

Staffing Arrangements Policy

NQS

QA4	4.1.1	Educator-to-child ratios and qualification requirements are maintained at all times.
QA7	7.1.1	Appropriate Governance arrangements are in place to manage the service.

National Law

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

National Regulations

Regulations numbered 240 and higher are state or transitional regulations

Reg	54	Process for certified supervisor to be placed in day to day charge
	118	Educational Leader
	120	Educators who are under 18 to be supervised
	122	Educators must be working directly with children to be included in ratios
	123	Educator to child ratios—centre-based services
	126	Centre based services – general educator qualifications
	136	First aid qualifications
	150	Staff record must include name of responsible person at service each time children being educated and cared for by the service.
	173(2)(c)	Offence not to clearly display name of responsible person in the main entrance
	356	Qualifications for educators – children over preschool age
	358	Working with children check to be read

Aim

To ensure our supervision and staffing practices keep children safe at all times.

Related Policies

Child Protection Policy

Continuity of Education and Care Policy

Educator and Management Policy

Excursion Policy

Supervision

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

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

In particular, children will be supervised:

- when resting or sleeping
- during hand washing and/or toilet times
- while undergoing toilet training (they will not be left unsupervised in the bathroom)
- at the table when eating
- in any areas where risk is increased
- during any water activity (at least one educator close at all times)

To ensure all children are accounted for during transitions between environments or rooms, Room Leaders will ensure a copy of the daily sign in sheet or similar record is used to check that all children under educators' supervision have made the transition.

There may also be times when minimum ratio requirements are not sufficient to ensure children are adequately supervised. On these occasions the Nominated Supervisor will assess the situation and when necessary ensure there are extra adults present to ensure children's health, safety and wellbeing.

Issues affecting the adequacy of supervision include:

- the number, ages and abilities of children
- the number and positioning of educators
- each child's current activity
- areas where children are playing, in particular the visibility and accessibility of these areas
- risks in the environment and experiences provided to children
- the educators' knowledge of each child and each group of children
- the experience, knowledge and skill of each educator.

Educators will ensure team members know when they leave the room or area, or finish their shift, and are aware of any particular issues that may require additional oversight of children. They will do this verbally and there must be acknowledgement by the other educator prior to leaving the environment. The register of educators working with children will be completed if the educator is leaving for any length of time (see attached template).

To further ensure children are always adequately supervised the Approved Provider or Nominated Supervisor, and where relevant Room Leaders, will ensure:

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

Responsible Person

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

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

The name of the responsible person will be clearly displayed in the main entrance of the Service.

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

If more than one person at our service is a “responsible person”, we may develop a roster to rotate the role.

Nominated Supervisors and Persons in Day to Day Charge

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

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

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

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

See 'Appointment of Nominated Supervisor' template attached.

Note a Nominated Supervisor will also make an informed decision based on these factors if they appoint a person in day to day charge.

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

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

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

Notifications

The Approved Provider will notify the Regulatory Authority:

Approved Provider

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

Nominated Supervisor

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

Educator to Child Ratios

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

- 1:15 (for children over preschool age).

In relation to ratios:

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

- Students or volunteers will never be included in ratios
- More than one educator will be present when children are in attendance where possible

Rostering

This section is based on the Children's Services Award. Services subject to enterprise agreements should check the rostering requirements in the agreement.

The Approved Provider and Nominated Supervisor will comply with award requirements in relation to rostering. The **Nominated Supervisor** will:

- post or display a staff roster where it can be easily accessed by all employees
- discuss any potential changes to the roster with affected staff members first, and consider their views about the impact of changes
- only change an employee's rostered hours if:
 - the employee agrees to the change or
 - they give the employee seven days notice

This does not apply in an emergency where there is an imminent or severe risk to people at the service or the service premises need to be locked down. An emergency does not include a parent being late to collect a child.

The Nominated Supervisor will adhere to the Service's Code of Conduct at all times while negotiating roster changes with staff.

Where the employee's roster is changed without seven days notice, they will be paid overtime on the changed hours until seven days have passed from the date notice of the changed roster was given.

The **Nominated Supervisor** and the employee may agree to waive or shorten the seven day notice period. This agreement must be recorded in writing and form part of the time and wages records.

An employee may be transferred from one location to another within their rostered hours, and will be paid for the time taken to travel from one location to the other. Where an employee is required to permanently transfer to another location (other than by mutual agreement), they must be given seven days notice of the change or paid at the overtime rate until seven days have passed from the date notice was given.

Qualifications for Educators:

The Approved Provider and Nominated Supervisor will ensure:

- At least 50% of educators required to meet the ratio hold or are enrolled in and studying for, at least a qualification that is published on the national authority's website www.acecqa.gov.au in the list of approved diploma level qualifications for educators working with children over preschool age for Victoria
- All other educators must or, or be actively working towards, at least a qualification that is published on the national authority's website www.acecqa.gov.au in the list of approved certificate III level qualifications for educators working with children over preschool age for Victoria or begin obtaining this qualification within 6 months of starting to educate and care for children.

First Aid Qualifications

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

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

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

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

Child Protection

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

Working With Children Check

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

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

Further information is available at

<http://www.justice.vic.gov.au/workingwithchildren/home/about+the+check/>

Sources

Education and Care Services National Law and Regulations
National Quality Standard
Department of Justice Vic

Review

The policy will be reviewed annually by:

- Management
- Employees
- Families
- Interested Parties

Reviewed: <insert date here>

Date for next review: <insert date here>

Appointment of Person in Day to Day Charge

I appoint <INSERT FULL NAME>

to be a person in day to day charge at < INSERT NAME OF SERVICE >

and declare that that this person:

- has the required skills to be a person in day to day charge eg has adequate knowledge and understanding about providing education and care including understanding of child protection obligations
- can effectively supervise and manage the service
- is at least 18 years
- has successfully completed a child protection course approved by the NSW Regulatory Authority (NSW ONLY)
- is a fit and proper person - they have
 - a current child protection clearance
 - declared they have never been subject to any compliance action or disciplinary proceedings under the National Law or Regulations or State/ Territory early childhood laws (Supervisor to complete ACECQA Compliance History Statement template)
 - declared they are not a 'Prohibited Person'

Signature

Print Full Name

Approved Provider /Nominated Supervisor (Delete title which does not apply)

Date

I accept being placed in day to day charge and will always uphold the National Law and Regulations, and the policies, procedures, philosophy and Code of Conduct of the service

Signature

Print Full Name

Date

Appointment of Nominated Supervisor

Note you also need to complete ACECQA forms NS01 and NS02 and forward to Department
I appoint <INSERT FULL NAME>

to be a person in day to day charge at < INSERT NAME OF SERVICE >

and declare that that this person:

- has the required skills to be a person in day to day charge eg has adequate knowledge and understanding about providing education and care including understanding of child protection obligations
 - can effectively supervise and manage the service
 - is at least 18 years
 - has successfully completed a child protection course approved by the NSW Regulatory Authority (NSW ONLY)
 - is a fit and proper person - they have
 - a current child protection clearance
 - declared they have never been subject to any compliance action or disciplinary proceedings under the National Law or Regulations or State/ Territory early childhood laws (Supervisor to complete ACECQA Compliance History Statement template attached)
 - declared they are not a 'Prohibited Person'
-

Signature

Print Full Name

Approved Provider

Date

I accept being Nominated Supervisor and will always uphold the National Law and Regulations, my obligations as Nominated Supervisor under those laws and regulations, and the policies, procedures, philosophy and Code of Conduct of the service

Signature

Print Full Name

Date

Educators Working Directly with Children Register

National Regulations

Regs	13	Meaning of working directly with children.
	145	Staff records.

Educator Full Name	Highest Qualification Completed or Studying <i>Cert III (C)</i> <i>Diploma (D)</i> <i>ECT (E)</i>	Current Qualification or Training <i>First Aid (FA)</i> <i>Asthma (AS)</i> <i>Anaphylaxis (AN)</i>	Shift Start Time	Record times when you enter and leave the room	Shift End Time	Signature
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working directly with children at a given time if at that time the person—

(a) is physically present with the children; and

(b) is directly engaged in providing education and care to the children.

A person is

Instructions

- Our service will follow our Staffing Arrangements Policy regarding ratios, adequate supervision and qualification requirements at all times. The Register of Educators on Duty will record how we meet these requirements.
- We will follow our Record Keeping and Retention Policy. **Completed Register storage location:** _____
- We will complete a separate Register each day.
- We will complete a separate Register for each room (optional).**
Each service must decide the system that works best. There is no right or wrong if you have a separate record for each room or not.

Educators Working Directly with Children Register

Educator Full Name	Highest Qualification Completed or Studying			Current Qualification or Training			Shift Start Time	Record times when you enter and leave the room						Shift End Time	Signature
	C	D	E	FA	AS	AN		IN	OUT	IN	OUT	IN	OUT		
Alex Smith		✓		✓	✓		8.45am	9.00	12.30	1.00	4.00			4pm	Alex Smith
	C	D	E	FA	AS	AN		IN	OUT	IN	OUT	IN	OUT		
	C	D	E	FA	AS	AN		IN	OUT	IN	OUT	IN	OUT		
	C	D	E	FA	AS	AN		IN	OUT	IN	OUT	IN	OUT		
	C	D	E	FA	AS	AN		IN	OUT	IN	OUT	IN	OUT		