Staffing

POLICY STATEMENT:

Lake Mac Newy OOSH believes that educators are the most valuable asset in providing high-quality care and education, and that employing and retaining high-quality educators is imperative. We aim to employ the best possible educators and ensure they are fit and proper for employment in children's services. A flexible, harmonious working environment is maintained, ensuring the rights of employees are consistently met by educators employed under the appropriate awards and conditions. Lake Mac Newy OOSH has adopted a Human Resources package that meets the National Quality Standards and the Fair Work Act and is reviewed annually or as needed. It is provided to staff on orientation. Grievances are addressed quickly and effectively, with the highest standards of confidentiality always practiced. All educators, volunteers, students, and visitors will be informed of their expectations and requirements related to safety and the proper care of children. All practices will be in accordance with the OOSH Code of Professional Standards. "Recruitment, induction and staffing practices will support the ongoing suitability of all educators, staff, volunteers and students to work with children. The service will take reasonable steps to ensure any person engaged by the service remains fit and proper and does not pose a risk to children's safety, well-being, or welfare. We will encourage open, positive communication among all parties involved. (National Quality Standards 4.1 & 4.2)

The safety, well-being, rights and best interests of children are the paramount consideration in all staffing decisions, recruitment practices, supervision arrangements, educator conduct and service operations. Lake Mac Newy OOSH is committed to maintaining a child safe culture that promotes respectful relationships, professional boundaries, cultural safety, and the active prevention of harm, abuse, neglect, grooming and inappropriate conduct.
Staffing practices will support children's rights, participation, voice and agency by ensuring educators build secure, respectful relationships and respond to each child's individual needs, views and preferences.
Where competing operational, staffing, financial or workforce considerations arise, the safety, wellbeing, rights and best interests of children will always take precedence.
Recruitment, induction, supervision and professional development will support educators to provide culturally safe, inclusive and equitable environments for Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities, and all children and families.

PROCEDURES:

<u>Staff Selection</u>

- **NOMINATED SUPERVISOR**

The Nominated Supervisor is a suitable person appointed by the Approved Provider who is placed in day-to-day charge of an approved Service. Nominated Supervisors have a range of responsibilities under the National Law and Regulations including programming, supervision and safety of children, entry to and exit from the premises, food and beverage, administration of medication, excursions, and staffing.

The approved provider will ensure a nominated supervisor is nominated for the OOSH Service and display the name of the nominated supervisor in a place that is clearly visible to staff, educators, families, and visitors.

The approved provider must provide sufficient evidence and information to demonstrate compliance to the regulatory authority of the suitability of this person as nominated supervisor and notify the regulatory authority at least seven days prior to the nominated supervisor or as soon as practicable (no-more than 14 days after the nominated supervisor has commenced employment in the position). The approved provider will ensure the regulatory authority is notified if the nominated supervisor ceases employment at the Service, is removed from the role or withdraws consent to the nomination.

The approved provider will ensure the nominated supervisors meets the following requirements:

- The nominated supervisor must be 18 years of older
- The nominated supervisor must have successfully completed Child Protection training and be aware of mandatory reporting obligations
- The nominated supervisor must hold current first aid training including CPR
- The nominated supervisor must have a history of compliance with Education and Care National Law and other relevant law (e.g., Family Law)
- The nominated supervisor has adequate knowledge and understanding of the provision of education and care to children and can effectively supervise and manage an education and care Service (Reg. 117C)
- The nominated supervisor is responsible for the day-to-day management of the Service, ensuring compliance with the National Law, Regulations, National Standards and Family Assistance Law
- The nominated supervisor will accept the role in writing, to ensure they have a clear understanding about their role and responsibilities.
- The nominated supervisor will ensure the Service program is reflective of the approved learning framework, incorporate the children's developmental needs, interests, and experiences, and consider the individual differences and needs of each child.
- The nominated supervisor will adhere to Service policies ensuring a safe and healthy environment is provided.
- The nominated supervisor will register with PRODA and complete required background checks, including a Working with Children Check and criminal history record check.
- The Nominated Supervisor must sign a Compliance History Statement and Prohibition Notice Declaration before commencing in the role.
- The Approved Provider will remove the Nominated Supervisor if compliance action is taken or concerns arise regarding their suitability.
- The Approved Provider will also take immediate action where any prohibition notice, suspension notice, supervision notice, disciplinary action, reportable conduct concern or other child safety concern arises relating to the Nominated Supervisor.

- **Coordinator**
  - Desirable Certificate IV, Diploma in School Age Education and Care or equivalent or other relevant qualification or working towards.
  - Desirable, minimum 3 years' experience in a relevant field and demonstrated ability to work with children and staff.
  - Holds a current first aid certificate or willing to undergo training to obtain this.
  - A person of good character, who can be entrusted with providing adequate care for the welfare of the children.
  - Awareness of child protection responsibilities and has successfully completed accredited Child Protection training.
  - Has an interest and desire to work with children.
  - Has an ability to communicate with adults, children, and management.
  - An ability to supervise and support educators.
  - The Coordinator will be a minimum of 18 years of age.
  - Hold a current Working with Children Check.
  - Be willing to take on the role of Nominated Supervisor.

- **Assistant Coordinator**
  - Desirable Certificate IV, Diploma in School Age Education and Care or equivalent or other relevant qualification or working towards.
  - Relevant training as above and/or relevant experience to successfully fulfill the position.
  - Holds a current first aid certificate or are willing to undergo training to obtain this.

- A person of good character, who can be entrusted with providing adequate care for the welfare of the children.
- Awareness of child protection responsibilities and has successfully completed accredited Child Protection training.
- Has an interest and desire to work with children.
- Has the ability to communicate with adults and children.
- Assistant Coordinators must be at least 18 years of age.
- Hold a current Working with Children Check.
- Be willing to take on the role of Responsible Person in the absence of the Coordinator/Nominated Supervisor.
- Will accept the role of Responsible Person in writing and acknowledge they meet the requirements of Regulations 117A and 117B of the Education and Care Services National Regulations.

- **Responsible Person**

A Responsible Person is required to be always physically present at the OOSH Service where children are being educated and cared for. The Responsible Person can be the Approved Provider, or a person with management or control placed in day-to-day charge of the Service.

- Our OOSH Service will ensure there is always a Nominated Supervisor or Responsible Person on the premises when children are being educated and cared for.
- The approved provider or nominated supervisor will ensure any persons nominated as a responsible person placed in day-to-day charge are at least 18 years old and have adequate knowledge and understanding of the provision of education and care to children and an ability to effectively supervise and manage an education and care service (Reg. 117B)
- The responsible person must have successfully completed Child Protection training and be aware of mandatory reporting obligations. (Reg. 84).
- Holds a current first aid certificate or willing to undergo training to obtain this.
- Our OSHC Service will clearly communicate the Responsible Person on duty with families, educators, staff, and visitors by displaying this information in the foyer or reception area.
- The Responsible Person will adhere to Service policies and procedures and maintain a safe and healthy environment for children.
- Will always act with professionalism when dealing with children, educators, visitors, families, and volunteers.
- Responsible Persons must act in accordance with the service's Child Protection, Child Safe Environment and Safe Use of Digital Technologies and Online Environments policies.
- All responsible persons will accept the role in writing, to ensure they have a clear understanding about their role and responsibilities (Reg.117A)
- Must have a history of compliance with Education and Care National Law and other relevant law (e.g., Family Law).

- **Educational Leader**

The Educational Leader has an influential role in inspiring, motivating, affirming, and challenging or extending the practice and pedagogy of educators. It is a joint endeavour involving inquiry and reflection, which can significantly impact on the important work educators do with children and families.

- The Approved Provider will nominate an experienced and skilled educator to take on the Educational Leader role and responsibilities.
- The Educational Leader will accept the position, in writing.
- The Educational Leader will keep a record about how they mentor and guide educators of the Service to ensure continuous improvement.
- Will guide educators to provide a range of learning experiences that cater for the needs and interests of children through play and leisure opportunities.
- Knowledge of leadership theory and the use of a range of leadership styles.
- Critical thinking skills, including the ability to analyse and challenge conventional practice and ideas.

- A sense of purpose and direction, and the ability to influence a willingness to mentor and support educators from diverse backgrounds and with varying levels of knowledge and experience.
- A commitment to learning and participating in professional learning opportunities.
- Will maintain evidence about the development of the learning program and the alignment to the *My Time, Our Place* V2.0 framework.
- The Approved Provider will ensure the name of the Educational Leader is displayed at the service in a place that is clearly visible to staff, educators, families, and visitors (Reg 173)
- The Approved Provider will support the Educational Leader to fulfill their responsibilities by ensuring opportunities for professional development to support continuous improvement.
- Desirable holds a current first aid certificate.
- Desirable awareness of child protection responsibilities.

Educators:

- The service will employ permanent or casual educators to fill vacancies or absences.
- Management will keep a register of casual educators, which will be maintained and updated regularly.
- A record of educators' previous experience, qualifications and completed Working with Children Check, will be kept online through the Deputy program and in services staff matrix.
- Unsuccessful applicants for positions vacant who seem suitable will be asked if they would like to be placed on the casual educator list.
- Where immediate emergency staffing is required, the service will take reasonable steps to verify suitability, Working with Children Check status and child safe requirements prior to engagement.
- Job descriptions will be drawn up for all educators.
- Educators will be asked to fill out a contract work agreement before commencement of duties including job description, code of conduct and HR policies.
- The Coordinator/Assistant Coordinator will, where possible, provide an induction and orientation to the service, which will include a tour of the service, introductions to educators, emergency evacuation/ lockdown procedures and plans and read/sign copies of relevant policies and risk assessments. The Coordinator/Assistant Coordinator will ensure that they are fully aware of their duties and the services expectations prior to commencement.
- Educators must adhere to all areas of confidentiality.
- Educators must maintain professional conduct and boundaries in accordance with service policies and child safe expectations.
- Anyone who will be collecting children from school will be given clear instructions as to the meeting place, list of kindergarten children to be collected (Term 1), a company uniform shirt or special service identification such as a service badge (so the children know they may go with that person).
- All educators will be paid the appropriate wage and minimum hours as outlined for permanent or casual educators under the relevant award.
- Only educators who are actively engaged in the supervision, care, and education of children will be counted in educator-to-child ratios, in accordance with Regulation 122.
- Educators must be present, attentive, and working directly with children to be included in supervision ratios, regardless of whether on a break or completing other tasks.
- All educators must read and sign key service policies upon induction, and at regular intervals as part of ongoing compliance and quality assurance.
- Policy understanding and adherence will be reviewed through staff meetings, supervision, and performance appraisal processes, and updated as required to reflect regulatory or service changes.
- **Staff Employed Under 18 Years of Age -** Our OOSH Service employs educators over the age of 18 years of age, if this were to occur, we will ensure any staff member under 18 years of age does not work at the service alone and is adequately supervised at all times.

STAFFING DECISIONS

Staffing arrangements will be determined having regard to:

- children's safety and wellbeing
- continuity of care
- children's individual needs
- inclusion requirements
- behaviour support requirements
- medical needs
- active supervision requirements
- educator experience and capability
- educator-to-child ratios and regulatory requirements.

The service recognises that meeting minimum ratios alone does not ensure adequate supervision or quality outcomes for children.

CASUAL, RELIEF, AND AGENCY STAFF

Casual, relief and agency educators will:

- complete a service induction before working with children
- be informed of supervision expectations
- understand child protection obligations
- know who the Responsible Person is
- receive sufficient supervision until familiar with the service.

CHILD SAFE RECRUITMENT AND EMPLOYMENT PRACTICES

Lake Mac Newy OOSH is committed to implementing child-safe recruitment and employment practices that support the safety, well-being, and rights of children. Recruitment, induction, supervision, training, and performance management processes will promote a child-safe culture, professional conduct, appropriate boundaries, and ongoing suitability to work with children, in accordance with legislative requirements and Child Safe Standards.

RECRUITMENT: SELECTION PANEL

- When a position becomes available, management will appoint a panel to conduct the selection process.
- At least one to two people will be on the panel, two members of management and/or the Coordinator may be invited if selecting an assistant. A convener of the panel will be nominated.
- Where the position is for the outgoing Coordinator, a staff representative may be placed on the panel.
- The panel's responsibilities will include:
    - Approving the job description and selection criteria for the position.
    - Determining the method and placement of advertising and placing the advertisement, including notification of the Working with Children Check (WWCC).
    - Applicants will be required to participate in suitability screening processes, including referee checks, Working with Children Check verification, and other child safe recruitment requirements as part of the recruitment process.
    - Selection processes will include consideration of the applicant's understanding of child safety, professional conduct and suitability to work with children.
    - Short-listing the applicants.
    - Arranging interview questions, date, and time.

- Contacting the applicants for an interview.
- Conducting the interviews.
- Arranging for the WWCC to be verified as the preferred applicant.
- Deciding on a suitable applicant, which is put before management for final approval.
- Offering the position to the successful applicant and contacting the unsuccessful applicants after the position has been accepted.
- Setting the date for the commencement of employment and orientation of the new person.
- Preparing letter of employment, contract, and induction/onboarding emails.

- All referee checks will include questions relevant to child safety and the applicant's suitability for working with children.
- Offers of employment will be documented as conditional upon a cleared Working With Children Check and verification of required qualifications.

RECRUITMENT: ADVERTISEMENTS

Positions may be advertised internally and/or externally using appropriate recruitment platforms and methods determined by management.

- Advertisements will include relevant position information, including:
  - role title
  - employment type and hours, where applicable
  - key responsibilities
  - required qualifications, experience or skills
  - Working with Children Check and Foundations of Child Safety Training requirements
  - application contact details and closing date where applicable
- Advertisements will reflect the service's commitment to child safety, professional conduct, safeguarding children and maintaining a child-safe culture.
- The service is committed to equal opportunity and inclusive recruitment practices.
- Applicants will be required to participate in suitability screening processes, including referee checks, Working with Children Check verification, qualification verification and other child safe recruitment requirements as part of the recruitment process.
- Advertisements may include statements reflecting the service's commitment to child safety, safeguarding children and employing suitable people who uphold professional and child safe practices.

RECRUITMENT: INTERVIEW

- The selection panel will draw up suitable interview questions, which relate to the requirements of the position and ensure equal opportunity principles are followed.
- The panel shall draw up a list of essential requirements for each answer.
- A nominated person on the selection panel will contact shortlisted applicants to arrange interviews where appropriate.
- Each applicant will be asked the same questions, with their answers recorded.
- Interview questions will include child safe recruitment and behaviour-based questions to assess the applicant's understanding of child protection, safeguarding responsibilities, professional conduct and appropriate interactions with children.
- The panel can use a rating scale to evaluate each applicant's answers.
- Management will discuss each applicant and their suitability for the position based on their interview, qualifications, experience, referee feedback and the selection criteria for the role.
- Should management have difficulty in deciding between two applicants, a second interview for these applicants will be conducted, with new questions or invited to visit the service with a cleared WWCC.

- Management will then decide on the applicant for the job according to the selection criteria. The preferred applicant's referees will be contacted to confirm the applicant's suitability and checked with the approved screening agency before offering the applicant the position in a 'child-related' field.
- The preferred applicant's suitability to work with children will be verified in accordance with legislative and service requirements.
- Should the applicant decline the position or identify as unsuitable, management will either make a second choice from the other applicants or, if none are seen as suitable, re-advertise the position.

RECRUITMENT: NOTIFICATION

- Applicants will be given an approximate time at which they will be contacted regarding their success for the position.
- A person on the selection panel will notify the successful applicant and negotiate a starting date. Offers of employment will not be made until the screening check has been completed.
- A letter of confirmation will be sent to successful applicants requesting acceptance in writing.
- The applicant will be given a copy of the job description and relevant child protection information during this process.
- After the appointment has been made and accepted, the other applicants will be notified that the position has been filled.

RECRUITMENT: EQUAL EMPLOYMENT OPPORTUNITIES

- All educator positions will be advertised according to Equal Opportunity Legislation.
- No one will be discriminated against based on their cultural background, religion, sex, disability, marital status, or income.
- All applicants and referees will be asked the same questions.
- All applicants will be selected according to equal opportunity guidelines.
- Selection will be based only on suitability for the position based on the selection criteria, which have been drawn up by the panel. The criteria will cover issues such as qualifications and experience, appropriate knowledge to meet the children's needs, good communication skills, and demonstration in being a fit and proper person for the job, including Working with Children Check and appropriate answers to the interview questions.
- Referee checks will specifically include questions regarding the applicant's suitability to work with children, ability to maintain professional boundaries, response to safeguarding concerns and previous conduct relating to child safety.

ONGOING SUITABILITY

The service will take reasonable steps to ensure all educators, staff, volunteers and students remain suitable to work with children at all times. Any concerns relating to conduct, professional boundaries, reportable conduct, child safety, inappropriate behaviour or changes to a person's Working with Children Check status will be responded to immediately in accordance with legislative requirements and service policies.

Ongoing suitability includes maintaining current required training. Failure to complete required child protection, child safety, Geecko training, mandatory reporting or refresher training within the required timeframe may be treated as a suitability, performance or compliance concern and managed in accordance with service policies.

WORKING WITH CHILDREN CHECK /CLEARANCE

A Working with Children Check (WWCC) is required for people who work or volunteer in child-related roles. WWCC will be checked every 6 months from the initial check. The result of a WWCC is either a clearance to work with children for five years or a bar against working with children. Cleared applicants are subject to ongoing monitoring and relevant new records may lead to the clearance being revoked.

- To comply with National Regulations for those undertaking paid or voluntary child-related work all employees, volunteers and students of the OOSH Service will acquire a Working with Children Check.
- Management will verify all Working with Children Checks prior to engagement of staff, educators, students and volunteers.
- Management will keep a record of the expiry date of the Working with Children Check for all staff, volunteers and students.
- Management will ensure any notifications or concerns regarding a person's Working with Children Check are recorded and steps taken immediately to ensure the person is not working directly with children in accordance with directions from the Office of the Children's Guardian (NSW)
- Any visitor who has direct contact with children will be required to provide a WWCC for verification prior to coming into contact with children (*best practice*)
- The approved provider will ensure a staff member, employee, volunteer, or contractor is not employed or engaged at the Service if the person is prohibited from working with children, including a prohibition notice in force provided under the National Law.
- Management will immediately remove a staff member from child-facing duties upon receiving a notification of concern from the Office of the Children's Guardian.

Staff, educators, volunteers and students must notify management as soon as practicable if they:

- become subject to a criminal investigation or criminal charge;
- receive a Working with Children Check bar, interim bar, suspension or cancellation;
- become the subject of a reportable conduct allegation or child protection investigation;
- receive a prohibition notice, suspension notice or other regulatory action;
- become aware of any circumstance that may reasonably affect their ongoing suitability to work with children; or
- are unable to continue meeting the requirements of their role in relation to child safety.

STAFF RECORD

Approved Services must keep information about the nominated supervisor, educational leader, staff, volunteers, students, and the responsible person at the Service including name, address, date of birth, evidence of qualifications (including evidence of working towards qualifications), evidence of approved training (including Child Protection). Our OSHC Service will ensure the following records are kept in accordance with regulation 145

- Details must include evidence of staff and educators working directly with children, qualifications, training information and Working with Children Check verification number and expiry date (Reg. 151)
- Details regarding staff PRODA registrations will be kept in each staff record, including RA number and evidence of fit and proper checks
- All staff, educators, students, volunteers, and visitors are required to sign in and out each day
- Details of staff, including full name, address, date of birth, qualifications held, and approved training completed (Reg. 147)
- Details of the Educational Leader
- Details of the Responsible person
- Details of the Nominated supervisor
- Details of staff who are actively working towards a qualification, including evidence of satisfactory progress (from July 1 2023)
- Records of staff PRODA registration numbers and provider eligibility (RA number) will be maintained for Child Care Subsidy compliance.
- A copy of each employee's written acceptance of the Code of Conduct will be stored in their staff file.
- Records of required training, inductions and signed policy declarations will be maintained in staff records and reviewed as part of ongoing suitability and compliance monitoring.

Conditions of Employment:

- All relevant conditions set by the award will apply to all employees.
- This includes sick leave, annual leave, rostered days off, overtime, jury duty, study leave, carers leave etc.
- Management will ensure they are aware of the appropriate conditions and keep up to date in relation to any changes in the Award.
- Educators are encouraged to remain up to date with their appropriate conditions and inform management of any changes.
- All educators will always maintain professional behaviour.
- All grievance issues are to follow the appropriate procedures as outlined in the grievance and discipline and dismissal policies.
- Educators will be paid fortnightly in the form as advised by management.
- Annual leave will be taken as negotiated with management.
- Annual Leave, when necessary, will be rostered to ensure the required staffing levels are always maintained.
- Applications for leave must have at least 4 weeks' prior notice and be approved by management.
- Management, based on each individual's request, will determine applications for leave without pay.
- Each educator will supply and record their full name, address, date of birth, evidence of any qualifications they hold including first aid and the identifying number of the employees Working with Children Check.

Staff Orientation:

- A member of management will conduct the orientation process as soon as possible after the applicant has accepted the position, but prior to their first shift, where possible.
- The orientation process will include:
    - Introductions to existing educators and management
    - Guided tour of the service, including emergency and evacuation plans, first aid kits, medication storage, allergy information, etc.
    - Being shown where all relevant records are kept.
    - Discussion about working arrangements and expectations, including professional code of conduct and duty of care.
    - Information about the review and appraisal system
    - Opportunity to ask any questions regarding the service or expectations.
- The new educator will be provided with the following information:
    - Service operation and hours.
    - The service philosophy and policies.
    - All medical folders
    - Service's code of conduct.
    - Job description.
    - Emergency procedure duties.
    - List of current educators, management, and their positions.
    - Terms and conditions of employment.
    - On boarded to the company's rostering and pay system, Deputy to notify of superannuation and taxation information.
    - Probation period, review, and appraisal procedure.
    - Appropriate lines of communication with educators and management.

- After a period of one week, management will sit down with the new employee to address any further issues they may have once they have been in the service.
- All staff will be informed of their responsibilities as a Mandatory Reporter as part of their orientation and induction process. This will involve discussion regarding their current understanding, use of this policy and resources and access to Child Protection training. Information related to sexual grooming will also be provided upon orientation to ensure that staff are fully aware of the signs and limits related to appropriately interacting with children.

- All new staff working directly with children will complete the required Geecko child safety training as part of induction, or within the timeframe approved by management, where this is not reasonably practicable before the first shift. Until this training is completed, the staff member must receive a site-specific child safety induction and must not be placed in a position of unsupervised responsibility for children.
- Geecko child safety training will support staff understanding of child safe culture, children's rights and best interests, professional boundaries, recognising signs of harm, abuse, neglect, grooming and inappropriate conduct, mandatory reporting obligations, internal escalation, use of the NSW Early Learning Commission Reporting Guide, protected disclosures and the service's reporting expectations.
- New staff will complete a signed declaration confirming they have read and understood the service's Child Protection Policy and professional conduct expectations.
- Orientation will include guidance on professional boundaries, appropriate use of personal devices, and digital communication with children.
- Orientation will include child safe culture expectations, mandatory reporting obligations, professional boundaries and appropriate use of electronic devices.

Staff Professionalism:

- The OOSH Code of Professional Standards, duty of care and expectations will be discussed in the initial orientation process of all new educators.
- Educators will be made aware of their duty of care and their responsibility in relation to supervision, health, and safety of the children.
- Professional behaviour in all areas will be reviewed as part of the ongoing employment of all educators.
- Performance and supervision discussions will also consider:
    - child safe practice
    - supervision practices
    - professional boundaries
    - interactions with children
    - Code of Conduct
    - mandatory reporting responsibilities
    - commitment to continuous improvement.

- Management, in conjunction with the Coordinator, will immediately address any breach in the professional expectations outlined. If the concern involves the Coordinator, two representatives from management will conduct the discussion.
- All discussions will be recorded, and the standard of behaviour and expectations clearly explained.
- Any further problems will be addressed as per the grievance procedure.
- Educators will be made aware of the services philosophy and policies and will be expected to follow these. Should educators have any concerns with the policies, they are to raise this with the Coordinator, Operations Manager or Approved provider.
- Educators will be expected to know, understand, and perform their duties as per their job description.
- Educators will be expected to maintain and improve their skills through participation in training and development opportunities. Management will ensure that finances are made available in the budget training.
- Educators will be expected to start duties on time.
- Educators will be expected to dress appropriately for their duties (See Dress Code Policy).
- Educators must not attend work under the influence of drugs or alcohol.
- Educators should not attend work when they are unfit to do so due to injury or sickness and must inform the service as soon as possible.
- Educators will use only suitable language that is not offensive to other educators, families, and children.
- Educators will be expected to follow all confidentiality issues.

- The service environment must remain free from tobacco, vaping devices, vaping substances, alcohol and prohibited drugs in accordance with legislation
- Educators will be expected to know and follow the child protection policies and have a mandatory reporting understanding.
- The quality of the service and positive working environment is dependent on good educator and family relationships. Educators will follow proper communication procedures as outlined in the appropriate policies and procedures.
- The maintenance of good teamwork will be an expectation outlined in all job descriptions.
- Any conflicts that arise must be addressed as outlined in the grievance procedure.
- Educators are expected to uphold the ethical and professional standards set by the National Quality Framework (NQF) and the Early Childhood Australia Code of Ethics.
- Repeated minor breaches of professional expectations (e.g. lateness, inappropriate tone) may be escalated in accordance with the disciplinary policy.
- Educators must ensure online conduct aligns with service expectations, privacy obligations and professional standards.
- Educators must not use personal electronic devices in a manner that compromises supervision, professional conduct, privacy or child safety responsibilities while working directly with children.
- Staff are expected to apply child safety practices in daily work, including active supervision, respectful interactions and reporting concerns without delay.

<u>In-service Training and Development:</u>

- Management will ensure that sufficient funds are made available in the budget for all training and development.
- The Coordinator will inform management of any specific training and development needs of the educators.
- Appraisals and the services requirements will be used to ascertain further training needs.
- The Coordinator, in conjunction with the management, will access all training available and determine what will be attended and by whom.
- Where possible a yearly plan of training will be made, including dates, educators attending, and costs.
- All educators will be given the opportunity to be involved in some form of training throughout the year.
- All educators will be given opportunities to upgrade their qualifications in line with the National Quality Framework.
- A variety of training methods will be used including:

i. Internal workshops, which can be conducted by educators or outside presenters.
ii. External meetings with other services to exchange ideas.
iii. Time allocation is made to educators to review any new resources that may be of value.
iv. External workshops, conferences, and seminars.
v. Accredited short courses provided by registered training organisations.

- All educators, staff, volunteers and students working with children will be required to complete child safety training relevant to their role. Geecko child safety training may be used by the service as the approved training platform for child safety induction, refresher training and evidence of completion, alongside any required accredited child protection training.
- Management will monitor completion of Geecko child safety training and any required refresher modules. Non-completion will be followed up promptly and may result in the person being removed from child-facing duties until the required training or induction requirements are completed.
- Educators are encouraged to share relevant skills and knowledge they obtained from any training with the other educators in staff meetings or where more time is required in an internal workshop.
- All educators will be at work for the duration of any training activity they attend for the service.
- The service will either cover the costs of all professional development training, or you will be paid for the time of the training. This will be decided by Management, and you will be notified prior to the commencement of each course. The individual, however, will cover tertiary study costs.
- Where appropriate, the service may offer traineeship opportunities to eligible educators based on operational needs, suitability, funding availability and relevant criteria.

- Educators are encouraged to identify their own professional development goals as part of their annual appraisal and engage in reflective practice.
- Where appropriate, the service will support peer mentoring opportunities to build internal capability and strengthen collaboration across teams.
- Management may prioritise training in areas linked to Quality Improvement Plan (QIP) goals or areas identified during regulatory assessments.

Review and Appraisal:

- All educators will be informed of the appraisal system on acceptance of the position and given details in the orientation process.
- An initial review will be undertaken after a period of one month in the position.
- Appraisals will then be conducted on an annual basis.
- Educators and management will agree with the format of the appraisal system, which may be updated to more suitable systems after review, discussion and endorsement by management and educators.
- All educators will be given at least two weeks notification of an upcoming appraisal and a convenient time arranged for both parties.
- The appraisal system shall clearly state the expectations for each position and identify clear performance measures.
- The appraisal system shall ensure two-way communication is maintained and is used as a positive avenue for improving staff performance.
- The appraisal system can be used as a tool to identify future training needs of the educators.
- Where it is identified that the educator is not meeting the required performance measures then the following will be undertaken:
    - Action plan developed to identify areas for improvement. This will include a time frame for further review.
    - Training areas identified and put into place as soon as possible.
    - Support and guidance given to the educator to help them through the process and assist them in achieving the required standards.
    - Support can be given through the Coordinator or upper management.
    - A record made of the above, dated and signed by both parties.
    - Should no improvement be made by the next review then further action will be taken.
    - If the educator is still dissatisfied, then they should put their concern in writing asking for the decision to be reviewed or that they wish to pursue the issue further through other avenues.
- Educators will be encouraged to complete a self-assessment prior to their formal appraisal to support reflective dialogue.
- Appraisals will include feedback from multiple sources, such as family input or peer observation, where appropriate and consented.
- Management may link appraisal outcomes to professional development planning and leadership opportunities within the service.
- A summary of agreed goals from the appraisal will be documented and reviewed at follow-up intervals to support accountability.
- Appraisals and supervision discussions may include review of child safety practices, supervision responsibilities, required training completion and professional conduct.

Grievance Procedures:

- GENERAL GRIEVANCE PROCEDURE
    - At commencement, all educators and management members will be given the guidelines for grievance procedure.
    - Educators and management will annually be offered the opportunity to participate in some form of conflict resolution training.
    - All persons involved in the grievance should attempt to resolve the issue through informal discussion and use of problem-solving techniques.
    - Persons directly involved in a legitimate grievance process will be expected to continue to conduct themselves at and around the service in a professional manner.
    - Malicious or vexatious claims will not be tolerated and will be the subject of disciplinary action where appropriate.
    - Any problem, complaint or concern arising between educators or between management should be dealt with by the persons concerned as close to the event as possible to avoid escalation of the issue.
    - Meetings of educators and/or management provide regular opportunities to raise and discuss general issues or concerns about the service. All discussions will be conducted in a confidential manner and involve only relevant persons. Only when all parties agree there is a benefit, should the discussion broaden to involve children and/or parents as appropriate.
    - Either party may withdraw their grievance at any time. However, if the grievance identifies other issues of concern, management may decide to investigate them.

FORMAL GRIEVANCE PROCEDURE:

Where the resolution of a grievance has not been satisfactorily achieved through the informal procedure, then a more formal approach should be taken.

- Grievance between educators:
    - As appropriate, the coordinator or upper management should now be briefed about the grievance and its status.
- Grievance between management members:
    - The whole management should be briefed.
    - The grievance(s) will firstly be investigated by the coordinator or management as appropriate.
- The investigation will involve:
    - Interviews with both parties and/or witnesses
    - Assessment of relevant documentation e.g. job descriptions, policies etc.
    - Preparation of a clear description of the issue
    - Arranging a formal meeting between parties
    - A meeting will be conducted by a neutral third person. This person will manage the conduct of the meeting, be impartial having no input to the content of the meeting and will prepare a written record of the outcome(s) of the meeting.
    - Where the service cannot identify a suitably impartial person, management will agree to invite a qualified mediator to assist.
- The meeting will:
    - Identify the issue(s) of concern and persons who are involved.
    - Arrange for all parties to be involved and to put forward their views.
    - Identify alternative solutions.
    - Attempt to reach a mutually satisfactory resolution of the issue(s).
- At formal grievance resolution meetings all parties are entitled to invite a support person to attend. This person does not provide input to the meeting but may offer support and advice to their party during the meeting.
- A confidential written record of the outcome of the meeting will be given to all participants who are to acknowledge their agreement by signing the record. A signed copy will be kept with educator files.
- The neutral party will inform management of the meeting's outcome(s).

- Management will ensure that outcomes are included in job descriptions or service policies as appropriate.
- If one party remains dissatisfied with the meeting's outcome(s) then this should be put in writing to management asking that the process be reviewed or stating that they intend to pursue the grievance further through other suitable avenues.
- Where the issue of grievance is between management and educators and concerns standard of work performance or work practice, then the disciplinary procedure will be followed.

Disciplinary Action:

- It is important that the educators are fully aware of their expectations as an employee in the service and that clear guidelines are given regarding educator's duties, code of conduct and professionalism.
- Management will ensure that all educators are given clear job descriptions and orientation into the position with opportunity to clarify any issues.
- Educators are responsible for addressing any concerns and clarify any issues in the job description or expectations that they are unsure of.
- Educators are encouraged to maintain good working relationships and have a commitment to maintaining a quality standard of work.
- Educators will be given clear notification should their standard of work or conduct fall below what is expected and outlined in their job description.
- Educators have the right to appeal against any allegation and the right to speak on their behalf or to have a union representative appear on their behalf.
- Progressive disciplinary action will consider the educator's past conduct and any mitigating circumstances, such as personal hardship or professional support needs.
- Management may consult external HR or legal advisors in complex or high-risk disciplinary matters.
- Where appropriate, educators may be offered access to counselling or employee wellbeing resources following disciplinary proceedings. (i.e. Beyond Blue)
- Actions taken will be assessed for compliance with the Fair Work Act and National Employment Standards to ensure procedural fairness.
- The following steps will be taken to deal with poor work performance or conduct. There may not be the need to go through all the steps when the issue is resolved, however staff should be aware of the whole process.

- Should educators fall below clearly identified standards, then the Coordinator or Management will:

STEP 1: VERBAL WARNING.

a. Give a verbal warning as soon as possible indicating the specific problem regarding the performance of their work or conduct. The issues must clearly relate to the job description.
b. Indicate what should happen to improve the situation and how the educators can improve their performance.
c. Identify any support needed to assist the educator to make the changes and take steps to implement these.
d. Indicate how the improvements will be measured, and when a review will take place. (1-4 weeks depending on the circumstances)
e. Give an opportunity for the educator to respond to the concerns and seek union representation if required.

If this resolves the issue, then there is no need to go any further.

STEP 2: WRITTEN NOTICE.

f. Where the problem continues to occur, the educator will be given written notice of the complaints against them.
g. A formal documented interview with management will take place. The educator should attend and has the right to reply and discuss any complaints against them, or to be represented by a union member or other representative of their choice.
h. The educator will be given at least 48 hours' notice of the meeting.
i. Minutes will be taken of the meeting and copy put on the educator's file and given to the educator. The educator may attach a written reply to the minutes.
j. The aim of the meeting is to negotiate how the situation may be improved.
k. The educator will again be given specific indication of where their performance standards are not being met, indicate where changes are required and ways of achieving these, and tell the method and date of review of their performance.
l. The educator will be granted another probationary period.
m. The educator will be informed at this stage that termination will be considered if no changes occur.

If this resolves the issue, then there is no need to go any further.

STEP 3: FINAL WRITTEN WARNING.

n. If the problem persists another meeting of management should be called, and the educator given notice to attend.
o. The matter should be discussed as per the first meeting and further action considered.
p. At this stage, the educator will be given a "final written warning".
q. Again, the educator has the right of reply and can discuss the situation. They also have the right to have a union representative or person of their choice attend the meeting.

If this resolves the issue, then there is no need to go any further.

STEP 4: TERMINATION OF EMPLOYMENT.

r. If the problem continues after the 3 warnings, another special meeting of management will be called, and a decision made as to the employment of the educator.
s. If management believes that the educators' performance is unlikely to improve then the educator will be dismissed.
t. A written notice will be given indicating the date of dismissal (1 week from notice) and reasons for dismissal.
u. The educator may be paid out in lieu of such notice.

<u>PROCEDURE FOR DEALING WITH SERIOUS UNACCEPTABLE BEHAVIOUR:</u>

- Where an educator in the workplace:
  - Intentionally endangers life.
  - Is found stealing.
  - Reports to work under the influence of drugs or alcohol.
  - Inflicts or threatens physical or sexual abuse or harassment.
  - Engages in grooming behaviours, inappropriate conduct, serious boundary breaches or conduct inconsistent with child safe standards.
- The coordinator or management will suspend the employee without loss of pay pending an investigation.
- The investigation is to be completed within 72 hours and an interview date determined.
- If the employee is a union member the union representative will be informed.
- The interview is to be attended by the coordinator, a nominated representative of management, the person reporting the unacceptable behaviour and the union representative if desired. The employee is to be advised formally of the findings of the investigation and the action being taken.

- When immediate termination is required, a dismissal notice is prepared at the interview. When continued employment is recommended a warning letter will be issued.
- All the relevant records will be recorded in the employee's file.
- If the employee is vindicated of the accusation, all relevant formal documentation is to be removed from their file.

Volunteers, Students and Visitors:

- VOLUNTEERS
    - All volunteers must be interviewed by the Coordinator and provide two suitable referees and where possible references, before they will be able to work in the service. All volunteers will be required to comply with the WWCC guidelines.
    - A job description will be drawn up for volunteers, clearly outlining their duties and expectations of the service.
    - The Coordinator will provide a modified induction to the service, which will include a tour of the service, introductions to educators, job description for volunteers and code of conduct. The Coordinator will ensure that they are fully aware of their duties and the services' expectations.
    - Volunteers who will have regular contact with children will complete a modified child safety induction and any Geecko child safety training required by management, proportionate to their role and level of contact with children.
    - All volunteers will be required to sign on and off to document the date and hours the volunteer attended the service.
    - Volunteers will be given a copy of relevant policies such as behaviour management.
    - Volunteers are not to discuss children's development or other issues with families.
    - Volunteers must adhere to all areas of confidentiality.
    - Volunteers should never be left alone with or in charge of any children.
    - Volunteers will not be used to do tasks that the employed educators normally do.
    - Volunteers will be supernumerary when calculating basic educator: child ratios, except on excursions.
    - Volunteers will be invited to take part in social activities of the service.

- STUDENTS
    - Placements will be offered to high school students or local Tafe colleges and universities who wish to gain work experience as part of a school program.
    - The participating school must initiate the work experience, identify the student's suitability and work with the Coordinator in relation to times and expectations.
    - The school must provide written authorisation for the student and a copy of their insurance. This will be kept on file.
    - Students attending other registered training organisations and studying a relevant field, such as childcare, teaching, recreation, or community services. The training organisation must initiate the placement, identify the student's suitability and work with the Coordinator in relation to times and expectations. The training organisation must provide written authorisation for the students and a copy of their insurance. This will be kept on file.
    - All placements will be negotiated through the Coordinator and placement be only accepted at the discretion of the Coordinator based on issues such as educators' ability to supervise and be available to help the students.
    - After the Coordinator sees the placement as worthy, they will seek approval for the placement from management at the next meeting or if unable to do so prior to the meeting, get approval from other delegated management member.
    - The students Application form will document the name, address, and date of birth of the student.

- The student will be required to sign on and off to document the date and hours the student attended the service.
- Students will be provided with guidelines identifying their responsibilities, expectations, and code of conduct while at the service.
- Students should be made aware of relevant policies such as behaviour management.
- Students are not to discuss a child's development or other issues with the families.
- Students should adhere to all policies concerning confidentiality.
- Students should never be left alone with or in charge of any children.
- Students will not be used to doing tasks that the employed staff normally do.
- Students will receive a modified child safety induction and, where required by management or the placement arrangement, complete Geecko child safety training or equivalent training before commencing or continuing placement activities with children.

- VISITORS
  - Visitors may be invited to the service to stimulate the children's program.
  - Visitors could include local people or family members with a skill or ability to share with the children and educators or local community resources such as police, fire brigade etc.
  - All other visitors must make an appointment to see the coordinator at a convenient time.
  - Professional access to the service will be at the discretion of the coordinator or management when required by law to do so.
  - Professionals include, union representatives, State and Federal Government Departmental Officers, Workplace Health, and Safety inspectors, building inspectors, police officers, children's therapists and other external educational services.
  - Any unwelcome visitor will be calmly asked to leave the service. If they refuse, the coordinator or educator directed by the Coordinator will call the police for removal. See the services Emergency and Evacuation policy for further information. Educators should prioritise children's safety and avoid physical intervention unless necessary to prevent immediate harm, in accordance with emergency procedures and training.

<u>Educator: Child Ratios:</u>

- The educator: child ratios as outlined in the National Regulations will always be met.
  - Educator to child ratios will comply with the Education and Care Services National Law and Regulations at all times. The service will maintain a ratio of 1 educator to 15 children, ratios may be reduced where required to maintain the safety, well-being, and adequate supervision of children.
  - If excursion is deemed to be too large of a vicinity and supervision will be challenging to maintain with a larger group ratio, we will ensure there is a risk assessment conducted and appropriate ratio applied (See Excursion policy).
  - If excursion involves a large body of water, then we will ensure there will be a maximum of 5 children to 1 educator for swimming.
- There will always be a minimum of 2 educators present.
- Additional staffing may be implemented where required based on risk assessments, children's individual needs, behaviour support requirements, excursion environments, medical needs, transportation arrangements or supervision risks to ensure children's safety and wellbeing are maintained at all times.
- For an emergency or if an educator becomes sick, a replacement should be obtained where possible before the educator leaves the service.
- Volunteers may assist educators during excursions but will not replace required staffing or supervision responsibilities unless permitted under legislation and approved by management.
- Students will not be counted as part of the educator: child ratio, at any time.

Communication:

- EDUCATORS/MANAGEMENT
    - Educators and management are to treat each other with respect, courtesy and understanding.
    - Appropriate language is always to be maintained.
    - The Coordinator is the main line of communication between the educators and management.
    - Educators can raise any issues with management through the Coordinator. The Coordinator will ensure that this is drawn to management's attention as soon as possible.
    - Where necessary, educators will be invited to management meetings to discuss their concerns.
    - Where the matter is seen as urgent, the Coordinator may raise the issue with management prior to the meeting and discuss if there is a need for immediate action to be taken at that time.
    - Educators are encouraged to raise concerns directly with the person involved or with the Coordinator in the first instance where appropriate. If the concern involves the Coordinator, and the educator does not feel comfortable addressing the matter with them, the concern may be raised directly with management. Information will be shared only with relevant persons, taking into consideration confidentiality and procedural fairness.
    - The issue should be raised at the next management meeting. The educator involved will be asked to attend the meeting to personally discuss the issue.
    - Where there is a distinct conflict between an educator and management, the educator or management member can act on this as per the grievance procedures. A third party can be brought in to discuss any concerns that have not been able to be resolved by the normal procedures.

- EDUCATORS/FAMILIES
    - Educators will create a comfortable and supportive environment for families and strive for open communication and good relations.
    - Educators and families will treat each other with respect, courtesy and understanding.
    - Appropriate language is always to be maintained.
    - Educators will not be judgmental towards families and will respect their need to use childcare.
    - Educators will accept family's individual differences in raising their children and in all cultural issues.
    - Educators will ensure families are greeted and farewelled in all sessions.
    - Educators will maintain regular, open communication with families. Educators should inform families personally about anything related to their children on an ongoing basis. This could be praise about the child's day or activities, any problems the child might have had on the day, issues of behaviour that may have been a concern and so on.
    - Educators will regularly talk to families about the child's interests or activities and respond to suggestions from the families.
    - Educators will regularly talk to families about the child's cultural needs and celebrations and respond to these.
    - When family members contact the service to see how a child is settling in, educators will provide them with information regarding the child's participation and wellbeing.
    - Conversations will be maintained at a positive level.
    - Communication with families will be maintained in a variety of ways such as:
    - Greeting and farewelling
    - Personal conversations
    - Notice boards
    - Parent handbooks
    - Newsletters
    - Information from management
    - OWNA software
    - Service website
    - Emails
    - Educators will ensure that families are fully aware of all lines of communication and ensure these are followed.

- Educators will be aware of their limitations in relation to family problems and ensure they are referred to the appropriate people when required.
- Families and educators are requested to always maintain confidentiality and conversations with families will never jeopardise supervision levels.

- EDUCATORS/CHILDREN
  - Educators and children are to treat each other with respect, courtesy and understanding.
  - Educators will respect children's opinions and encourage their participation in the planning of the program and in establishing a code of behaviour for the service.
  - Appropriate language is always to be maintained.
  - Educators will use appropriate voice tone and level when talking to children. Shouting will be avoided.
  - Educators will be supportive and encouraging and communicate with children in a friendly positive and courteous manner.
  - Educators will greet and say farewell to children each session.
  - Educators will initiate conversations with all children and develop an understanding of the child and their interests.
  - Educators will give praise and positive feedback to the children as often as possible.
  - Educators will form friendly and warm relationships with the children in their care.
  - When communicating with children, educators will ensure that they are understood and communicate at the child's level.
  - Children will never be singled out or made to feel inadequate at any time.
  - Educators will not threaten or verbally abuse children in any way.

- EDUCATOR/EDUCATOR**:**
  - Educators are to treat each other with respect, courtesy, and empathy.
  - Appropriate language is to be always used between educators.
  - Educators are expected to work together as a team and be supportive of each other in the workplace.
  - Staff meetings are appropriate times to raise matters of interest or concern to other educators. The Coordinator will arrange for educators contributions to be placed on the meeting Agenda.
  - Educators are expected to read minutes of meetings and to take notice of changes to service policy and procedures.
  - Educators are to read the daily communication book prior to the commencement of each roster.
  - Educators will familiarise themselves with the content of all notices displayed around the service.
  - An educator with concerns about the work practices or standards of another educator will firstly approach that person to discuss the matter. If the matter remains unresolved, then the grievance procedures will be followed.
  - Educators should not involve families or other educators in their matters of grievance or complaint.

<u>Staffing Arrangements:</u>

- The service's Nominated Supervisor will always be responsible for the service regardless of their attendance at the service. It is the responsibility of the Approved Provider to select one or more Nominated Supervisors, have their acceptance of the role documented and advise the Regulatory Authority of their choice and any changes that arise.
- In the absence of the Nominated Supervisor at any time, a Responsible Person will be selected to oversee the daily operation of the service. See the services Determining the Responsible Person policy for further information.
- This person will not adopt the Nominated Supervisor's responsibilities during this time. The service will always display the details of the Nominated Supervisor and Responsible Person the service is operating.

- The service will appoint an Educational Leader and display the name of this person for families should they wish to discuss the service's programming practices.
- At all times, the service is operating, there will be at least one educator/staff member who holds a current approved first aid, CPR, anaphylaxis, and asthma management qualification.
- Educators will record their name and the hours they have worked directly with children each time they are working in the service. This record will also include the name of the Responsible Person, the Educational Leader, and the names of any students and visitors.

Personal Communications:

- No personal mobile phones are to be on person during shift at the service.
  Smart watches must have airplane mode turned on, or Bluetooth disconnected from their phone. Phones will be placed in lockers or the staff belongings area on arrival and only accessed when departing after your shift has finished. Service Mobile phones will NOT be used for any social media platforms for personal use at any time.
- Personal mobile phones can be taken on excursions in case of emergencies, but must always remain in the emergency backpack with the RP on duty. (Emergencies, e.g., are if a staff member is injured and needs to seek medical treatment)
- During your shift, personal phone calls are not permitted unless previously discussed with the on-duty RP for urgent matters. Please provide your emergency contacts with the service mobile number for necessary communication, and messages will be relayed accordingly. Personal phones will not be used at any time whilst on shift.

  Should you be found using your mobile phone on shift, there will be consequences, including possible termination of employment.

CONSIDERATIONS:

Education and Care Services National Law & Regulations	National Quality Standards & Elements	Links to other Service policies	Other Documentation/ Evidence
Education and Care Services National Law Act 2010 Sections 2A, 3A, 161, 162, 169, 172–175, 188 R 82, 83, 84, 117A, 117B, 117C, 118, 120, 122, 123, 136, 145–151, 168, 170–174	Standards 4.1 & 4.2 7.1 & 7.2 Elements 4.1.1, 4.1.2, 4.2.1, 4.2.2 7.2.1, 7.2.2, 7.2.3 Child Safe Standards 1, 3, 4, 5, 7, 9, 10	- Determining the Responsible Person Policy - Providing a Child Safe Environment Policy. - Interactions with Children Policy. - Governance and Management Policy - Confidentiality Policy. - Supervision Policy - Staffing Policy (recruitment/performance management) - Child Protection Policy - Code of Conduct Policy - Safe Use of Digital Technologies and Online Environments Policy - Complaints and Grievance Handling Policy - Incident, Injury, Trauma and Illness Policy - Emergency and Evacuation Policy - Volunteer, Student and Visitor Policy - Human Resource Package	- Fair Work Act 2009 - Children's Guardian Act 2019 (NSW) - Child Protection (Working with Children) Act 2012 (NSW) - Work Health and Safety Act 2011 - My Time, Our Place V2.0 - Children's Services Award 2010. - OSHC Code of Professional Standards. - Staff Handbook

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