement, FRV recommends, as a minimum, that the following be implemented.

- a) Where children are sleeping overnight, educators should have a [home fire escape plan](#) that is practiced on a 3-6 monthly basis;

Note: Additional information on the home fire escape plans can be found by visiting [www.frv.vic.gov.au](http://www.frv.vic.gov.au).

- b) The installed smoke alarms should be AS3786 compliant photo-electric type units that are hardwired to a 240-volt AC power supply, interconnected, and be located in all sleeping areas and in all paths of travel between sleeping areas and exits to common corridors;
- c) Under no circumstances are “dead-lock” type door fasteners to be activated while the dwelling is occupied; and
- d) A home fire sprinkler system installed in accordance with FPAA101D – Automatic Fire Sprinkler System Design and Installation – Drinking Water Supply (2021) [9].

Note: Additional information on home fire sprinkler system installations can be found by visiting [www.homefiresprinklers.org.au](http://www.homefiresprinklers.org.au).

## 10. DESIGN APPROVAL DOCUMENTATION

Prior to the commencement of any childcare services within the settings that are defined within the scope of this guideline, FRV recommends that the building owner, lessee and/or the childcare service provider has obtained the following documents, which includes the relevant approval authorities from the state and federal regulators.

- a) A planning permit has been obtained that permits use of the facility to provide childcare services;
- b) An occupancy permit has been obtained that permits the building to be used as an early childhood centre;
- c) List of essential safety measures for the building and developed their own routine maintenance program for those installed essential safety measures;
- d) They maintain a record of staff members who have undertaken evacuation training, warden training and/or training in the use of the installed fire safety equipment;
- e) The relevant fire and evacuation orders are displayed throughout the building, including the identification of the emergency control organisation representatives, i.e., chief warden and wardens;

- f) They have implemented any requirements from the Department of Human Services or the Department of Families, Fairness and Housing;
- g) Developed their own checklist that assists them in meeting their obligations as described by the NQF and the *Children's Services Act 1996* and the Children's Services (Child Care) Regulations 2020.

## 11. REFERENCES

- [1] Australian Building Codes Board (2022) *National Construction Code 2022*, ABCB, Canberra.
- [2] Parliament of Victoria (22 November 2023) *Children's Services Act 1996*, Victorian Government, Melbourne.
- [3] Minister for Education (12 May 2020) *Children's Services (Child Care) Regulations 2020*, Victorian Government, Melbourne.
- [4] Australian Children's Education and Care Quality Authority. (July 2023) *NQF Design Considerations for Centre Based Early Childhood Education and Care Services in Multi-storey Buildings – Information Sheet*, ACEQUA, Sydney.
- [5] Standards Australia Committee FP-017 (Amendment 2: 2018) *Australian Standard AS3745-2010 – Planning for emergencies in facilities*, SAI Global Limited, Sydney.
- [6] Fire Rescue Victoria (February 2017) *Fire Safety Guideline GL-31 – Use of lifts for evacuation Version 2*, FRV, East Melbourne.
- [7] Australian Building Codes Board (2013) *Handbook (Non-Mandatory) – Lifts used during evacuation*, ABCB, Canberra.
- [8] Standards Australia Committee FP-002 (2014) *Australian Standard 3786-2014 Smoke alarms using scattered light, transmitted light or ionization*, SAI Global Limited, Sydney.
- [9] Fire Protection Association of Australia (2021) *FPAA101D – Automatic Fire Sprinkler System Design and Installation – Drinking Water Supply 2021*, FPAA, Melbourne.

**Note:** this is a controlled document and may only be modified by authorised personnel after review by FRV's Fire Safety Strategy, Policy, and Reform Department.