

Policy Document No: ELC36
Category: Early Learning
Topic: Staffing Arrangements Policy
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Considerations

- Philosophy:** To ensure our supervision and staffing practices keep children safe at all times.
- Children's needs:** To be provided with a school environment that is safe, supportive and enriching, and respects and fosters dignity and self-esteem.
- Parents' needs:** To feel confident that their child/ren are properly supervised while under the Centre's care to ensure their health, safety and development.
- Staff needs:** To be provided with a safe, inclusive and respectful workplace that clearly sets out policies, procedures, responsibilities and expectations for behaviour, and supports their professional development.
- Management needs:** To be assured that staff are properly qualified and equipped to comply with legislative requirements for child safety, wellbeing and development.

Background and Legislation

NQS

QA 4	4.1.1	Educator-to-child ratios and qualification requirements are maintained at all times.
QA 7	7.1.1	Appropriate Governance arrangements are in place to manage the service.

National Law

Section	5	Definitions (nominated supervisor consent in writing)
	56	Notice of change to nominated supervisor
	162	Offence to operate education and care service unless responsible person is present
	173	Offence to fail to notify certain circumstances to Regulatory Authority

National Legislation

Reg	10	Meaning of actively working towards qualification
	54	Process for certified supervisor to be placed in day to day charge
	120	Educators who are under 18 to be supervised
	122	Educators must be working directly with children to be included in ratios
	123	Educator to child ratios—centre-based services
	126	Centre-based services—general educator qualifications
	129	Requirements for educators who are early childhood teachers
	130	Requirement for early childhood teacher—centre-based services—fewer than 25 approved places

131	Requirement for early childhood teacher—centre-based services—25 or more approved places but fewer than 25 children
132	Requirement for early childhood teacher— centre-based services—25 to 59 children
133	Requirement for early childhood teacher—centre-based services—60 to 80 children
134	Requirement for early childhood teacher—centre-based services—more than 80 children
135	Early childhood teacher illness or absence
136	First aid qualifications
150	Staff record must include name of responsible person at service each time children being educated and cared for by the service.
173(2) (c)	Offence not to clearly display name of responsible person in the main entrance
241 242	Persons taken to hold an approved early childhood teaching qualification Persons taken to be early childhood teachers applies from 1.1.14 to 1.1.18 Applies to regs 130-134
243	Persons taken to hold an approved diploma level education and care qualification
244	Persons taken to hold an approved certificate III level education and care Qualification
357	Educator to child ratio—children aged over 24 months but less than 36 months Applies to reg 123(1)(b)
358	Working with children check to be read
363	Early childhood teacher in attendance—60 or more children Reg 134(1)(a) and (b) does not apply until 1.1.20
364	Educational qualifications—centre-based services— saving of existing experience and qualification Applies to reg 126(1)(b)

Sources

Education and Care Services National Law and Regulations
National Quality Standard
Children’s Services Regulations 2009
Department of Justice Vic
Working With Children Act 2005
Working With Children Regulations 2006

To be read in conjunction with

- College Child Protection Policy ED34
- Excursions Policy ELC06

Specific Practices and Procedures

Supervision

Children's safety and wellbeing is taken very seriously at our service. All educators and staff members will ensure that children are adequately supervised at all times, and that they can respond immediately to any child that is distressed, in need of assistance or support or in a dangerous situation. This includes during transition periods throughout the day when children may, for example, be changing rooms or groups, moving between outdoor and indoor environments, arriving or leaving the service, moving from service vehicles to the service premises, leaving or returning from excursions, moving to meal areas, washing their hands, or using the toilet.

To achieve this outcome educators will be alert, aware and in sight and sound of all children for whom they are responsible. Educators supervising outdoors must position themselves to see as much of the play area as possible. They will also actively engage with children and not stand back and watch. Educators working directly with children must focus on the children and not other duties/activities. They will not group together in the outdoor environment except for brief, necessary discussions regarding the children.

In particular, children will be supervised:

- when resting or sleeping
- during hand washing and/or toilet times
- at the table when eating
- in any areas where risk is increased
- during any water activity (at least one educator close at all times)

The Approved Provider or Nominated Supervisor, and where relevant Room Leaders, will ensure:

- only educators working directly with children are included in the educator to child ratio
- students, volunteers and any educator under eighteen years is supervised at all times by an educator eighteen and over
- no child is ever left alone with a visitor/ unauthorised person
- they promote continuity of care when organising rosters and a regular pool of relief educators
- any educators on a meal-break return to duty to supply adequate supervision in any emergency situation where adequate supervision of children is threatened.

Responsible Person

Our service will have at least one "responsible person" present at all times when caring for and educating children. A responsible person is:

- an approved provider
- a nominated supervisor
- a person who is in day to day charge of the service.

The name of the responsible person will be clearly displayed in the main entrance of the Service. If the responsible person needs to change (for example the current person needs to leave the Service), he or she will "hand over" responsibility for the role to another eligible person at the Service. Both the old and new responsible person will communicate directly and ensure the name of the responsible person displayed at the Service correctly reflects who currently holds the position.

Nominated Supervisors and Persons in Day to Day Charge

The Approved Provider will make sure people appointed as a Nominated Supervisor or Person in Day to Day Charge are at least 18 and have:

- The required skills to be a nominated supervisor or person in day to day charge eg. has adequate knowledge and understanding about providing education and care including understanding of child protection obligations.
- Can effectively supervise and manage the service.

The Approved Provider will take all reasonable steps to ensure children's safety and wellbeing is protected and ensure the person is 'fit and proper' person to fill the role by:

- considering their age, qualifications and experience
- checking their child protection clearance is current
- getting a statement from person about their compliance history. Use 'compliance history statement' template on ACECQA website
- getting declaration from person that they're not a 'prohibited person'. Use 'prohibition notice declaration' on ACECQA website

A person who accepts a Nominated Supervisor position must consent in writing using ACECQA notification form NS01 which must be submitted with form NS02 'Notification of Change to Nominated Supervisor' to the Regulatory Authority.

A person who accepts being in day to day charge must also consent in writing. The nominated supervisor will keep a record of all persons who may be placed in day to day charge.

The Approved Provider or Nominated Supervisor will keep a record of all information and documentation supporting a person's appointment as Nominated Supervisor or in day to day charge.

Notifications

The Approved Provider will notify the Regulatory Authority:

Approved Provider

- within 14 days a change of name
- within 7 days of a change of address or contact details
- within 7 days of any adverse change in fitness and propriety
- within 14 days of the appointment or removal of a person with management or control of the service

Nominated Supervisor

- within 7 days that a Nominated Supervisor is no longer employed at the service, is removed from position or withdraws consent

Educator to Child Ratios

The Approved Provider and Nominated Supervisor will ensure our educator to child ratios always meet the minimum requirements below:

- For preschool aged children 36 months and over, 1 educator to 11 children.

In relation to ratios:

- The numbers of children do not include children being cared for in an emergency for no more than two consecutive days the service operates
- Students or volunteers will never be included in ratios
- An early childhood teacher (ECT) can be included in the ratios if they are present at the service
- More than one educator will be present when children are in attendance where possible.

Educator Qualifications

At least 50% of educators who work directly with children and are included in our educator to child ratios must have or be actively working towards an approved Diploma level education and care qualification. All other educators who work directly with children and are included in our educator to child ratios must have or be actively working towards an approved Certificate III level education and care qualification.

Exception:

- The Certificate III qualification requirements do not apply to an educator who has been employed on probation for up to 3 months at one or more centres operated by the Approved Provider.

To be actively working towards a qualification, a person must be enrolled in the course and provide written evidence that they:

- have commenced the course
- are making satisfactory progress
- meet the requirements to maintain enrolment.

If they are working towards a diploma qualification, they must also hold an approved Certification III qualification or have completed approved Certificate III units or have completed 30% of the units in an approved ECT qualification.

If an ECT is required to be in attendance at the service, the ECT (including an ECT covering the position because of illness or leave) is counted as meeting the Diploma qualification.

Approved Diploma Qualification

A person is taken to hold an approved Diploma level education and care qualification if:

- they hold an approved qualification or former qualification as published on <http://www.acecqa.gov.au/qualifications/> or
- if immediately before 1 January 2012, they were recognised under the former education and care services law of any participating jurisdiction as a Diploma level educator and employed or engaged in a declared approved service.

Approved Certificate III Qualification

A person is taken to hold an approved Certificate III level education and care qualification if:

- they hold an approved qualification or former qualification as published on <http://www.acecqa.gov.au/qualifications/> or
- immediately before 1 January 2012, they were recognised under the former education and care services law of any participating jurisdiction as certificate III level educator and employed or engaged in a declared approved service or
- before 1 January 2012 the educator completed a professional development course approved by the Secretary under the Children's Services Regulations 2009 of Victoria and:
 - was employed full-time and continuously as an educator at a licensed children's service or outside school hours care service for a period of at least 5 years immediately preceding 25 May 2009 or
 - was employed at least part-time and continuously as an educator at a licensed children's service or outside school hours care service for a period of at least 10 years immediately preceding 25 May 2009.

Requirements for an Early Childhood Teacher (ECT)

The Approved Provider and Nominated Supervisor will ensure we always meet the minimum ECT requirements below:

For services licensed for **more than 80 children** on any given day the service must have an ECT in attendance:

- for at least 6 hours on that day if the service operates 50 or more hours a week or
- for 60% of the time that the service is open on that day If the service operates for under 50 hours per week.
- **By 1 January 2020**, the service must have a second ECT in attendance:
 - for at least 6 hours on that day if the service operates 50 or more hours a week or
 - for 60% of the time that the service is open on that day if the service operates for under 50 hours per week.

The numbers of children do not include children being cared for in an emergency for no more than two consecutive days the service operates.

If an ECT is absent, we may cover their absence with a person who holds an approved Diploma level qualification or a qualification in primary teaching if the period of absence does not exceed 60 days in any 12 month period.

Approved ECT qualifications:

All ECT need to have a current VIT registration and their qualifications approved by the VIT.

From 1 January 2014 to 1 January 2018, an educator who has completed at least 50% of a relevant qualification that would enable them to be qualified as an ECT and is actively working towards the completion of the qualification or holds an approved diploma level education and care qualification can be counted as an ECT.

First Aid Qualifications

The Approved Provider or Nominated Supervisor will ensure that at least one educator, staff member or Nominated Supervisor present at the service:

- holds a current approved first aid qualification
- has undertaken current approved anaphylaxis management training and
- has undertaken current approved emergency asthma management training.

If the service is situated within a school's grounds, the service will meet the first aid requirements if there is at least one school staff member in attendance and immediately available who holds a current first aid qualification and has completed current approved anaphylaxis and asthma management training.

An educator is taken to hold an approved first aid qualification or training if the educator holds an approved qualification or training as published on <http://www.acecqa.gov.au/qualifications/>

Child Protection

The Approved Provider and Nominated Supervisor will ensure all employees understand the current child protection law and their obligations under the law.

Working With Children Check

The Approved Provider or Nominated Supervisor will ensure that educators, staff, volunteers and students have a Working With Children Check before they work or volunteer at the service unless the person is:

- under 18 and works with children at the service only under the immediate supervision of an educator who has attained the age of 18 years or
- registered as a teacher under the Victorian Education and Training Reform Act 2006 and the approved provider, nominated supervisor or person in day to day charge of the service has checked the relevant register to ensure the person is registered.

Students on Practicum Placements, Work Experience Students and Volunteers

The Service is happy to support Students on practicum placements, work experience and volunteers in their efforts to become Early Childhood Professionals. They will be encouraged to obtain the qualifications necessary to work with children under the National Quality Framework.

Students and Volunteers MUST follow all policies and procedures at the service.

Educators will:

- Maintain open communication with Students and Volunteers along with their practicum teachers.
- Support all students and volunteers undertaking work experience during their placement.
- Pass relevant skills and knowledge onto each student and volunteer.
- Ensure all educators are provided with relevant feedback about tasks that the student is required to complete in the service as part of their practicum.
- Be aware of student and volunteer expectations.
- Have the time and capabilities to support each student and volunteer in their placement.

Students and Volunteers will:-

- Learn about the children through observation and practical experience.
- Develop skills and abilities needed to care for and educate children.
- Learn about working as part of a team in the Early Childhood Profession.
- Learn strategies employed when working in a team environment.
- Learn skills already acquired by qualified educators in the Service.
- Become familiar with families and children in the Service.
- Keep educators aware of all written work requirements.

Method:

The Nominated Supervisor or Approved Provider will appoint an educator to be 'Student Supervisor,' arrange a pre-placement visit for the student or volunteer and inform those at the Service when this will occur. Families will also be informed when Work Experience Students and Volunteers are present at the service and about their role and hours they will be spending at the Service.

During the visit the Supervisor will:

- Inform the student of hours of operation, dress code and code of conduct.
- Confirm dates the student will attend the service.
- Take the student or volunteer on a tour of the Service.
- Introduce the student or volunteer to educators and their Room Leader.

Students and Volunteers will:

- Inform the Nominated Supervisor in writing of what will be expected of them by their training body, University or School, or any other training organisation, and provide time sheets and evaluation forms. Organise a pre-placement meeting with their supervising teacher.
- Bring in:
 - Documentation from university
 - WWC check
 - Photo ID
- Discuss with the Student Supervisor any problems they may be experiencing.

The Room Leader will:

- Discuss progress of written work and performance with the student and volunteer.
- Discuss any issues raised by the student with the Student Supervisor.

Approved by the College Principal:



Date: October 2017