

# STAFFING ARRANGEMENTS POLICY

Our Service aims to engage educators, staff and Nominated Supervisors who have the qualifications and experience to develop warm, nurturing, and respectful relationships with children. We are committed to ensuring that children’s health, safety, and wellbeing is protected at all times through providing appropriate and effective supervision according to legislated ratios and best practice. Our educators, in collaboration with our Educational Leader, design and implement programs that support children’s participation and engagement, interests, learning, and development.

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance children’s learning and development.
4.1.1	Organisation of Educators	The organisation of Educators across the Service supports children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of Educators at the Service.
4.2	Professionalism	Management, Educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, Educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other’s strengths and skills.
4.2.2	Professional Standards	Professional standards guide practice, interactions and relationships.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
4 (1)	Definitions
10	Meaning of <i>actively working towards</i> a qualification
11	Meaning of <i>in attendance</i> at a centre-based service
35	Notice of addition of new nominated supervisor
84	Awareness of child protection law
85	Incident, injury, trauma and illness policies and procedures
90	Medical conditions policy
93	Administration of medication
94	Exception to authorisation requirement- anaphylaxis or asthma emergency
95	Procedure for administration of medication

99	Children leaving the education and care services premises
100	Risk assessment must be conducted before excursion
101	Conduct risk assessment for excursion
102	Authorisation for excursions
102-B,C,D	Transport risk assessments/authorisations
117	Placing a person in day-to-day charge
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
130	Requirement for early childhood teachers – 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
145	Staff Record
146	Nominated Supervisor
147	Staff Members
148	Educational Leader
149	Volunteers and Students
150	Responsible Person
151	Record of Educators working directly with children
152	Record of access to early childhood teachers
168	Education and care services must have policies and procedures
173	Prescribed information to be displayed
174	Time to notify certain circumstances to Regulatory Authority
240	Centre based services in remote and very remote areas – qualifications for educators
241	Persons taken to hold an approved early childhood teaching qualification
242	Persons taken to be early childhood teachers (exc. Vic)
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

272	Early childhood teachers- children preschool age or under (NSW)
372	Educator to child ratio—pre-kindergarten program or kindergarten program provided by a school
373	Early childhood teachers—pre-kindergarten program or kindergarten program provided by a school
379	Educators required to be early childhood teachers

## RELATED POLICIES

Code of Conduct Policy Child Protection Policy Child Safe Environment Policy Dealing with Complaints Policy Emergency and Evacuation Policy Excursion/Incursion Policy Governance Policy Incident, Injury, Trauma and Illness Policy	Privacy and Confidentiality Policy Professional Development Policy Responsible Person Policy Recruitment Policy Safe Transportation Policy Sleep and Rest Policy Supervision Policy Student and Volunteer Policy
---	---

## PURPOSE

Under the Education and Care Services National Regulations, the approved provider must ensure that policies and procedures are in place in relation to staffing arrangements (regulation 168) and take reasonable steps to ensure those policies and procedures are followed. (ACEQA 2021).

## SCOPE

This policy applies to staff, educators, approved provider, nominated supervisor, management, students, and volunteers at the Service.

## IMPLEMENTATION

Our Service will comply with the required educators to child ratios, taking into consideration qualification requirements and experience, implement the required staffing requirements and ensure all staff adhere to our Code of Conduct.

Our Service will comply with the National Quality Framework and ensure 50 percent of educators meet the relevant Diploma qualification requirement or be actively working towards an approved diploma level education and care qualification. All other educators are *'suitably qualified persons'* who are required to have at least an approved certificate III level education and care qualification or be actively working towards their qualification.

### ‘Suitably qualified person’ definition:

ACECQA determines the following qualifications as requirements for a ‘suitably qualified person’:

- an individual who is ‘*actively working towards*’ an approved early childhood teaching qualification AND has completed at least 50 per cent of the qualification or holds an approved early childhood education and care diploma OR
- an individual who is registered (accredited in New South Wales) as a primary or secondary school teacher in Australia AND holds an ACECQA approved early childhood education and care diploma (or higher approved qualification)

### Actively working towards definition:

An educator who is enrolled in a course for an approved Early Childhood qualification.

- The educator is required to provide documentary evidence of their course, training plan and progress towards completion of the course.
- Individuals actively working towards an approved qualification may be counted towards qualification requirements as ‘suitably qualified persons.’
- Our Service will communicate with the educator’s RTO to ensure the educator successfully completes their qualification.
- We will support the educator in completing their qualification through mentoring and assistance.

### Early Childhood Teacher

An Early Childhood Teacher (ECT) is a person with an approved early childhood teaching qualification in accordance with ACECQA’s qualification list. A record must be kept containing the period the early childhood teacher is working directly with children.

- Our Service will comply and will engage and have access to an ECT based on the number and age of children attending the Service (depending on state requirements).
- Our Service (if educating and caring for fewer than 25 children per day) will ensure access to an ECT for at least 20 per cent of the time the service provides education and care (this access can be remote via information communication technology)
- Our Service will employ a second ECT or alternatively a ‘suitably qualified person’ when 60 or more children preschool age or under on a given day, are being educated and cared for.
- If an ECT is absent due to short term illness or leave, the following persons can be taken to be the Early Childhood Teacher:
  - a person who holds a primary teaching qualification
  - a person who holds an approved diploma level qualification

(this applied for up to 60 days in a 12-month period only)

### 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 a qualified and experienced educator to take on the Educational Leader role and responsibilities.
- The Educational Leader will keep a record about how they mentor and guide educators of the Service to ensure continuous improvement.
- The Educational Leader will guide educators to provide a compliant and rich program.

### 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. The Approved Provider must provide sufficient evidence and information to demonstrate compliance to the Regulatory Authority of the suitability of this person. 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, staffing, sleep, and rest.

The Approved Provider will display the name of the Nominated Supervisor in a place that is clearly visible to staff, educators, families and visitors.

The Approved Provider will notify the regulatory authority at least seven days prior to the Nominated Supervisor starting or as soon as practicable (not more than 14 days)

- The Nominated Supervisor must be 18 years of older
- The Nominated Supervisor must have successfully completed Child Protection training
- The Nominated Supervisor is responsible for the day-to-day management of the Service, ensuring compliance with the National Law, National Regulations, National Quality 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.

### Responsible Person

A Responsible Person is required to be physically present at the Service at all times that 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. The Responsible Person must be at least 18 years old and have adequate knowledge and understanding of the provision of education and care to children.

- Our Service will ensure there is always a Nominated Supervisor or Responsible Person on the premises when children are being educated and cared for.
- Our 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
- The Responsible Person will always act with professionalism when dealing with children, educators, visitors, and families.
- All Responsible Persons will accept the role in writing, to ensure they have a clear understanding about their role and responsibilities [this is best practice; not mandated by regulations]
- The Responsible Person must have a history of compliance with Education and Care National Law and other relevant law (e.g., Family Law).

### Approved First Aid Qualifications

- The Approved Provider is required to ensure at least one staff member, or one Nominated Supervisor holds current qualifications for first aid, anaphylaxis management and emergency asthma management training.
- The Approved Provider must ensure at least one staff member, or one Nominated Supervisor be in attendance at any place children are being educated and cared for by the Service and be immediately available in an emergency and hold the mandatory qualifications for:
  - an ACECQA approved first aid qualification and
  - anaphylaxis management and

- o emergency asthma management training.

(Approved qualifications are published on the ACECQA website)

- Services must have staff with current approved qualifications on duty at all times and be immediately available in an emergency.
- It is the staff and educator's responsibility to ensure they maintain current First Aid, Asthma, and Anaphylaxis Training certificates and provide the Service with a copy of the certificate. Staff and educators must ensure they participate in training prior to the expiration date on their certificates.

### Working with Children Clearance/Check

A Working With Children Check (WWCC) is a requirement for people who work or volunteer in child-related work. It involves a national criminal history check and a review of findings of workplace misconduct. The result of a WWCC is either a clearance to work with children for five years (NSW & VIC, SA.) 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 of the Service will acquire a Working with Children Check.
- Management will keep a record of the expiry date of the Working With Children Check for all staff, volunteers and students
- Management will ensure the Working With Children Checks are verified before Nominated Supervisors or Responsible Persons are engaged at the Service.
- Management will ensure any notifications or concerns regarding a person's Working With Children Check/Clearance are recorded and steps taken immediately to ensure the person is not working directly with children in accordance with directions from the **CCYP**

### Immunisation requirements

Our Service will ensure all staff and visitors (contractors, health professionals, volunteers, students, committee members) are fully vaccinated against COVID-19 or hold a medical contraindication certificate, as per the current Public Health Order.

### Staff Record

- Approved Services must keep information about the Nominated Supervisor, Responsible Person, Educational Leader, staff, volunteers, and students at the Service

- Details must include evidence of staff and educators working directly with children, their qualifications and training information and Working with Children Check verification number and expiry date
- 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
- Immunisation status may be recorded as part of the staff record (including mandatory COVID-19 vaccination requirements-check your state/territory for immunisation requirements)

### Adequate Supervision

Adequate supervision is a consideration for any part of the Service premises where children are educated and cared for and is part of every educator's Duty of Care. Educators are required to ensure that children are in sight and/or hearing at all times, demonstrating that the best interest of children is being provided for. This includes toileting, sleep, rest, nappy changing, transition routines and whenever the service provides or arranges transport for children as part of the service.

- Our Service will comply with educator to child ratios outlined in National Legislation and National Quality Framework
- Educators are required to adhere to the Service's *Supervision Policy* and floor plan to maintain effective supervision
- Educators will always be able to observe each child, respond to individual needs and attend to children as necessary
- Educators will adjust their level of supervision depending on the area of the Service and the skills, age, dynamics, and size of the group of children being supervised
- When supervising outdoors, educators will position themselves so as to be able to see as much of the play area as possible
- Where there are water activities or high-risk experiences, educators will ensure close supervision is maintained
- Infants and toddlers who are sleeping in cot rooms will be closely monitored and checked/inspected every 10 minutes to assess their breathing and the colour of their skin
- Older children will be adequately supervised whilst sleeping or resting
- Children will be supervised when hand washing and during toileting/nappy change times
- Educators are required to adhere to the Service's *Supervision Policy* and floor plan to maintain effective supervision.



- Adequate supervision will be provided when children are being transported. Consideration will be made depending on risk assessments, number, age and ability of children, visibility of children, each child's current activity. (see *Safe Transportation Policy*)
- Educators will communicate with other staff and educators about their supervision points, offer advice and support to ensure children's safety is of the highest priority at all times.
- Supervising educators will give their complete attention to the children and not perform other duties or tasks.
- Unless briefly discussing child or Service concerns, educators will not congregate together either inside or outside.
- Educators will interact with children where pedagogically appropriate whilst supervising.

### Working directly with children

National Regulations state that an educator cannot be included in calculating the educator to child ratio of a centre-based Service unless the educator is working directly with children. A record must be kept of educators working directly with children which includes the name of each educator and the hours each educator works directly with children being educated and cared for by the Service.

- To ensure compliance with regulations, we will only include educators in the educator to child ratio who are working directly with the children and ensure a current roster and a sign on/sign off record are available to verify this.
- The approved provider must ensure that a record is kept indicating the period of time an early childhood teacher and each suitably qualified person is working directly with children.

### Rosters

- Our Service will ensure the roster and routine provides adequate supervision of children at all times.
- Rosters will be created to provide children with continuity of care to support children's development of secure relationships and contribute to their wellbeing.
- Where possible, casual staff will be chosen from a pool of regular educators with whom the children are familiar to provide continuity of care.

### Volunteers and Students

- The Approved Provider will ensure that volunteers and students meet any requirements for Working With Children Checks/Clearance, or teacher registration VIT
- At no time will volunteers and/or students be left alone with a child or group of children or be included in the educator to child ratio.

- All volunteers and students will be inducted into the Service to ensure they adhere to the Service's policies and procedures, Statement of Philosophy and Code of Conduct
- induction will ensure volunteers and students are aware of how to manage medical conditions and to respond to a child in case of illness, injury or suffers trauma, awareness of privacy laws (including social media, photography) and behaviour guidance procedures.

### Privacy

- Educators will adhere to the Service's *Privacy and Confidentiality Policy* and Privacy Law in relation to children and their families, or matters relating to the Service and will at no time take part in inappropriate or unlawful conversations or discussions.
- The Nominated Supervisor will ensure that students and volunteers are made aware of the Service's *Privacy and Confidentiality Policy* and Privacy Law during their initial induction.
- All staff, educators, volunteers and students are provided with information about the ECA Code of Ethics.
- All staff and educators will be made aware of Child Information Sharing Schemes (CISS) and Family Violence Information Sharing Schemes (FVSS)

### Staff employed under 18 years of age

Our Service will ensure any staff member under 18 years of age does not work at the service alone and is adequately supervised at all times.

### Staff Recruitment

Our Service will ensure a rigorous recruitment process is followed to select the best staff possible based on skills, qualifications, experience and suitability for the position available. Each role will refer to the appropriate position description during recruitment and the probation period to ensure applicants are suitable for the role and position.

All potential staff will participate in robust interviews and have reference checks completed before an offer of employment is presented. Reference checks will take into consideration the suitability of the applicant for the role, previous experience and their commitment to child safe practices.

All potential staff are subject to maintenance of a valid Working With Children Card (WWCC) and appropriate qualifications. Valid first aid, asthma and anaphylaxis management, immunisation status -

including mandatory COVID-19 vaccination requirements, or food safety qualification may also be required.

All new staff will undergo a probation period of three (3) months, during this time they will participate in an induction and orientation program and hold regular discussions regarding their performance with an appointed mentor.

Staff induction includes provision of the Service's policies and procedures, code of conduct, Child Safe Standards, child protection, Work Health and Safety guidelines, behaviour guidance, service routines, human resource documentation, physical environment, communication with family's processes, Family Assistance Law, administration of Child Care Subsidy, Child Information Sharing Schemes and introduction to senior staff members and/or mentor.

## EDUCATOR TO CHILD RATIOS

Our Service will meet the minimum child ratio requirements as stated below:

State	Age of children	Educator to child ratio
NSW, WA	Birth to 24 months	1: 4
	Over 24 months and less than 36 months	1: 5
	Over 36 months of age or over (not including children over pre-school age)	1: 10

State	Age of children	Educator to child ratio
ACT, NT, QLD, SA	Birth to 24 months	1: 4
	Over 24 months and less than 36 months	1: 5
	Over 36 months of age or over (not including children over pre-school age)	1: 11

State	Age of children	Educator to child ratio
VIC	Birth to 24 months	1 :4
	Over 24 months and less than 36 months	1 :4
	Over 36 months of age or over (not including children over pre-school age)	1 :11

State	Age of children	Educator to child ratio
TAS	Birth to 24 months	1 :4
	Over 24 months and less than 36 months	1 :5
	Over 36 months of age or over (not including children over pre-school age)	1 :10 2:25 for children attending a preschool program

### Source

Australian Children’s Education & Care Quality Authority. (2014).  
 ACECQA. (2021). Policy and procedure guidelines. *Staffing Guidelines*.  
 Department of the Officer of the Privacy Commissioner: [www.privacy.gov.au](http://www.privacy.gov.au)  
 Early Childhood Australia Code of Ethics. (2016).  
 Education and Care Services National Law Act 2010. (Amended 2018).  
 Education and Care Services National Regulations. (2011).  
 Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2018)  
 Guide to the National Quality Framework. (2017). (amended 2020).  
 Office of the Children’s Guardian: <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>  
 Revised National Quality Standard. (2018).

### REVIEW

POLICY REVIEWED BY	TRACEY DAVEY	OPERATIONS MANAGER	FEBRUARY 2022
POLICY REVIEWED	OCTOBER 2021/FEBRUARY 2022	NEXT REVIEW DATE	FEBRUARY 2023
MODIFICATIONS	<ul style="list-style-type: none"> <li>Additional law/regulations added- ACECQA Guidelines to Policy and Procedures document-(August 2021)</li> <li>Additional information re: COVID-19 vaccination requirements for each state/territory. Services to delete information that is not relevant to their service.</li> <li>Checked and updated links used within policy</li> <li>Updated Related Policies</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
FEBRUARY 2021	<ul style="list-style-type: none"> <li>Minor edits</li> <li>addition to reference of Child Safe Standards</li> <li>Probation period amended to 3 months to align with Recruitment Policy</li> </ul>	FEBRUARY 2022	

OCTOBER 2020	<ul style="list-style-type: none"> <li>adequate supervision for transportation added</li> <li>additional section on recruitment and probation periods</li> <li>educator to child ratios amended</li> </ul>	FEBRUARY 2021
FEBRUARY 2020	<ul style="list-style-type: none"> <li>Amendments to the National Regulations included in policy</li> <li>Amendments and additions to Regulations for NSW added</li> <li>Definition of 'suitably qualified persons' added</li> <li>additions to content re: Nominated Supervisor</li> <li>Educator to children ratios amended</li> <li>Information about supervision condensed to avoid repetition</li> <li>Revision of approved first aid qualifications</li> </ul>	FEBRUARY 2021
FEBRUARY 2019	<ul style="list-style-type: none"> <li>Grammar, punctuation and spelling edited.</li> <li>Wording 'corrected'.</li> <li>Additional information added to points.</li> <li>Sources checked for currency.</li> <li>Sources/references corrected, updated, and alphabetised</li> </ul>	FEBRUARY 2020
FEBRUARY 2018	<ul style="list-style-type: none"> <li>New Policy Created</li> </ul>	FEBRUARY 2019