



## Quality Area 4

# Policies and Procedures

Bullying, Discrimination and Harassment Policy

Code of Conduct Policy

Dealing with Complaints Policy (Staff)

Performance Management Policy

Pregnancy in Early Childhood Employees Policy

Probation, Induction and Orientation Policy

Staffing Arrangements Policy

Staff Leave Entitlement Policy

Recruitment Policy

# Responsible Person Policy

## Staff Wellness Policy

# BULLYING, DISCRIMINATION AND HARRASSMENT POLICY

Our Out of School Hours Care (OSHC) Service is committed to creating a workplace with vision and meaningful direction, adhering to our code of conduct and practicing ethical behaviour to ensure a productive work environment free from bullying, discrimination, and/or harassment. Sexual harassment has no place in our Service.

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
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

168	Education and care services must have policies and procedures
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## RELATED POLICIES

Code of Conduct Policy Cyber Safety Policy Dealing with Complaints Policy Family Communication Policy Health and Safety Policy Interactions with Children, Family and Staff Policy	Multi-Cultural Policy Privacy and Confidentiality Policy Respect for Children Policy Staffing Arrangements Policy Student and Volunteer Workers Policy Work Health and Safety Policy
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## PURPOSE

We are committed to providing a safe and equitable workplace for all staff and educators. Bullying, discrimination and harassment will not be tolerated under any circumstances. As part of this commitment, we aim to prevent workplace bullying by adhering to the National Quality Standard, Fair Work requirements, *My Time, Our Place*- Framework for school age care in Australia and our Service

statement of philosophy, ensuring a safe workplace and the wellbeing of all staff and educators employed at the Service. This policy has been developed to ensure all educators, staff, families and visitors to our Service are clear about the standards of behaviour that is expected.

## SCOPE

This policy applies to management, the approved provider, nominated supervisor, students, staff, families and visitors (including contractors) of the OSHC Service.

## IMPLEMENTATION

Everyone has a right not be bullied or harassed at work. Workplace bullying occurs when a person or group of people repeatedly behave unreasonably towards a worker or a group of workers, creating a risk to health and safety.

Bullying may involve any of the following types of behaviour:

- Aggressive or intimidating conduct
- Belittling or humiliating comments
- Spreading malicious rumours
- Teasing, practical jokes or 'initiation ceremonies'
- Exclusion from work-related events
- Unreasonable work expectations
- Displaying offensive material
- Pressure to behave in an inappropriate manner

Bullying does not include management action carried out in a reasonable manner including:

- o making decisions about poor performance
- o taking disciplinary action
- o directing and controlling the way work is to be carried out

**Discrimination** occurs when someone is treated less favourably than others because they have a particular characteristic (such as age, disability, or gender), or belong to a particular group within the population (due to, for example, religion, culture, or sexual orientation).

**Harassment** involves unwelcome behaviour that intimidates, offends or humiliates a person because of particular characteristics as listed above.

**Psychosocial Hazards** refer to aspects of work-related conditions or factors that could cause potential psychological or social harm to employees. Stress, fatigue, bullying, violence, aggression, harassment and burnout can be examples of potential psychosocial hazards, which can cause harm to employees' physical and mental health, negatively impacting their overall wellbeing.

**Sexual Harassment** includes unwelcome sexual advances, unwelcome request for sexual favours and engaging in other unwelcome conducts of sexual nature. Our service implements a zero-tolerance approach to sexual harassment.

There are a number of anti-discrimination, equal employment, workplace relations, and human rights laws which make it illegal to discriminate or harass a person in the workplace. Australia's federal anti-discrimination laws are contained in the following legislation:

[Age Discrimination Act 2004](#)

[Disability Discrimination Act 1992](#)

[Racial Discrimination Act 1975](#)

[Sex Discrimination Act 1984](#)

[Fair Work Legislation Amendment \(Secure Jobs Better Pay\) Act 2022](#)

Our Service philosophy, code of conduct and the [Early Childhood Australia \(ACA\) Code of Ethics](#) will guide educator behaviours and interactions and adhere to best practice by providing a vision and a purposeful and meaningful direction to ensure a safe working environment for all staff.

#### THE APPROVED PROVIDER, MANAGEMENT AND THE NOMINATED SUPERVISOR WILL ENSURE:

- a thorough induction process for new employees is conducted at the commencement of employment
- an understanding and compliance with discrimination law is communicated with all employees
- all staff have a comprehensive understanding of the Service's code of conduct, *Dealing with Complaints Policy* and *Code of Ethics*
- the *Bullying, Discrimination and Harassment Policy*, and all related policies are reviewed annually

- educators are informed that inappropriate behaviour, including bullying, discrimination, sexual harassment, and harassment will not be tolerated and will be advised of potential consequences of this behaviour
- all staff are aware of the *Bullying, Discrimination, and Harassment Policy* and procedure
- inappropriate behaviour is addressed in a timely manner
- a clear process is in place regarding raising complaints and grievances related to bullying, discrimination and harassment
- complaints or grievances are treated seriously and immediate action is taken in a timely manner
- all staff are aware of appropriate interactions through professional development and training
- all staff and educators are aware of their job roles and responsibilities which are clarified through job descriptions, team meetings, performance appraisals, and service expectations
- constructive feedback is provided to staff and educators
- communication practices are reviewed frequently to ensure best practice
- all staff and educators are treated equally
- all staff and educators are encouraged to embrace the uniqueness and diversity of their colleagues
- an understanding and compliance with discrimination law is communicated with all employees.
- ensure the service implements a zero-tolerance approach towards racism
- that proactive measures are taken to identify and manage psychological and psychosocial hazards and risks within the work environment through risk assessments in line with WH&S legislation.

### EDUCATORS WILL:

- be involved in decision making with a clear understanding of their roles and responsibilities, outlined in each individual job description
- respect the skills, strengths and opinions of all educators in order to create a professional, cohesive team
- comply with all discrimination laws
- be responsible for their own actions in the workplace
- raise matters of concern at an early stage to management
- provide management with specific information regarding the perceived bullying, discrimination, and/or harassment, and be prepared to have the complaint made known to the person to allow for fair management and rectification
- maintain confidentiality and not discuss or release information relating to a bullying, discrimination, or harassment allegations
- take bullying seriously

- follow the Service's *Bullying, Discrimination and Harassment procedure*
- evaluate the effectiveness of strategies implemented to discourage and eradicate bullying, discrimination, and/or harassment.
- ensure compliance with a zero tolerance of racism within the Service
- assist in identifying and reducing psychological and psychosocial hazards and risks within the work environment.

## RESOURCES

Fair Work	<a href="#">Bullying in the Workplace</a>
Respect@Work	<a href="https://www.respectatwork.gov.au/">https://www.respectatwork.gov.au/</a>
Safe Work Australia	<a href="#">Preventing workplace sexual harassment</a>

## CONTINUOUS IMPROVEMENT/REFLECTION

Our *Bullying, Discrimination and Harassment Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

## CHILDCARE CENTRE DESKTOP- RELATED RESOURCES

Bullying, Discrimination and Harassment Procedure	Code of Conduct Staff Acknowledgement
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## SOURCE

Anti-Discrimination Act: See <https://raisingchildren.net.au/disability/disability-rights-the-law/law/anti-discrimination-laws> for Acts for specific Australian states and territories.

Australasian Legal information institute: [www.austlii.edu.au](http://www.austlii.edu.au)

Australian Human Rights Commission: <https://www.humanrights.gov.au/employers/good-practice-good-business-factsheets/quick-guide-australian-discrimination-laws>

Australian Human Rights Commission. (2019). Reform of discrimination law: <https://www.humanrights.gov.au/>

Australian Children's Education & Care Quality Authority. (2014).

Early Childhood Australia Code of Ethics. (2016).

Education and Care Services National Law Act 2010. (Amended 2023).

[Education and Care Services National Regulations](#). (Amended 2023).

Fair Work Act 2009 (Cth).

Fair Work Ombudsman. (2019). Managing performance & warnings: <https://www.fairwork.gov.au/employee-entitlements/managing-performance-and-warnings>

Fair Work Ombudsman. Sexual harassment in the workplace. <https://www.fairwork.gov.au/employment-conditions/bullying-sexual-harassment-and-discrimination-at-work/sexual-harassment-in-the-workplace>

Fair Work Ombudsman. Rights and obligations: <https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/rights-and-obligations/workplace-discrimination>

Guide to the National Quality Framework. (Amended 2023).

Safe Work Australia. (2019). Bullying:-<https://www.safeworkaustralia.gov.au/safety-topic/hazards/bullying>

Safe Work Australia. Workplace Sexual Harassment: <https://www.safeworkaustralia.gov.au/safety-topic/hazards/workplace-sexual-harassment>

[Western Australian Education and Care Services National Regulations](#)

Work Health and Safety Act 2011 (Cth).

## REVIEW

POLICY REVIEWED BY:	SARAH DUFFY	DIRECTOR	JULY 2024
POLICY REVIEWED	JULY 2024	NEXT REVIEW DATE	JULY 2025
VERSION	V8.03.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>• AUGUST Psychosocial Hazards description added to policy</li> <li>• Policy reviewed to include information around managing psychosocial hazards within the work environment</li> <li>• Information included related to zero tolerance of racism</li> </ul> <p>MARCH</p> <ul style="list-style-type: none"> <li>• Policy reviewed to include Sex Discrimination Act 1984 amendments that come into force from 6 March 2023</li> <li>• Hyperlinks checked and repaired as required</li> <li>• Additional sources added</li> <li>• Continuous improvement/reflection section added</li> <li>• Child Care Centre Desktop Resources section added</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
AUGUST 2022	<ul style="list-style-type: none"> <li>• policy maintenance - no major changes to policy</li> <li>• link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> <li>• minor formatting edits within text</li> <li>• hyperlinks checked and repaired as required</li> </ul>	AUGUST 2023	

## CODE OF CONDUCT POLICY

We believe in maintaining an inclusive and welcoming environment and workplace that motivates and facilitates personal growth and development for staff and educators. The values that underpin our work ethic include equality, respect, integrity, and responsibility. Our OSHC Service is committed to adhere to the ECA Code of Ethics (2016) which is based on the principles of the United Nations Convention on the Rights of the Child (1991) and provides a framework for the reflection about the ethical responsibilities of early childhood professionals.

Our Out of School Hours Care Service is committed to creating and maintaining an environment that promotes the safety of all children and embeds the [National Principles for Child Safe Organisations](#). All



staff and volunteers are responsible for promoting a culture of safety and wellbeing to minimise the risk of child abuse or harm to children whilst promoting children's sense of security and belonging.

#### NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance 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.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.1	Service philosophy and purpose	A statement of philosophy guides all aspects of the service's operations.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
82	Tobacco, drug and alcohol-free environment
84	Awareness of child protection law
155	Interactions with children
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed

#### RELATED POLICIES

Bullying, Discrimination and Harassment Policy Child Protection Policy Child Safe Environment Policy	Professional Development Policy Record Keeping and Retention Policy Recruitment Policy
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Dealing with Complaints Policy Interactions with Children, Family and Staff Policy Out of hours babysitting Policy Photograph Policy Privacy and Confidentiality Policy	Respect for Children Policy Responsible Person Policy Social Media Policy Staffing Arrangements Policy Tobacco, Drug and Alcohol-Free Policy Work Health and Safety Policy
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## PURPOSE

We aim to establish a common understanding of workplace standards and ethics expected of all employees of the Service. We aim to ensure positive working relationships are formed between all educators and management, promoting dignity and respect by avoiding behaviour which is or may be perceived as harassing, bullying or intimidating. Educators and management will at all times conduct themselves in an ethical manner and strive to ensure that all interactions are positive and respectful and are in accordance with the Service's philosophy.

Our OSHC Service takes every reasonable effort to accommodate the diversity of all children in embedding the National Child Safe Principles into our organisation and service operations. We are committed to the safety and wellbeing of children and young people. We recognise the importance of and responsibility for, ensuring our Service provides a safe and supportive environment which respects and fosters the rights and wellbeing of children in our care. We are dedicated in promoting cultural safety for Aboriginal children, cultural safety for children from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children with a disability.

## SCOPE

This policy applies to management, the approved provider, nominated supervisor, staff, students, families, children, volunteers and visitors of the OSHC Service.

## IMPLEMENTATION

The Approved Provider, Nominated Supervisor, educators and staff, volunteers, and students will adhere to the Early Childhood Australian Code of Ethics, Education and Care Services National Regulations and the National Quality Standard, Child Safe Standards and Service policies and procedures at all times, promoting positive interactions both within the Service and the local community.

## RESPECT FOR PEOPLE AND THE SERVICE

- Employees, educators, staff and Management are committed to the OSHC Service philosophy and values, inclusive of best practice in school age education and care and building positive partnership

with children, families. Employees, educators, staff and management are committed to the OSHC Service philosophy and values, inclusive of best practice in school age education and care and building positive partnership with children, families and staff

- Employees, educators, staff and management adhere to our Child Safe policies including *Child Safe Environment Policy* *Child Protection Policy* at all times and take all reasonable steps to protect children from abuse and harm
- Employees, educators, staff and management adhere to our Child Safe policies including *Child Safe Environment Policy*, *Child Protection Policy* at all times and take all reasonable steps to protect children from abuse and harm
- Employees, educators, staff and management understand that *child safety is everyone's responsibility*
- Effective, open, and respectful reciprocal communication and feedback between employees, children, families, and management is conveyed
- It is important to treat colleagues, children, and families with respect. Bullying or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening, or derogatory language or intimidation towards other employees, educators, staff, management, children, visitors, or families is unacceptable and will not be tolerated
- Employees, educators, staff and management are committed to valuing and promoting the safety, health, and wellbeing of employees, volunteers, children, and families
- Employees, educators, staff and management promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait islander children to express their culture and enjoy their cultural rights
- Employees, educators, staff and management promote the safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds to support children to express their culture and enjoy their cultural rights
- Employees, educators, staff and management promote the safety, participation and empowerment of children with a disability
- are committed to an Equal Opportunity workplace and culture which values the knowledge, experience, and professionalism of all employees, team members, and managers, and the diverse heritage of our families and children
- Employees, educators, staff and management respect the privacy of children and their families by keeping all information about child protection concerns confidential and only share information to promote child wellbeing or safety and /or manage risk of family violence with other Information Sharing Entities (IES) as per state/territory legislation.

- Our OSHC Service will conduct a comprehensive probation and induction orientation program for all new employees, volunteers and students to include awareness of their roles and responsibilities in relation to Child Safe practices and Child Protection reporting obligations
- Policies and procedures will be developed to ensure employees, educators, staff, students, visitors and families are aware of the standards of behaviour that is expected within the service
- Employees, educators, staff and management are informed that inappropriate behaviour, including bullying, sexual harassment, discrimination and harassment will not be tolerated
- It is important employees, educators, staff and management listen and respond to the views and concerns of children particularly if they are telling you that they or another child has been abused or they are worried about their safety or the safety of another.

## Expectations of Employees

### Employees will:

- adhere to the *Code of Conduct Policy*
- ensure their work is carried out proficiently, harmoniously, and effectively. They will act in a professional and respectful manner at all times whilst at work, giving their full attention to their responsibilities and adhering to all Service policies, procedures, Child Safe Standards, Education and Care Services National Law and National Regulations, and the National Quality Standard
- act honestly and exercise attentiveness in all Service operations. They will carry out all lawful directions, retaining the right to question any direction which they consider to be unethical. If uncertain they can seek advice from the Nominated Supervisor, Approved Provider or the Ombudsman
- uphold the rights of children and always prioritise their needs
- treat all children and young people with respect
- promote the wellbeing and safety of children and take all reasonable steps to protect children from abuse
- provide adequate supervision of children at all times
- understand their legislative responsibility as mandatory reporters to report any allegation of child abuse, neglect or possible risk of harm to management and/or Child Protection authority
- understand their legislative responsibility to report any inappropriate action of any other employee that involves children or young people to management as part of the *Reportable Conduct Scheme*
- participate in all mandatory training
- follow and comply with the *Dealing with Complaints Policy* when matters are raised regarding Child Safety and Wellbeing

- report any instances of suspected corrupt conduct, mismanagement of government funds or other serious allegation to the appropriate agency ( [tipoffline@education.gov.au](mailto:tipoffline@education.gov.au) )
- have a solid understanding of the OSHC Service's policies and procedures, Child Safe Standards and the ECA Code of Ethics. If uncertain about the content of any policy or procedure with which they must comply, employees should seek clarification from the Nominated Supervisor or Approved Provider.
- be courteous and responsive when dealing with colleagues, management, students, visitors, children and families
- work collaboratively with colleagues and management, families and members of the community with courtesy, respect and recognise and value diversity
- be mindful of their duty of care towards themselves and others
- be positive role models for children at all times
- ensure compliance with a zero tolerance of racism within the Service
- report any incidents or bullying, discrimination or harassment, including sexual harassment they have experienced or witnessed
- adhere to the *Tobacco, Drugs and Alcohol-Free Policy*
- respect the confidential nature of information gained about each child participating in the program
- engage in critical reflection to inform individual and collective decision making and ensure continual improvement, including a review of Child Safe policies and procedures.

#### EMPLOYEES WILL NOT:

- use abusive, derogatory or offensive language
- engage in conduct that is detrimental to the professional standing of our Service, is improper or unethical, is an abuse of power, or harasses, discriminates against, victimises, humiliates, intimidates, or threatens other educators, staff members, volunteers, or visitors at the Service, either directly or indirectly via information technology such as email, text or social media. Additionally, they will not support those who do this
- condone or participate in illegal, unsafe or abusive behaviour towards children, including physical, sexual or psychological abuse, ill-treatment, neglect or grooming
- exaggerate or trivialise child abuse issues
- fail to report information to the approved provider if they know a child has been abused
- engage in unwarranted and inappropriate touching involving a child
- persistently criticise and/or denigrate a child
- verbally assault a child or create a climate of fear

- encourage a child to communicate in a private setting
- share details of sexual experiences with a child
- use sexual language or gestures in the presence of children
- discriminate against any child, because of culture, race, ethnicity or disability
- put children at risk of abuse- refusing food/play, making threats, exposing children to inappropriate language or material (movies, internet, photos)
- show preferential behaviour towards any child
- accept an offer of money, regardless of the amount
- seek or accept a bribe
- acquire personal profit or advantage because of their position (e.g., through the use of Service information)
- exchange any property of the Service for own use unless properly authorised
- approach other employees, managers or visitors directly on individual matters that are irrelevant to them
- engage in any action in breach of our Privacy and Confidentiality Policy, including but not limited to disclosure of confidential Service or customer information, or the improper or illegal use of that confidential information. Authorised persons will only access confidential information for the purpose intended.
- engage in or support any action in breach of Service policies and/or procedures.

## EXPECTATIONS OF LEADERS AND MANAGEMENT

In addition to the above responsibilities, leaders and management are expected to:

- Promote a collaborative and interconnected workplace by developing a positive working environment where all employees can contribute to the ongoing continuous improvement of the Service.
- Promote leadership by working with employees and providing opportunities for professional development and growth.
- Provide flexible opportunities to ensure all employees can participate in staff meetings and professional development.
- Provide ongoing support and feedback to employees.
- Keep employees informed about essential information and any relevant changes and make all documents readily accessible to them.
- Model professional behaviour at all times whilst at the Service.

- Implement supportive and effective communication systems, consulting employees in appropriate decision making.
- Take appropriate action if a breach of the code of conduct occurs.
- Share skills and knowledge with employees.
- Give encouragement and constructive feedback to employees, respecting the value of different professional approaches.
- follow recruitment policies and procedures to ensure all potential candidates undergo appropriate background checks, including Working With Children Checks
- model and provide guidance to educators and staff to ensure compliance with a zero tolerance of racism within the OSHC Service.

### REPORTING A BREACH IN THE CODE OF CONDUCT

Our Service aims to foster a culture of transparency and accountability while supporting employees to report any reasonable suspicion of reportable matters of improper, illegal or misconduct within the service to management including, but not limited to:

- breaches of the Service code of conduct or service policies
- breaches of Education and Care Services National Law or Regulations
- breaches of legislation or law
- criminal activity
- corruption
- conduct that poses a danger or harm to any person/s
- harassment or discrimination
- improper or misleading financial practices

Our OSHC Service will implement protective practices to ensure that employees identity is not compromised or disclosed, where applicable, following a report of a reportable matter including storage of documents in a secure and confidential manner and ensuring access to confidential documents is restricted to authorised personnel only. Once a report has been made, the matter may be investigated through a formal investigation.

- all employees are required by law to undergo a Working with Children Check (WWCC) which is verified by the employer to ensure it is valid and current
- if employees become aware of a serious crime committed by another employee, they are required to report it to management as per the *Reportable Conduct Scheme*

- as mandatory reporters, all employees, students and volunteers must report possible risk of harm to children or young persons to management and/or Child Protection authority
- employees will report any concerns they may have about inappropriate actions of any other employee that involves children or young people to the approved provider/management as per the Reportable Conduct Scheme
- the approved provider/management will report any allegations or child related misconduct as per their legislative requirements (this may include reporting the matter to the Police, Department of Child Protection).

## MANAGING CONFLICT IN THE WORKPLACE

### MANAGEMENT WILL:

- adhere to the *Dealing with Complaints Policy*
- remain objective and impartial when managing conflict in the workplace
- be responsive and address a possible breach of the code of conduct by any employee as soon as they are aware of the breach
- investigate all allegations which may result in remedial action, or disciplinary action ranging from a caution to dismissal
- Management will consider all relevant facts and make decisions or take actions fairly, ethically, consistently, and with transparency. If they are uncertain about the appropriateness of a decision or action they will consider:
  - whether the decision or conduct is lawful
  - whether the decision or conduct is consistent with Service policies and objectives
  - whether there will be an actual, potential, or perceived conflict of interest involving obligations that could influence the business relationship or conflict with business duties.

## ADHERING TO SERVICE CONFIDENTIALITY

- Unless authorised to do so by legislation, employees must not disclose or use any confidential information without appropriate approval (including written approval as required).
- Lawful sharing of information with other parties must be to promote the wellbeing or safety of children and adhere to guidelines under Child and Family Information Sharing Schemes
- All employees are to ensure that confidential information is not accessed by unauthorised people.
- Employees will adhere to the Service's *Privacy and Confidentiality Policy*.

## RECORD KEEPING



- Employees and Management will maintain full, accurate, and honest records as required by Education and Care Services National regulations.
- Managers have a responsibility to ensure that employees comply with their record keeping obligation outlined in the *Record Keeping and Retention Policy*
- Employees must not destroy records without permission from management
- Records must be retained and stored securely as per our *Record Keeping and Retention Policy*

## BABYSITTING

- Our OSHC service does not provide babysitting services outside normal operating hours
- Should employees undertake private babysitting arrangements with families, our Service takes no responsibility for any private arrangements between staff members and the family. However, we do expect staff to inform the Service if they are babysitting or caring for a child that attends the Service.
- All staff are bound by contract to the Service's *Privacy and Confidentiality Policy*, where they are unable to discuss any issues regarding the Service, other staff members, parents/families, or other children.

## RECORD KEEPING

- Employees and Management will maintain full, accurate, and honest records as required by Education and Care Services National regulations.
- The approved provider has a responsibility to ensure that employees comply with their record keeping obligation outlined in the *Record Keeping and Retention Policy*
- Employees must not destroy records without permission from management
- Records must be retained and stored securely as per our *Record Keeping and Retention Policy*

## DUTY OF CARE

- The approved provider, management and employees have a responsibility to take reasonable care for the health and safety of themselves and others at the workplace to enable compliance with the work health and safety legislation outlined in the *Work Health and Safety Policy*
- Duty of Care relates to both physical and psychological wellbeing of individuals
- The approved provider, management and employees must provide adequate supervision of children at all times and ensure the health, safety and welfare of children and young people in their care. This includes taking all reasonable action to protect children and young people from risk of harm that can be reasonably predicted.

## APPROPRIATE USE OF COMMUNICATION AND SOCIAL NETWORKING SITES

### SOCIAL MEDIA

- As a Child Safe Organisation, our Service has the responsibility to ensure children and educators are protected from harm when they engage in with digital technology including social media
- Strict guidelines for the use of social media are outlined in our *Social Media Policy*
- The Service offers its current families and staff members a Facebook page as a communication tool. The administrator of the account is the Service's Nominated Supervisor
- The Administrator controls the content on the page and ensures that the postings are relevant and respectful of the Service, the children, the staff, families, and greater community.
- Staff members who have a personal Facebook account are not permitted to post any negative comments relating to the Service, children, colleagues, or families. If they choose to 'like' the Service's page they have a responsibility to ensure that their profile picture is an appropriate representation of a school aged care educator. If it is not, we request that they do not 'like' the page.
- Staff members are to use their own personal discretion when adding a family of the Service as a 'friend' on Facebook. The Service does not recommend staff to add families of the Service as they will be seen still as a representative of the Service and held to the Service's Code of Conduct on all posts on their private 'wall' if families have access.
- Families are asked in our *Social Media Policy* to respect that staff may have a personal policy on adding families due to their professional philosophy and that the Service does not recommend staff to have families as friends on their private account.
- Staff members are not permitted to request the 'friendship' of families from the Service.

### PERSONAL PHONE CALLS/MOBILE PHONES/SMART WATCHES

We are mindful that educators have a duty of care to ensure children are protected from potential risk of harm. It is imperative that all employees of the Service provide children with their full attention, ensuring supervision is maintained and remains on the children.

- employees are not authorised to use the Service's phones for personal reasons unless in the case of an emergency or with permission from management.
- mobile phones should be kept inside employees' bags
- employees are not permitted to use Smart watches to access emails and social media during working hours. Smart watches are only to be used for viewing the time
- if it becomes apparent that employees are using their Smart watches to check and respond to messages during shifts, they will be asked to either leave them at home or place in a designated locker / secure location until the end of their shift.

- personal mobile phones and Smart watches may be used during shift breaks when employees are free from work and supervision duties. They are not to be used in general sight of children, unless a situation arises where there is an emergency.
- personal mobile phones are not to be used to take photos of children as this is a breach of children's privacy. (Service mobile phones or iPads may be used if it's for the purposes of 'observations' etc.)
- children are at no time to be given access to staff mobile phones
- no personal mail or deliveries should be directed to the Service unless prior approval has been granted by the Nominated Supervisor/management.
- employees are not to contact families or children of the Service for personal reasons.
- if, for personal reasons an employee needs to remain contactable from someone outside the Service they should ensure that the situation is explained to management and that the service's primary contact details are passed on to the persons/family outside the Service.

### SERVICE EMAIL

- Email is to be used only for company usage, not for private communications
- Passwords and access privileges are strictly confidential and to be used only by the educator issued with that access, or persons delegated to know and use that access in the normal course of operation
- It is the responsibility of the authorised user to take fair and reasonable steps to ensure the passwords and other forms of access are held safe
- Employees are to be aware that their Service email account may be accessed by Management at any time.

### USE OF ALCOHOL, DRUGS AND TOBACCO

- Smoking or vaping is NOT permitted in or on surrounding areas of the OSHC Service.
- It is expected that the odour of cigarette smoke will not be detected on an employee's clothing. If an employee is found smoking/vaping on the premises, that employee's employment may be terminated. Our Service supports the [Smoke Free Environment Act 2000](#). The company and its employees will follow all conditions outlined in this act.
- Our OSHC Service is bound by the Education and Care Services National Regulations. Alcohol, drugs, or other substance abuse by employees can have serious adverse effects on their own health and the safety of others. As such, all employees must not:
  - consume alcohol nor be under the influence of alcohol while working
  - use or possess illegal drugs at any workplace
  - drive a vehicle, having consumed alcohol or suffering from the effects of illegal substances, or

- bring alcohol or any illegal drugs onto the premises.
- If a co-worker suspects a colleague to be affected by drugs or alcohol, they must inform the Nominated Supervisor immediately. No employee will be allowed to work under the influence of drugs or alcohol. (See: *Tobacco, Drugs and Alcohol-Free Policy*)
- Employees undergoing prescribed medical treatment with a controlled substance that may affect the safe performance of their duties are required to report this to the Nominated Supervisor. Consideration will be given as to whether the particular medication affects the person's capacity to provide education and care to children
- All issues pertaining to these matters shall be kept strictly confidential. A breach of this policy may initiate appropriate action including the termination of employment.

### DRESS CODE

- All employees must adhere to our uniform/dress code supplied during induction including the display of their name badge whilst on shift.
- Appropriate shoes must be worn at all times.
- Clothes must be suitable for free movement, active play, and messy play.
- No offensive logos or political statements are to be displayed on clothing.

### PERSONAL HYGIENE

All employees are to adhere to the following standards:

- long hair is to be clean and neatly tied back when preparing food
- fingernails are to be clean and well groomed
- employees will follow appropriate oral hygiene practices
- an appropriate deodorant/antiperspirant will be worn
- strong perfumes will not be worn as they may cause allergic reactions in children.

### BREACH OF THE CODE OF CONDUCT

All employees are made fully aware that the following breaches of the Code of Conduct and role responsibilities may result in disciplinary action which may lead to termination of employment:

- reporting to work under the influence of alcohol or drugs
- refusal to complete required additional training
- possessing or selling drugs at the Service
- immoral, immature, or indecent conduct while at the Service
- inappropriate use of company equipment and/or resources

- refusing to work as reasonably directed
- possessing a dangerous weapon whilst at the Service
- bringing disrepute to the Service
- causing disruption or discontent in the relationship between a family and the Service
- disclosure of confidential information
- falsifying documentation
- associating with families without disclosing this information with management
- stealing, abusing, defacing, or destroying company property
- interfering with work schedules
- falsification of reports, documents, or wages information
- failure to report for work without notice
- walking off the job
- failure to follow policies and procedures
- vulgarity or disrespectful conduct to families, management or colleagues
- making or publishing false, vicious, or malicious statements about any employee of the Service, or the Service itself
- failure to hand in lost property (this is regarded as stealing): Lost property is to be handed to the Nominated Supervisor
- unable to maintain or hold a current Working With Children Check/Clearance

### DISCIPLINARY ACTION

All employees are made fully aware that continued abuse of the following may result in disciplinary action. These include, but are not limited to the following:

- Unauthorised absence
- Consistent or ongoing late arrivals and/or unauthorised extended breaks
- Having personal visitors whilst on shift
- Continued personal phone calls
- Unauthorised distribution of Service resources or materials
- Consistent or ongoing poor work standard
- Carelessness in the performance of duties
- Consistent or ongoing low level of enthusiasm
- Lack of personal cleanliness and hygiene
- taking excessive breaks
- failure to report health, fire, or safety hazards

- repeated tardiness

### CONTINUOUS IMPROVEMENT/REFLECTION

The *Code of Conduct Policy* will be evaluated and reviewed on an annual basis in conjunction with children, families, staff, educators and management.

### CHILDCARE CENTRE DESKTOP - RELATED RESOURCES

Code of Conduct – Staff Acknowledgement Form

### SOURCES

*Anti-Discrimination Act*: See <https://raisingchildren.net.au/disability/disability-rights-the-law/law/anti-discrimination-laws> for Acts for specific Australian states and territories.

Australian Children’s Education & Care Quality Authority. (2014).

Australia Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).

Australian Human Rights Commission <https://www.humanrights.gov.au/our-work/childrens-rights>

Early Childhood Australia Code of Ethics. (2016).

*Fair Work Act 2009* (Cth).

Government of South Australia Human Services [Child safe environments](#)

National Principles for Child Safe Organisations

NSW Government [Office of the Children’s Guardian](#) *Code of Conduct- a guide to developing child safe Codes of Conduct*. (2020).

*Ombudsman Act 2001* (Cth).

*Privacy and Personal Information Protection Act 1998* (Cth).

Revised National Quality Standard. (2018).

Victoria State Government. (2021). Family Violence Multi-Agency Risk Assessment and Management Framework.

Victoria State Government. (2022). Families, Fairness and Housing. Resources for Child Safe Standards

[Western Australian Education and Care Services National Regulations](#)

*Work Health and Safety Act 2011* (Cth).

*Workplace Relations Act 1996* (Cth).

### REVIEW

POLICY REVIEWED BY:	SARAH DUFFY	DIRECTOR	JULY 24
POLICY REVIEWED	JULY 2024	NEXT REVIEW DATE	JULY 2025
VERSION NUMBER	V6.12.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>• annual policy review- minor formatting edits</li> <li>• National Principles for Child Safe Organisations added</li> <li>• added terms- educators, staff and management within policy</li> </ul>		

	<ul style="list-style-type: none"> <li>vaping added to use of alcohol, drugs and tobacco</li> <li>added information related to bullying, sexual harassment and discrimination</li> <li>additional information added to Reporting a Breach of the Code of Conduct- privacy matters</li> <li>sources updated</li> </ul>	
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE
DECEMBER 2022	<ul style="list-style-type: none"> <li>Policy reviewed following updates to Victorian Child Safe Standards in July 2022</li> <li>Sources checked for currency</li> <li>Minor edits throughout policy</li> <li>additional sources- South Australia DHS</li> <li>Additional text included in policy in line with Code of Conduct (staff acknowledgement)</li> <li>Childcare Centre Desktop - related resources section added</li> <li>Additional section added for Continuous Improvement</li> <li>link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>	DECEMBER 2023
DECEMBER 2021	<ul style="list-style-type: none"> <li>Policy reviewed as part of yearly cycle (Changed from Jan to Dec)</li> <li>Child Information Sharing Schemes (CISS) information added</li> <li>Minor changes for Child Safe Standards – services to amend to their state/territory requirements</li> <li>Sources checked for currency</li> </ul>	DECEMBER 2022

## DEALING WITH COMPLAINTS POLICY (Staff)

Feedback from families, educators, staff and the wider community is fundamental in creating an evolving Out of School Hours Care Service working towards the highest standard of care and education.

It is foreseeable that feedback will include divergent views, which may result in complaints. This Policy details our OSHC Service's procedures for receiving and managing informal and formal complaints from staff. Educators can lodge a grievance with management with the understanding that it will be managed conscientiously and confidentially.

### NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
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.

LEGISLATIVE REQUIREMENTS/EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
Sec. 172	Offence to fail to display prescribed information
Sec.174	Offence to fail to notify certain information to Regulatory Authority
12	Meaning of serious incident
168(2)(o)	Education and care service must have policies and procedures... for dealing with complaints
170	Policies and procedures must be followed
171	Policies and procedures to be kept available
173(2)(b)	Requires an approved provider to make the name and telephone number of the person to whom complaints may be addressed clearly visible at the service
176	Time to notify certain information to Regulatory Authority
183	Storage of records and other documents

#### RELATED POLICIES

Child Protection Policy Child Safe Environment Policy Code of Conduct Policy Dealing with Complaints Policy Enrolment Policy Family Communication Policy Governance Policy	Incident, Injury, Trauma and Illness Policy Interactions with Children, Family and Staff Policy Privacy and Confidentiality Policy Record Keeping and Retention Policy Respect for Children Policy Responsible Person Policy Student and Volunteer Workers Policy
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#### PURPOSE

The *Education and Care Services National Regulations* requires approved providers to ensure their services have policies and procedures in place for dealing with complaints (regulation 168) and take reasonable steps to ensure those policies and procedures are followed (regulation 170).



We aim to investigate all complaints and grievances with a high standard of equity and fairness. We believe in team collaboration to ensure a safe, healthy and harmonious work environment. We will ensure that all persons making a complaint are guided by the following policy values:

- Procedural fairness and natural justice
- Code of ethics and conduct
- Culture free from discrimination and harassment
- Transparent policies and procedures
- Opportunities for further investigation
- Adhering to our OSHC service philosophy

### **Procedural fairness and natural justice**

Our OSHC service believes in procedural fairness and natural justice that govern the strategies and practices, which include:

- The right to be heard fairly
- The right to an unbiased decision made by an objective decision maker
- The right to have the decision based on relevant evidence

### **SCOPE**

This policy applies to management, the approved provider, nominated supervisor and staff of the OSHC Service.

### **IMPLEMENTATION**

Grievances can transpire in any workplace. Handling them appropriately is imperative for sustaining a safe, healthy, harmonious and productive work environment. The Grievance Policy ensures that all persons are presented with procedures that:

- Value the opportunity to be heard
- Promote conflict resolution
- Encourage the development of harmonious partnerships
- Ensure that conflicts and grievances are mediated fairly
- Are transparent and equitable

### **DEFINITIONS**

**Complaint:** Expression of dissatisfaction made to or about an organisation related to its products, services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required. [AS/NZS 10002:2014 Complaint Management Standard]

**Complaints and Grievances Management Register:** Records information about complaints and grievances received at the centre, along with the outcomes. This register must be kept in a secure file, accessible only to educators and Regulatory Authority. The register can provide valuable information to the Approved Provider and Nominated Supervisor of the service to ensure children and family's needs are being met.

**Grievance:** A grievance is a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature. A *workplace grievance* is a complaint raised towards an employer by an employee due to a violation of legalities (workplace policies, employment contract, national standards).

**Mediator:** A person who attempts to assist and support people involved in a conflict come to an agreement.

**Mediation:** An attempt to bring about a peaceful settlement or compromise between disputants through the objective intervention of a neutral party.

**Notifiable complaint:** A complaint that alleges a breach of the Regulation and Law, National Quality Standard or alleges that the health, safety or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by the Approved Provider or Nominated Supervisor to the Department of Early Childhood Education and Care within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b)).

If the Approved Provider, Nominated Supervisor, or Educator is unsure whether the matter is a notifiable complaint, it is good practice to contact **Regulatory Authority** for confirmation. Written reports must include:

- details of the event or incident
- the name of the person who initially made the complaint
- if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)

- contact details of a nominated member of the Grievances Subcommittee (or Nominated Supervisor)
- any other relevant information.

Written notification of complaints must be submitted using the appropriate forms, which can be found on the ACECQA website: [www.acecqa.gov.au](http://www.acecqa.gov.au) and logged using NQA ITS (National Quality Agenda IT System).

**Serious incident:** An incident resulting in the death of a child, or an injury, trauma or illness for which the attention of a registered medical practitioner, emergency services or hospital is sought or should have been sought. This also includes an incident in which a child appears to be missing, cannot be accounted for, is removed from the centre in contravention of the Regulations or is mistakenly locked in/out of the centre premises (Regulation 12).

A serious incident should be documented in an *Incident, Injury, Trauma and Illness Record* (sample form available on the ACECQA website) as soon as possible and within 24 hours of the incident. The Regulatory Authority must be notified within 24 hours of a serious incident occurring at the centre (Regulation 176(2)(a)). These records are required to be retained for the periods specified in Regulation 183.

The Approved Provider will notify the regulatory authority of any incident where there is a reasonable belief that physical and/or sexual abuse of a child has occurred or is occurring at the service, or any allegation that sexual or physical abuse of a child has occurred or is occurring at the service.

We acknowledge that conflict is a natural part of the work environment. It is important that all conflict is resolved as unresolved conflict can lead to tension; stress; low productivity; bitter relationships; excess time off; ill health; anxiety and many other destructive emotions. When conflict is addressed and handled constructively the outcomes are feelings of relaxation; openness; high productivity; vitality; good health, empowerment; a sense of achievement etc.

Positive communication between educators is vital to the smooth running of the Service and to ensure a positive environment for children. Educators are expected to treat other educators with respect, accept differences and share ideas. It is every staff member's responsibility to contribute to the development of an open, healthy and constructive work environment. All grievances, whether considered minor or not, are to be dealt with promptly, professionally and thoroughly.

The Service’s employees are expected to look at conflict in a positive way, ready to learn something new, reflect on good quality practice, improve work relationships and ultimately provide better care and education for children.

Employees are also to be aware of their responsibility to be a good role model for children, and appropriately and professionally handle conflict with work colleagues, children, parents, and other associates. Employees should regularly reflect on *Early Childhood Australia’s Code of Ethics* for guidance of appropriate behaviour when dealing with conflict. The Code of Ethics states that all team members should “make every effort to use constructive methods to resolve differences of opinion in the spirit of collegiality.”

### Privacy and Confidentiality

Management and Educators will adhere to our *Privacy and Confidentiality Policy* when dealing with grievances. However, if a grievance involves a staff member or child protection issues, a government agency may need to be informed. (see: Reportable Conduct Scheme in *Child Protection Policy*)

### Conflict of Interest

It is important for the complainant to feel confident in

- being heard fairly
- an unbiased decision-making process

Should a conflict of interest arise during a grievance or complaint that involves the Approved Provider or Nominated Supervisor, other Management will be nominated as an alternative mediator.

Our OSHC Service may also engage the resources of an Independent Conflict Resolution Service to assist with the mediation of a dispute. We will ensure that throughout the conflict resolution process the Services Code of Conduct is be adhered to.

### THE APPROVED PROVIDER/NOMINATED SUPERVISOR/RESPONSIBLE PERSON WILL:

- ensure staff and educators are aware of the person to whom complaints can be made and the processes required
- treat all grievances and complaints seriously and as a priority
- ensure grievances and complaints remain confidential
- ensure people feel safe and comfortable when making a complaint, including children

- ensure grievances and complaints reflect procedural fairness and natural justice
- discuss the issue with the complainant within 24 hours of receiving the verbal or written complaint
- investigate and document the grievance or complaint fairly and impartially
- comply with legislation for any allegations or convictions of child abuse or child related misconduct of any staff member, volunteer or contractor and notify the Office of the Children’s Guardian (OCG) as part of the Reportable Conduct Scheme with 7 business days. [7-day notification form](#)

The investigation will consist of:

- reviewing the circumstances and facts of the complaint (or breach) and inviting all affected parties to provide information where appropriate and pertinent.
- discussing the nature of the complaint (or breach) and giving the accused educator, staff member, volunteer or visitor an opportunity to respond.
- permitting the accused person to have a support person present during the consultation (for example: Union Representative or family member; however, this does not include a lawyer acting in a professional capacity).
- providing the employee with a clear written statement outlining the outcome of the investigation.
- Advise the complainant and all affected parties of the outcome within 7 working days of receiving the verbal or written complaint.
  - management will provide a written response outlining the outcome and provide a copy to all parties involved.
  - if a written agreement about the resolution of the complaint is prepared, all parties will ensure the outcomes accurately reflects the resolution and sign in agreeance.
- should management decide not to proceed with the investigation after initial enquiries, a written notification outlining the reasoning will be provided to the complainant.
- keep appropriate records of the investigation and outcome and store these records in accordance with our *Privacy and Confidentiality Policy* and *Record Keeping and Retention Policy*.
- monitor ongoing behaviour and provide support as required
- ensure the parties are protected from victimisation and bullying
- request feedback on the grievance or complaint process using a feedback form
- track complaints to identify recurring issues within the Service
- notify the Regulatory Authority within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised. Notification must include any allegation that sexual or physical abuse of a child has occurred or is occurring at the service.

**EDUCATORS, STAFF, VOLUNTEERS AND VISITORS WILL:**

- be aware of the possible ramifications of their actions when dealing with staff issues
- raise the grievance or complaint directly with the person they have grievance with, in a professional manner and at an appropriate time. Both parties should try to resolve the issue and develop solutions to ensure the problem does not happen again. Discussions should be based on the principles of privacy, confidentiality, respect and open-mindedness, will not involve other educators, staff, volunteers or visitors (e.g. parents) and will take place away from children
- if the person is unable to resolve the issue or feels uncomfortable raising the matter directly with the person concerned, the grievance or complaint must be raised with the Approved Provider/Management or Nominated Supervisor. The Approved Provider or Nominated Supervisor (or other manager) may ask for the complaint/grievance to be put in writing
- provide all relevant information, outlining the issue, identifying any other person involved in the problem, and any suggested solution
- communicate openly about the issue with the relevant parties
- raise any grievance involving suspected or actual unlawful activity (including bullying) with the Approved Provider or Nominated Supervisor immediately and privately
- maintain confidentiality at all times
- maintain professionalism at all times.

When the persons involved cannot resolve the grievance between them in a constructive and professional way the following steps will be taken:

**The aggrieved person is to contact their immediate supervisor (Room Leader, Nominated Supervisor or Licensee) who will act as Mediator.**

The Mediator will have an interview with the persons involved and clarify the facts, work out whether advice is needed from other sources, discuss options available, and help to formulate a plan of action. If an employee does not feel comfortable in approaching their supervisor, or the conflict is with their immediate supervisor, they can contact the next level of management to act as Mediator.

**If an amicable resolution does not occur at this meeting the Mediator is to present a report to the next level of management outlining:**

- the nature of the grievance
- the procedures followed to date

- the solution(s) sought
- the recommended plan of action or resolution.

If an agreement is reached the mediator is to present a report to the next level of management

outlining:

- the nature of the grievance
- the procedures followed to date
- the solution(s) agreed upon
- the plan of action to reach this solution and review time if warranted.
- a copy of this report is to be provided to all persons involved in the grievance, and a copy is to be retained at the workplace.

## GRIEVANCE/COMPLAINT PROCEDURES

Harmonious staff relations within the OSHC Service largely depend on staff feeling satisfied that their professionalism is being acknowledged by their involvement in appropriate decision-making processes. The quality of industrial relations is likely to be substantially better in a workplace if the decision-making processes adopted permit staff to have input into decisions that affect the nature and quality of their professional work.

Management and staff within the organisation will work together to develop and implement appropriate strategies to facilitate consultative and collaborative decision-making processes within the workplace. Where staff feel these processes have failed and are in conflict with decisions made by Management, including the Board, the following procedure is to be followed:

- the aggrieved person(s) will discuss the grievance with their immediate supervisor.
- the supervisor is to report the grievance to the Nominated Supervisor/ Licensee.
- the Mediator will seek advice as necessary from other sources, (e.g.: unions, Work Cover and funding bodies).
- the Mediator will then advise Management of the possible solutions.

Meetings are to be arranged with the aggrieved person(s) as necessary throughout the process. The outcome of the grievance must be reported to the aggrieved person within a week of the decision.

## RESOLUTION OF GRIEVANCES

Grievances are considered resolved when all persons involved agree to a solution, when the cause of the grievance has been removed or resolved, and when arrangements have been made, if appropriate, to repair any damage and distress suffered by the persons involved. Strategies agreed upon by both parties are to be put in place to help avoid further conflict.

### UNRESOLVED CONFLICT

If resolution of the conflict is unsuccessful after all procedures in the *Grievance Policy* have been followed it may then be necessary to take disciplinary action.

### CONFIDENTIALITY

Mediators are to use discretion and do their utmost to maintain confidentiality. Any breach of this confidentiality could result in a charge of misconduct. However, confidentiality cannot be guaranteed in the following situations: if it is considered that someone is in danger, if disciplinary action or criminal investigation might be necessary; or if employer liability might be involved.

No action will be taken against the person about whom a formal complaint is lodged until they are made aware of any allegations so that they may respond.

### SUPPORT PERSON

A Staff member is able to nominate a support person to attend any meetings with them. This person may be a union representative, impartial friend, or family member.

### EDUCATORS, STAFF, VOLUNTEERS AND VISITORS WILL NOT:

- become involved in complaints or grievances that do not concern them.
- raise complaints with an external complaints body, such as a court or Tribunal, without exhausting the OSHC Services' grievance procedures.

### CONTINUOUS IMPROVEMENT/EVALUATION

Complaints provide our OSHC Service with opportunities for learning and improvement. We encourage regular and ongoing feedback from staff, children and families and the community.

To ensure complaints and grievances are handled appropriately, the Nominated Supervisor will:

- evaluate each individual complaint and grievance as recorded in the *Complaints and Grievance Management Register* to assess that a satisfactory resolution has been achieved
- review the Dealing with Complaints Policy (Staff) and other related policies annually



- consider feedback from staff, educators and families regarding the policy and procedure.

### TO ENSURE COMPLAINTS AND GRIEVANCES ARE HANDLED APPROPRIATELY, THE NOMINATED SUPERVISOR WILL:

- evaluate each individual complaint and grievance as recorded in the *Complaints and Grievance Management Register* to assess that a satisfactory resolution that has been achieved
- review the Dealing with Complaints Policy (Staff) and other related policies annually
- consider feedback from staff, educators and families regarding the policy and procedure.

### CHILDCARE CENTRE DESKTOP- RELATED RESOURCES

Complaints / Grievance Procedure Compliant / Grievance Investigation Guide and Form Complaints Grievance Form	Complaints / Grievance Management Form Complaints / Grievance Register
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### SOURCE

Australian Children’s Education & Care Quality Authority. (2014).  
 ACECQA-[Using Complaints to support continuous improvement](#). (2023).  
 Australian Human Rights Commission: <https://www.humanrights.gov.au/education-and-care-services-national-regulations>. (Amended 2023).  
 Fair Work Australia: <https://www.fairwork.gov.au/>  
 Guide to the National Quality Framework. (2017). (Amended 2023)  
 Queensland Government- Guide for effective complaints management  
<https://earlychildhood.qld.gov.au/legislationAndGuidelines/Documents/effective-complaints-management-guide.pdf>  
 Revised National Quality Standard. (2018).  
[Western Australian Education and Care Services National Regulations](#)

### REVIEW

POLICY REVIEWED BY:	SARAH DUFFY	DIRECTOR	JULY 23
POLICY REVIEWED	JULY 2024	NEXT REVIEW DATE	JULY 2024
VERSION NUMBER	V7.08.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>annual policy review</li> <li>sources checked for currency and links repaired where required</li> <li>Childcare Centre Desktop resources added</li> </ul>		

POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE
AUGUST 2022	<ul style="list-style-type: none"> <li>policy maintenance - no major changes to policy</li> <li>link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> <li>minor formatting edits within text</li> <li>hyperlinks checked and repaired as required</li> </ul>	AUGUST 2023
FEBRUARY 2022	<ul style="list-style-type: none"> <li>additional information regarding allegations against a staff member, volunteer or contactor included- Reportable Conduct Scheme.</li> </ul>	AUGUST 2022
AUGUST 2021	<ul style="list-style-type: none"> <li>Policy name changed to meet ACECQA guidelines- <i>Dealing with Complaints Policy (Staff)</i></li> <li>additional related legislation added</li> <li>related policies added</li> <li>definition of 'complaint' amended to align with ACECQA's definition guidelines</li> <li>notification requirement for physical or sexual abuse added</li> <li>inclusion of terminology- complaint added where required</li> <li>sources checked for currency and updated where required</li> </ul>	AUGUST 2022

## PERFORMANCE MANAGEMENT POLICY

Our Out of School Hours (OSHC) Service is committed to creating a work environment that maximises individual and team performance, values all employees and helps to build our capacity to care and educate children enrolled in our OSHC Service. We believe that Performance Management has significant benefits for our school aged-care service, as it leads to inspired and enhanced performance from each employee. Performance Review meetings are viewed as an opportunity for each staff member to plan proactively for the year ahead.

This policy will provide guidance for employers and management on how to monitor performance, plan and review work objectives and understand staff achievements. Where there is underperformance, we will work to resolve this promptly and effectively in accordance with an individual *Performance Improvement Plan* developed in conjunction with the employee.

**NATIONAL QUALITY STANDARD (NQS)**

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance 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, collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.3	Development of professionals	Educators, co-ordinators and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
82	Tobacco, drug and alcohol-free environment
83	Staff members and family day care educators not to be affected by alcohol or drugs
84	Awareness of child protection law
117B	Minimum requirements for a person in day-to-day charge
117C	Minimum requirements for a nominated supervisor
168(2)(i)	Policies and procedures are required in relation to a code of conduct for staff members

**RELATED LEGISLATION**

Children's Services Award 2010	Educational Services (Teachers) Award 2020
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**RELATED POLICIES**

Child Protection Policy	Probation and Induction Orientation Policy
Child Safe Environment Policy	Professional Development Policy
Code of Conduct Policy	Recruitment Policy
Grievance Policy (staff)	Responsible Persons Policy
Interactions with Children, Family and Staff Policy	Staffing Arrangements Policy
Privacy and Confidentiality Policy	Work Health and Safety Policy

## PURPOSE

We aim to provide an effective Performance Management process to assist employees to assess their work performance against their position description, whilst establishing a positive work culture and professional workplace.

## SCOPE

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

## IMPLEMENTATION

Performance Management plays an important role in linking staff performance goals and expectations through balanced feedback and reviews and helping meet organisational objectives.

Through the Performance Review, management can acknowledge and identify the individual strengths, talents and interests of each employee whilst supporting the diverse knowledge and skills each person brings to the role and OSHC Service.

Each employee will participate in a Performance Review every 12 months. The review process will assist employees with an understanding and expectation of their role, reflect on achievements and challenges and plan goals that may assist in accomplishing performance outcomes and expectations in the future.

At all times of the Performance Management process, confidentiality and sensitivity shall be maintained to a high standard.

## INDUCTION, ORIENTATION AND PROBATION PROGRAM

Management will ensure each employee undertakes an induction and orientation program upon employment at the OSHC Service. Employees will receive a position description as part of the appointment of employment and this will assist to set expectations and requirements of the position. Employees will participate in *Probationary Meetings* that are scheduled within the first week of employment and at the end of the three-month probationary period. Feedback will be provided to the

employee regarding performance and management will provide support and opportunities for setting professional development goals.

### STAFF PERFORMANCE REVIEW

Performance Reviews are best completed in a regular and systematic manner to allow management to provide feedback on an employee's work performance and for staff to reflect on their own performance. A *Performance Review* meeting will be conducted every 12 months with each employee to review their work performance, outline expectations and responsibilities and set professional goals. The *Performance Review Form* can be used to assess employee's goals and objectives, areas of strength, responsibilities and discussion as to what extent these have been met.

### MANAGING UNDERPERFORMANCE

Appropriate management of underperformance plays a key role of Performance Management. Should the manager/Nominated Supervisor identify any performance issues or concerns the *Managing Staff Underperformance Procedure* should be initiated including the implementation of a *Performance Improvement Plan* if required.

Indicators of poor or underperformance or unsatisfactory behaviour include:

- the employee not performing tasks associated with the role according to the position description
- the employee not carrying out the work to the standard as set by the position description
- the employee displaying unacceptable, disruptive or negative behaviour at work
- the employee not following policies and procedures of the OSHC Service.

Management will review past Performance Review reports to identify any previous concerns and review the employee's job description to identify any concerns or responsibilities that are not being met.

Identification of the underperformance or unsatisfactory behaviour will consider the seriousness of the issue, how long the issue has existed and the employee's present performance and how this varies to what is expected of the employee.

A Performance Management Meeting will be arranged with the employee once underperformance or unsatisfactory behaviour has been clearly identified. Management will provide clear communication with employees to clarify:

- performance indicators (why there is an issue)
- expectations around ethics, values and behaviour

- how their underperformance or behaviour impacts the workplace environment and
- why there is a concern from management.

Employees will be informed of expectations and performance standards and requested to participate in a *Performance Improvement Plan* if required.

### PERFORMANCE IMPROVEMENT PLAN

A *Performance Improvement Plan* will be developed with the employee outlining actions and goals to be implemented. Performance expectations and what is to be achieved over a specific period of time will be discussed and documented with the employee.

During the *Performance Improvement Plan* process the employee will be supported to address and resolve instances or patterns of underperformance or unsatisfactory behaviour.

If the employee has not taken reasonable steps to address or resolve their performance or unsatisfactory behaviour and the *Performance Improvement Plan* has not been followed, the employee will be advised of the next steps in the Performance Management process which may include:

- extension of the *Performance Improvement Plan* time frame
- provision of extra support, guidance or mentoring
- issuing of formal warnings and ultimately if the issue cannot be resolved, termination of employment.

A review of the *Performance Improvement Plan* is to be conducted to discuss the employee's progression and to provide feedback of the goals and outcomes set. If the employee is showing satisfactory improvement of the identified issue the *Performance Improvement Plan* will be resolved and processes implemented to ensure improvements will be maintained.

### TERMINATION OF EMPLOYMENT

If an employee's performance or behaviour does not improve to the required standard, termination of their employment may be an option. An employee cannot be dismissed in circumstances that are 'harsh, unjust or unreasonable.' It is vital to be fair to employees, giving reasons for dismissal, and an opportunity to respond to those allegations. If the employee's performance does not improve following formal Performance Management Meetings and the implementation and completion of a *Performance Improvement Plan*, then it may be appropriate to issue a formal warning or consider dismissal of employment.

Following a decision to terminate employment management will provide an employee with written notice of the day of termination when ending their employment. The written notice must provide details of the employee's last day and a reason why the employment was terminated.

Employment notice periods will be determined in accordance with the appropriate award. Please note the *Educational Services (Teachers) Award 2020* provides a greater minimum period notice than that required under the *National Employment Standards*.

## SERIOUS MISCONDUCT – TERMINATION OF EMPLOYMENT

Employers are required to adhere to the Fair Work Act when terminating an employee's employment due to the engagement in 'serious misconduct'.

Serious misconduct involves an employee deliberately behaving in a way that is inconsistent with continuing their employment, it may include the following:

- causing serious and imminent risk to the health and safety of another person or to the reputation or profits of their employer's business
- theft, embezzlement, tax evasion
- fraud, misapplication, corruption
- assault, taking of bribes
- being intoxicated at work
- refusing to carry out a lawful and reasonable instruction that is part of the job
- criminally prosecutable offences directly related to employment (child abuse or neglect)
- inability to hold a current Working With Children Check/Clearance

A meeting is to be arranged with the employee regarding the termination of employment due to serious misconduct. A support person should be offered to the employee for the meeting. The manager is to explain the reasons for the termination of employment and the employee provided with a letter explaining the terms of the termination of employment. (See: *Termination of Employment Procedure*).

## THE APPROVED PROVIDER/ MANAGEMENT/ NOMINATED SUPERVISOR WILL:

- follow the *Performance Review Procedure* for regular and systematic review of work performance and behaviour
- ensure all staff comply with the *Code of Conduct* at all times
- provide employees with a comprehensive *Probation, Induction and Orientation program*

- provide all employees with a clear and concise job description upon employment
- conduct Performance Review meetings with each employees every 12 months
- prepare accordingly before any Performance Review meeting with individual employee's
- provide time to discuss the process of the review meeting, duration of meeting and provide points for discussion which may include:
  - self-reflection of performance
  - identifying highlights during the year
  - achievement of professional development goals
  - personal characteristics
  - job knowledge and work output
  - motivation
  - leadership
  - family relationships
  - administration skills
  - people management skills
  - career aspirations
  - identifying challenges
- set a mutually convenient time to meet and conduct the *Performance Review*
- provide feedback to each employee articulating areas of strength and weaknesses and identifying new goals and/or Quality Improvement Plan (QIP) areas to be a focus of the staff member during the next 12 months
- highlight and discuss any areas where underperformance is identified
- maintain confidentiality and uphold professional integrity at all times
- ensure the employee and manager signs the Performance Review document
- provide a copy of the document to the staff member

In the case of underperformance,

- provide employees with 24 hours' notice of any Performance Management meeting and offer a silent support person to support the employee
- be specific with any concerns or issues to be raised during the Performance Management meeting
- document any Performance Management meetings using appropriate forms and templates
- develop and implement a *Performance Improvement Plan* with the individual employee and adhere to the *Managing Staff Underperformance Procedure* if required



- identify outcomes and appropriate goals to assist the educator to improve performance within an agreed timeline
- take appropriate action when performance does not meet the agreed outcomes and goals
- provide an *Official Performance Warning Letter* to the employee formally as part of the *Managing Staff Underperformance Procedure* as required
- adhere to the *Termination of Employment Procedure* when terminating employment of an educator, coordinator or staff member
- provide the employee with a *Termination of Employment letter* upon termination of employment
- adhere to the *Termination of Employment (serious misconduct) Procedure* when terminating employment of an employee due to serious misconduct
- provide the employee with a *Termination of Employment letter* upon termination of employment due to serious misconduct.

**EDUCATORS AND STAFF MEMBERS WILL:**

- perform work to the standard as expected as identified within their position description
- participate collaboratively in annual *Performance Review* meetings as a condition of their employment
- reflect on any achievements or challenges that have occurred within the past 12 months to contribute to the *Performance Review*
- address any concerns or issues regarding work performance and highlight areas for improvement or development
- consider any circumstances or events that may have affected performance. e.g., periods of ill health, excessive workloads
- assist to develop goals and expectations during the *Performance Review* process
- complete any training or professional development identified as part of a *Performance Improvement Plan*.

**CONTINUOUS IMPROVEMENT**

The *Performance Management Policy* will be evaluated and reviewed on an annual basis in conjunction with children, families, educators and staff.

**CHILDCARE CENTRE DESKTOP- RELATED HUMAN RESOURCES**

Performance Review - Procedure Performance Review Form - Staff	Step 1 - Managing Staff Underperformance Procedure
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Performance Review Form - Cook Performance Review Form - Director / N. Supervisor Position Descriptions	Step 2 - Performance Discussion Plan (Prior to meeting) Step 3 - Performance Management Meeting Minutes Step 4 - Performance Improvement Plan Step 5 - Performance Management Follow-up Review Step 6 - Official Performance Warning Letter Step 7 - Termination of Employment Procedure Step 8 - Termination of Employment Letter Step 9 - Termination of Employment (Serious Conduct) Procedure Step 10 - Termination of Employment (Serious Conduct) Letter
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Australian Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).  
 Early Childhood Australia Code of Ethics. (2016).  
[Education and Care Services National Regulations](#). (Amended 2023).  
 Fair Work Ombudsman: Best Practice Guide: [Managing underperformance Best Practice Guide \(2020\)](#)  
 Fair Work Ombudsman. [Children’s Services Award](#).  
 Fair Work Ombudsman. [Educational Services \(Teachers\) Award 2020](#)  
 Workplace Relations Act 1996 (Cth).  
 Victoria Government. Business Victoria. (2020). Review staff performance <https://business.vic.gov.au/business-information/staff-and-hr/staff-management/review-staff-performance>  
[Western Australian Education and Care Services National Regulations](#)

**REVIEW**

POLICY REVIEWED BY	SARAH DUFFY	DIRECTOR	JULY 24
POLICY REVIEWED	JULY 2024	NEXT REVIEW DATE	JULY 2025
VERSION NUMBER	V2.05.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>• annual policy maintenance</li> <li>• minor edits within policy- edits from staff members to employee; job description to position description for consistency</li> <li>• sources checked for currency and repaired as required</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
MAY 2023	<ul style="list-style-type: none"> <li>• Policy maintenance</li> <li>• minor formatting edits within text</li> <li>• hyperlinks checked and repaired as required</li> </ul>	MAY 2024	

	<ul style="list-style-type: none"> <li>Additional section added for Continuous Improvement</li> <li>Additional section added for Related Resources</li> </ul>	
JUNE 2022	New Policy developed for OSHC Services	MAY 2023

## PREGNANCY IN EARLY CHILDHOOD POLICY

Pregnancy is a time of great physical and emotional change that can lead to changes in an Educators ability to perform and manage certain types of work. Our Outside School Hours Care (OSHC) Service is committed to ensuring the health, safety, and wellbeing of pregnant staff by providing information, strategies, and ongoing support, as well as information about leave entitlements available to them. Our OSHC Service takes a 'best practice' approach to parental leave and supports all employees eligible for parental leave for the birth or adoption of a child.

### NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.2	Management System	Systems are in place to manage risk and enable the effective management and operation of a quality service.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
88	Infectious Disease Policy
168	Education and care service must have policies and procedures
170	Policies and procedures are to be followed

### RELATED POLICIES

Administration of Medication Policy Dealing with Infectious Diseases Policy Hand Washing Policy	Health and Safety Policy Immunisation Policy Staff Leave Entitlement Policy Work, Health and Safety Policy
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## PURPOSE

Our OSHC Service is committed to providing a safe and healthy workplace for all employees including pregnant workers. We understand that pregnancy can bring many changes to educator's ability to manage certain types of work, particularly at the later stages of pregnancy. We aim to work with all employees to negotiate a supportive working environment that will assist them to be healthy and productive members of the workforce.

## SCOPE

This policy applies to staff, educators, management, the approved provider and nominated supervisor of the OSHC Service.

## IMPLEMENTATION

The process and steps required to ensure an employee's health and wellbeing during pregnancy will vary. For many employees, variations to duties, equipment, and the work environment will not be necessary and usual duties may be performed for the duration of the employee's pregnancy.

It is the responsibility of the employee to raise and discuss any workplace concerns and/or issues with the Approved Provider/Nominated Supervisor. However, there may be instances where the manager or Nominated Supervisor is required to exercise their duty of care to ensure the safety, protection and wellbeing of their staff.

## HEALTH AND SAFETY

The potential risk of injury or ill health will be discussed with employees who are pregnant in accordance with the Service's *Health and Safety Policy* and procedures. Where there is an identifiable risk associated with a pregnant employee's work, the Approved Provider/Nominated Supervisor will consult with the employee to examine how the work can be modified to eliminate or minimise the risk.

- The Approved Provider/ Nominated Supervisor will maintain current information about their Workplace Health and Safety responsibilities to their employees and maintain a safe workplace for all employees.

- In regard to infectious diseases, the Approved Provider/ Nominated Supervisor will alert all employees to the potential risks to health that may arise through their employment at the OSHC Service
- Employees will be advised that they should have their immunity to Rubella, Measles, Chicken Pox and Cytomegalovirus (CMV) tested well before planning pregnancy.
- The Approved Provider will ensure pregnant employees are aware of health risks including:
  - exposure to specific infectious diseases or conditions that can have an adverse impact on pregnancy, including Cytomegalovirus (CMV), Hand, foot & mouth disease, Human parvovirus B19 (erythema infectiosum, fifth disease), Listeriosis, Rubella (German measles), Measles, Hepatitis B, HIV (Human Immunodeficiency Virus), AIDS (Acquired Immunodeficiency Syndrome, Pertussis (Whooping cough), Toxoplasmosis and Varicella (chickenpox)
  - stress and burnout
  - swollen feet and varicose veins
  - heat stress
  - cigarette smoke (outside smoke free zones.)
  - chemicals and chemical fumes
- The Approved Provider/Nominated Supervisor will implement strategies which help reduce physical stress for pregnant employees, such as: do less physical tasks such as raking, sweeping etc.
- Pregnant employees should avoid contact with cat faeces, to minimise the risk of toxoplasmosis.

## MANUAL HANDLING

To minimise the risk of back injury to pregnant employees and to comply with Health and Safety and other relevant legislation, we will:

- ensure pregnant employees are aware they are at more risk of back pain and injury from working while pregnant because of anatomical and physiological changes such as softening of ligaments and tendons, extra weight load, muscle fatigue, and tiredness
- ensure pregnant employees are aware that the risk of back pain and injury increases with the progression of pregnancy and their ability to do physical work decreases
- advise pregnant employees to consult their doctor if they have any back pain or other health concerns during the pregnancy
- ensure that pregnant employees are aware of the following strategies to reduce the risk of back pain and/or injury:
  - restrict lifting heavy equipment

- ensure you use correct lifting and carrying techniques
- diversify tasks to avoid prolonged standing
- limit time standing in one position for too long
- use footrests for raising feet when sitting
- use suitable adult-height workbenches, desks and chairs
- avoid bending over: Use your knees and hips to lower yourself to the children's level or when picking something up from a low level.
- try to maintain a correct posture as the growing uterus can frequently cause postural problems.
- use stepladders and trolleys as required
- ensure that heavy or awkward items are stored at an appropriate height and close to where they are needed

## STRESS MANAGEMENT

To minimise the risk of stress and ensure pregnant employees have adequate opportunities for leave and holidays, we will:

- ensure pregnant employees are aware they are at more risk of stress at work because of changing abilities to meet usual work commitments
- ensure pregnant employees are aware that the risk of stress at work might increase with the progression of the pregnancy
- ensure pregnant employees are aware that they are legally required to take leave from work for a period before and after the pregnancy and should seek support from the Approved Provider/ Nominated Supervisor to arrange leave
- assist pregnant employees with leave planning and provide current information to them about their conditions of employment and leave entitlements
- advise pregnant employees to see their general practitioner/ obstetrician if they have any stress or other psychological or physiological health problems during pregnancy.

## IMMUNISATION AND INFECTIOUS DISEASES

Due to constant close contact with children, employees in School Aged Care services may be at an increased risk of contracting some vaccine-preventable diseases. Authorities advise against pregnant people receiving live viral vaccines during pregnancy, or within 28 days prior to falling pregnant.

Therefore, women of childbearing age should ensure that vaccinations are up to date. Common vaccine-preventable infections that may have an adverse effect on pregnancy include:

**RUBELLA (GERMAN MEASLES)**

The greatest risk to the unborn baby occurs in the first twenty weeks of pregnancy, with a higher risk if the mother contracts Rubella in the first ten weeks. Employees planning pregnancy should have a blood test to ascertain immunity, as the vaccination must be given one month before becoming pregnant.

**MEASLES**

This is a highly infectious viral disease that can cause serious complications to the unborn child. It spreads through direct and indirect contact from contaminated people or surfaces. It can also remain in the air for up to two hours after the infected person has left. Employees can minimise the risk of infection by paying particular attention to hand hygiene and ensuring that workers and children use correct cough and sneeze hygiene practises. Employees must also ensure that cleaning practises are being conscientiously followed throughout the centre. This vaccination is not recommended during pregnancy: the non-immune employee should ensure that the vaccination has been received one month before falling pregnant.

*NOTE: The vaccination for Rubella and Measles is given together in the MMR vaccination (Measles, mumps, and rubella).*

**VARICELLA (CHICKENPOX)**

If exposed to varicella during the first three months of pregnancy the employee must seek medical advice. A blood test will reveal the mother's immune status. This vaccination is not recommended during pregnancy: the non-immune employee should ensure that the vaccination has been received one month before falling pregnant.

**HEPATITIS B**

Hepatitis B is transmitted through blood and other bodily secretions. Adult vaccinations are available but should not be received during pregnancy. However, all babies born in Australia receive the Hepatitis B vaccination at birth as part of the National Immunisation Program Schedule. Employees must ensure that policies and National Health Medical Research Council (NHMRC) guidelines are followed for managing exposure to blood and bodily fluids, including ensuring that children's wounds are covered appropriately.

**INFLUENZA**

Influenza vaccinations are strongly recommended for pregnant people and can be safely given at any stage of the pregnancy. Vaccinating pregnant women also protects their infants from influenza in the first 6 months of life. (Australian Government Department of Health)

### **PERTUSSIS (WHOOPING COUGH)**

Pertussis can be a life-threatening disease for the newborn. It is recommended that the pregnant employee receive a pertussis vaccination in the third trimester of pregnancy as evidence indicates this is more beneficial to the newborn than receiving the vaccination prior to pregnancy.

Pregnant employees must also be aware of infections for which there are no vaccinations and take the necessary precautions. These infections include:

### **CYTOMEGALOVIRUS (CMV)**

CMV is spread through infected saliva and urine. Pregnant employees should therefore pay particular attention to hand hygiene, and where possible, minimise tasks that involve assisting in toileting, cleaning up toileting accidents or coming into contact with body secretions.

### **HAND, FOOT AND MOUTH DISEASE**

Although the risk is minimal, employees who acquire this disease in late pregnancy can pass it to the unborn child. The worker should therefore pay particular attention to hand hygiene at all times.

### **HUMAN PARVOVIRUS B19 (ERYTHEMA INFECTIOSUM, FIFTH DISEASE)**

This virus can be transmitted to the unborn baby. Employees should therefore pay particular attention to hand hygiene at all times.

### **LISTERIOSIS**

Listeriosis is a bacterial infection that can be avoided by ensuring that raw or partially cooked foods are avoided during pregnancy, and thoroughly washing all fruit and vegetables in clean running water.

### **TOXOPLASMOSIS**

This disease is caused by a parasite that can be found in raw fruit and vegetables and spread by animals such as cats and birds. During pregnancy the parasite can pass through the placenta to the developing baby. A blood test can reveal if the parent is immune. The employee should pay attention to hand hygiene, avoid cleaning the sand pit (where there may be cat faeces) or bird cages, and should wash and peel fruit and vegetables.



## HIV (HUMAN IMMUNODEFICIENCY VIRUS), AIDS (ACQUIRED IMMUNODEFICIENCY SYNDROME)

HIV is a virus that can lead to AIDS. Like Hepatitis B, these viruses are transmitted through blood and other bodily secretions. Employees must ensure that policies are followed for managing exposure to blood and bodily fluids, including ensuring that children's wounds are covered appropriately.

Source: *Staying healthy: Preventing infectious diseases in early childhood education and care services*, *The Australian immunisation handbook*, and NSW Health *Having a baby*.

### THE APPROVED PROVIDER AND NOMINATED SUPERVISOR WILL:

- be as flexible as possible within the constraints of the workplace, to ensure the special needs of pregnant employees are considered and options to address their needs implemented wherever possible.
- provide medical practitioners with any requested information detailing the employee's duties, to assist the medical practitioner to assess the pregnant employee's fitness for work and consideration of alternative duties where applicable.
- alert all staff and families if a child or staff member contracts an infectious disease or virus such as coronavirus (COVID-19)
- recommend that pregnant employees discuss concerns about the transmission of coronavirus (COVID-19) with their obstetrician or general practitioner and discuss available COVID vaccinations
- ensure that all employees are practising effective hand hygiene at all times
- ensure that all employees are familiar with infection control policies and procedures and actively adhere to these at all times
- complete a risk assessment to identify any hazards or potential risks to pregnant employees in the service
- put systems and strategies into place to address increased risk due to having a pregnant employees in the workplace
- meet anti-discrimination law obligations by ensuring pregnant employees are not subjected to negative comments or remarks about their pregnancy
- negotiate with the pregnant employee to ensure a safe environment
- provide information to the employee's general practitioner, as requested, in regard to normal duties performed on a day-to-day basis
- meet anti-discrimination law obligations by ensuring pregnant employees are not subjected to negative comments or remarks about their pregnancy.

### EMPLOYEES WHO ARE PREGNANT WILL:

- consider disclosing their pregnancy in a timely manner to ensure that the employer can support their health, safety and well-being in the workplace
- maintain immunisation records
- consult with their general practitioner if planning a pregnancy to establish their immunity status for common childhood infections, and information about recommended vaccinations
- ensure the treating medical practitioner is aware of the specific work environment and activities that are undertaken on a day-to day basis
- adhere to Workplace Health and Safety legislation and take reasonable care to protect themselves (and others) in the workplace. This includes cooperating with the Approved Provider/Nominated Supervisor on health and safety matters, such as taking appropriate precautions to avoid health risks during pregnancy
- be familiar with and adhere to policies and procedures pertaining to infection control and effective hand hygiene
- consult with their obstetrician and/or medical practitioner should there be an outbreak of an infectious disease or virus in the service that they are not immune to, in regard to whether they should continue to attend work
- immediately advise the Approved Provider and/or Nominated Supervisor if they believe there is a hazard or potential risk to the pregnancy in the workplace
- notify the Approved Provider and/or Nominated Supervisor of the pregnancy if health and safety issues that may affect the pregnancy are experienced or may be foreseen
- provide the required notice of intended leave in writing to the Approved Provider and/or Nominated Supervisor
- provide medical evidence from general practitioner and/or specialists as required to the Approved Provider and/or Nominated Supervisor in a timely manner
- provide a doctor's certificate confirming they are fit and able to continue work if the employee wishes to continue working past 6 weeks prior to the expected date of birth [Fair Work Ombudsman]
- discuss paid and/or unpaid parental leave entitlements and options with management/approved provider
- inform their employer if they intend to take up unpaid parental leave within 24 months of a child's birth or adoption and how this leave will be taken: single continuous leave or flexible period up to 30 days

## EMPLOYEE ENTITLEMENTS

Under the *Fair Work Act 2009* (Cth) and Anti-discrimination laws, pregnant employees, and their partner, are entitled to certain leave entitlements. The OSHC Service will at all times act to ensure that entitlements are made available to pregnant employees and employees who adopt a child, in accordance with these laws.

While employees are not required to notify their employer that they are pregnant, in some high-risk occupations such as education and care, it may be advisable to notify the employer as soon as possible. Employees will also need to notify their employer in order to access certain entitlements (Source: Australian Human Rights Commission, 2015).

### PAID PARENTAL LEAVE SCHEME

From 1 July 2023 the date of a child's birth or adoption will affect Parental Leave Pay. For children born or adopted before July 1 2023, eligible working parents are able to access 18 weeks of government funded Parental Leave Pay. Fathers and other eligible partners may still be able to apply for Dad and Partner Leave for a child born or adopted before July 1 2023. ([Claiming timeframes apply](#)).

For children born or adopted after July 1 2023 a payment for up to 100 days, or 20 weeks is available to assist parents care for a child. This payment combines the Paid Parental Leave and Dad and Partner's Pay. See: [Parental Leave Pay for child born or adopted after July 2023](#)

### UNPAID PARENTAL LEAVE AND RELATED ENTITLEMENTS

The National Employment Standards (NES) apply to all employees covered by the national workplace relations system. All employees are eligible for unpaid parental leave if they have worked for their employer for at least 12 months of continuous service. An employee can take a period of up to 12 months of unpaid leave and can request an extra 12 months (up to a total of 24 months). The request to extend must be in writing and given to the employer at least 4 weeks before the end of the first leave period. Unpaid parental leave applies to employees who have, or will have, the responsibility for the care of a child. Parents who experience a still birth or death of an infant within the first 24 months of life can also take parental leave.

The below table sets out when employers must be notified of a pregnant employee's intention to take, shorten, and/or extend unpaid parental leave under the Fair Work Act. [Fair Work Infoline: 13 13 94]

ACTION	NOTICE PERIOD
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Telling your employer of your intention to take unpaid parental leave under the Fair Work Act	At least 10 weeks before you wish to commence unpaid parental leave (unless it is not possible to do so). This must be in writing, and you must specify the intended start and end dates.
Confirming the start and end dates of your unpaid parental leave or advising your employer of any changes	At least 4 weeks before you start unpaid parental leave unless this is not practicable (e.g., the child is born prematurely). This must be in writing.
When can you stop working and start your unpaid parental leave?	The leave may start up to 6 weeks before the expected birth of the child but can start earlier if you and your employer agree. If you continue working during the 6-week period before the birth of the child your employer may request that you provide certain medical evidence that states you are fit to work and may require you to take unpaid parental leave if you cannot provide that evidence within 7 days of the request or a medical certificate states you are not fit for work.
Shortening your original period of unpaid leave (e.g., from 12 months to 9 months)	The original leave period can generally only be shortened by agreement with your employer.
Telling your employer that you are extending your initial period of unpaid parental leave (e.g., from 9 months to 12 months)	At least 4 weeks before your expected date of return. This must be in writing. This is a right under the Fair Work Act and cannot be refused by your employer.
Requesting an extension to unpaid parental leave beyond the initial 12 months- up to 24 months in total (e.g., 12 months to 18 months)	<b>At least 4 weeks</b> before the end of the initial 12-month unpaid parental leave period. This request must be in writing. Your employer must respond to this request within 21 days stating whether they grant or refuse the request. The employer must provide details in writing.
Notice requirements for flexible unpaid parental leave	The employee must tell the employer at the same time they give notice of their continuous parental leave, or at least 10 weeks before the start of their flexible parental leave. Notice can also be provided later if the employer agrees. The employee must state the total number of days of flexible parental leave they intend to take (cannot be more than 30 days)
Keeping in Touch Days	An employee on unpaid parental leave gets 10 keeping in touch days. If the employee extends their unpaid parental leave beyond 12 months, they can take an additional 10 days. Keeping in touch days are not compulsory. The employee gets their normal pay and accumulated leave entitlements for each keeping in touch day (or part day).
Parental leave for stillbirth, premature birth or infant death	An eligible employee is still entitled to take unpaid parental leave for up to 12 months.

Source: Australian Government Fair Work Ombudsman- Parental Leave & related entitlements.(2022).

### SPECIAL MATERNITY LEAVE

A pregnant employee who is eligible for unpaid parental leave can take unpaid special maternity leave if:

- they have a pregnancy-related illness or
- their pregnancy ends after 12 weeks because of a miscarriage, termination or stillbirth.

If an employee takes special maternity leave because of a pregnancy-related illness, the leave will end when the pregnancy or illness ends, whichever is earlier. If they take leave because of a miscarriage, termination or stillbirth, leave can continue until they are fit for work.

Special maternity leave does not reduce the amount of unpaid parental leave that an employee can take.

### THE APPROVED PROVIDER/ NOMINATED SUPERVISOR WILL:

- maintain current information about their industrial responsibilities to their employees under the *Fair Work Act 2009* (Cth) and Children’s Service Award 2010 or relevant award or registered/enterprise agreement.
- register our service with Centrelink for the Paid Parental Leave Scheme
- ensure that all employees are made aware of their legal right to maternity leave at the time the employee advises of their pregnancy
- respect a pregnant employee’s right to confidentiality regarding their pregnancy and when this information should be disclosed to colleagues
- discuss government funded Parent Leave Pay entitlements to eligible employees
- discuss [Keeping in Touch days](#) whilst the employee is on Paid Parental Leave to assist the employee stay connected with the service
- arrange a meeting with the employee when they are nearing the end of their leave to discuss return-to-work expectations- hours of work, flexible working conditions or any other arrangements
- provide the employee with the same job they had prior to leave, or an available position for which she is qualified and suited, and that is closest in pay and status to the pre-parental leave position
- consider any requests from the employee for a variation and/or flexibility in hours on their return to work
- when recruiting employees to replace employees on parental leave, candidates must be notified by the employer that:
  - the role is temporary
  - the employee on leave has a right to their pre-parental leave position when they return to work and
  - the employee and the employer may have a right to cancel or end the leave early in certain circumstances (e.g., stillbirth or infant death)

### RETURNING TO WORK AFTER MATERNITY LEAVE

Employees who are entitled to paid or unpaid Parental leave under the Fair Work Act have the right to return to their pre-parental position at the end of the leave- ‘*Return to work guarantee*’ or in the case of

an employee who was transferred to alternative duties, to the position they held immediately prior to this transfer. Where such a position no longer exists, but other positions are available for which the employee is qualified and capable of performing, they will be entitled to a position as nearly comparable in status and salary to their former position.

- Employees may return to work before the end of their Paid Parental Leave period if the employer agrees [Paid Parental Leave payments will stop when they return. There are some exceptions to this. See: Services Australia for further information]
- the employee is required to confirm their intention of returning to work in writing to the employer not less than 4 weeks prior to the expiration of her period of maternity leave.
- employees returning to work after the birth of their child will not be discriminated against in regard breast feeding/expressing milk

The Approved Provider/ Nominated Supervisor will support the returning employee to settle back into the work environment with consideration for their physical and emotional wellbeing. Where practicable the Approved Provider/ Nominated Supervisor will support the employee's return to work and continuity of care for the children by offering flexible work hours.

## CONTINUOUS IMPROVEMENT/REFLECTION

Our *Pregnancy in Early Childhood Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

## CHILDCARE CENTRE DESKTOP- RELATED RESOURCES

Pregnant Employee Medical Clearance Form

## SOURCE

Australian Children's Education & Care Quality Authority. (2014).

Australian Government Department of Health *Australian Immunisation Handbook*

Australian Government Services Australia *Paid Parental Leave Scheme Employer Toolkit* (updated 2020).

<https://www.servicesaustralia.gov.au/organisations/business/services/centrelink/paid-parental-leave-scheme-employers/what-resources-are-available/paid-parental-leave-scheme-employer-toolkit>

Australian Human Rights Commission: <https://www.humanrights.gov.au>

Early Childhood Australia Code of Ethics. (2016).

Education and Care Services National Law Act 2010. (Amended 2023).

[Education and Care Services National Regulations](#). (Amended 2023).

Fair Work Act 2009 (Cth).

Fair Work Commission: <https://www.fwc.gov.au>

Fair Work Ombudsman *Maternity Leave and Parental Leave* <https://www.fairwork.gov.au/leave/maternity-and-parental-leave>

Fair Work Ombudsman *Parental leave & related entitlements* (2022).

<https://www.fairwork.gov.au/tools-and-resources/fact-sheets/minimum-workplace-entitlements/parental-leave-and-related-entitlements>

Guide to the National Quality Framework. (2017). (Amended 2023).

National Health and Medical Research Council. (2013). *Staying Healthy: Preventing infectious diseases in early childhood education and care services* (5th Ed.). Australia: Commonwealth of Australia. NSW Government. (n.d.).

NSW Health. (2016). *Handle with care: Looking after yourself in pregnancy*.

Revised National Quality Standard. (2018).

Safe Work Australia

The Pregnancy Centre (2016). <http://www.thepregnancycentre.com.au/pregnancy/well-being/taking-care-of-your-back>

[Western Australian Education and Care Services National Regulations](#)

## REVIEW

POLICY REVIEWED BY:	SARAH DUFFY	DIRECTOR	JULY 2024
POLICY REVIEWED	JULY 2024	NEXT REVIEW DATE	JULY 2025
VERSION	<ul style="list-style-type: none"> <li>V8.06.23</li> </ul>		
MODIFICATIONS	<ul style="list-style-type: none"> <li>annual policy maintenance</li> <li>rewording of 'staff members' to 'employees'</li> <li>rewrite of <i>Employees who are pregnant</i> content</li> <li>rewrite of <i>Employee entitlement</i> content to include: changes to Paid Parental Leave Scheme (effective July 2023)</li> <li>minor edits within policy to provide inclusivity for parental leave to include partner leave/adoption/still birth</li> <li>hyperlinks checked and repaired as required</li> <li>continuous improvement/reflection section added</li> <li>link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
JUNE 2022	<ul style="list-style-type: none"> <li>policy maintenance</li> <li>hyperlinks checked and repaired as required</li> </ul> <p>** Note: The Federal Government announced an enhanced Paid Parental Leave (PPL) scheme paid at the minimum wage for up to 20 weeks in the 2022 Budget. This is to be implemented prior to March 2023. Final details are not known at the time of policy review.</p>	JUNE 2023	
JUNE 2021	additional updates re: flexible parental leave, roles of approved provider/nominated supervisor added	JUNE 2022	

	<ul style="list-style-type: none"> <li>• updated Keeping in Touch days for parental leave and unpaid leave</li> <li>• information for <i>Employer Toolkit for Parental Leave</i> updated</li> <li>• sources checked for currency</li> </ul>	
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## PROBATION, INDUCTION AND ORIENTATION POLICY

Our Out of School Hours Care (OSHC) Service aims to implement a probation and induction orientation program to ensure employees are aware of their roles and responsibilities to enable effective performance within their employment at Happy Valley OSHC. A formal induction and orientation program provide an opportunity for new employees to have an understanding of the values and organisational culture within our OSHC Service.

### 1.1 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.
QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN		
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision making and operation of the service.



7.2.3	Development of professionals	Educators, co-ordinators and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.
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EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
4	Definitions
84	Awareness of child protection law
90	Medical conditions policy
Part 4.4	Staffing Arrangements
Division 7	Approval and determination of qualifications
Division 9	Staff and educator records—centre-based services

## RELATED LEGISLATION

NSW Anti-Discrimination Act 1977	Fair Work Act 2009
Federal and State Occupational Safety and Health Legislation	Federal and State Equal Opportunity Legislation and any other relevant industrial awards
Education and Care Services National Law Act 2010	Children and Young Persons Act 1998
Sex Discrimination Act	
Child Care Subsidy Secretary's Rules 2017	Family Law Act 1975
A New Tax System (Family Assistance) Act 1999	Child Care Subsidy Minister's Rules 2017
Family Assistance Law – Incorporating all related legislation as identified within the Child Care Provider Handbook in <a href="https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook">https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook</a>	

## RELATED POLICIES

CCS Governance Policy CCS Personnel Policy Child Protection Policy Child Safe Environment Policy Code of Conduct Policy	Dealing with Complaints Policy Privacy and Confidentiality Policy Recruitment Policy Staffing Arrangements Policy Student, Volunteer and Visitor's Policy
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## PURPOSE

We aim to ensure the most suitably qualified, experienced and reliable staff are employed at our OSHC Service. We are committed to ensuring we meet all legislative and regulatory requirements including the Education and Care Services National Law and National Regulations, Children and Young Persons Act, Fair Work Act, Family Assistance Law and Anti-Discrimination Act. The National Quality Framework states that

a comprehensive induction process plays a critical role in creating and maintaining a positive and professional culture. By providing an efficient and effective induction and orientation program we aim to ensure employees have the skills and knowledge to perform their roles confidently.

An effective induction and orientation program provide a formal process to provide new employees with information regarding service policies, procedures and practices. An induction and orientation program is available for all new employees and employees returning to work after a period of absence to ensure a smooth integration into our OSHC Service.

## SCOPE

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

## CHILD SAFE STANDARDS

Our OSHC Service is committed to be a child safe Education and Care Service and embeds the National Child Safe Principles. Our robust recruitment, probation and induction/orientation processes play a vital role in protecting children from harm.

## PROBATIONARY PERIOD

All new employees are subject to a probationary period of three (3) months. This ensures assessment for both the employee and service to ensure suitability of the role for the employee.

The probationary period is a condition of employment for all new employees. During this time employees will receive advice, training and guidance to help them become familiar with and competent in, performing the work they have been appointed to do. The appointment is subject to the satisfactory completion of the probationary period which itself is subject to termination during any stage, by either party, upon notice in writing, or by payment in lieu of notice.

During the probationary period an induction and orientation program will be initiated with the new employee. This allows the new employee an opportunity to understand the expectations and standard of conduct required to pass the probationary period.

Probationary meetings will be scheduled within the first week of employment and at the end of the probationary period, feedback will be provided to the employee regarding performance. The probation meeting is also an opportunity for the new employee to ask any questions or raise any concerns. A Probationary Meeting checklist and record will be completed to document the meeting and placed into the staff file. *(See Probation Meeting Review)*

The probationary period may be extended at the end of three (3) months for an additional three (3) months if any conduct or performance concerns are identified. If concerns are raised during the probationary period, they will be addressed during the probationary meeting and documented. If a decision to end the employee's employment within the probation period is made, the employee will receive the appropriate notice as per employment contract and receive the termination of employment in writing. *(See Probation Letters)*

The employee may terminate employment within the probationary period by providing the appropriate notice in writing as per employment contract. The employer may terminate employment within the probationary period by providing the appropriate notice as per employment contract. A termination of

employment letter will state the reason of termination, notice period and the date of the employees last day of employment. *(See Probation Letters)*

At the end of the probationary period, the Approved Provider or appointed nominee will advise if the employee has successfully completed the probationary period and provide a letter confirming their ongoing employment. *(See Probation Letters)*

Employees, full time and part time, will accrue and are eligible to access paid leave entitlements during the probationary period such as annual leave and sick leave. If an employee does not pass their probation period any unused annual leave entitlements will be paid out.

## INDUCTION AND ORIENTATION

Our OSHC Service is committed to providing a comprehensive induction program to ensure the smooth integration of new employees, students and volunteers. The Approved Provider or assigned nominee will support the new employee and help them to understand the organisational structure, how decisions are made and communicated and what role they will have in the decision-making process.

An induction checklist will be used to support this process, which explains an employee's responsibility to know the policies, procedures and practices within our Service and their duty of care obligations to ensure the safety and wellbeing of all children.

Induction will include relevant information on child safe practices adhering to the Child Safe Standards, Code of Conduct, Child Information Sharing Schemes (CISS) and strategies that identify, assess and minimise risks to children and mandatory reporting procedures including Reportable Conduct Scheme. *(See New Employee Induction Checklist)*. New employees (including the Nominated Supervisor and staff members), students and volunteers are to familiarise themselves with the *Child Protection Policy* to understand the Child Protection Law and their obligations and mandatory reporting duties to ensure the safety and well-being of children at the service.

On the first day of employment the Approved Provider or assigned nominee will ensure the new employee has completed all relevant paperwork as per New Employee Documentation checklist *(See New Employee Documentation Checklist)*.

The *New Educator Orientation resources* are available to ensure all areas of the service are covered in the first week. The new employee will be encouraged to complete the *Educator Orientation Survey* at the end of their probation period. *(See New Educator Orientation – Before Day One, New Educator Orientation – The Critical First Week and Educator Orientation Survey)*.

The induction and orientation program will work alongside the probation period. It is expected the induction and orientation program will be performed during the three (3) month probation period. The new employee, student or volunteer will be required to read and become familiar with key Service policies and procedures as part of the induction and orientation program. These include, but are not limited to, the following key policies:

- Child Protection Policy
- Child Safe Environment Policy
- Sick Staff Policy and Procedure
- Code of Conduct Policy

- Behaviour Guidance Policy
- Educational Program Policy
- Work Health and Safety Policy
- Privacy and Confidentiality Policy
- Emergency Evacuation Policy
- Medical Conditions Policy
- Incident, Injury, Trauma and Illness Policy
- Dealing with Complaints Policy
- Safe Arrival of Children Policy
- Safe Transportation Policy

During the induction and orientation program, new employees, students and volunteers will be advised of any children with a health care need, allergy or relevant medical condition. The Service Philosophy, Staff Handbook, Code of Conduct and the Early Childhood Code of Ethics will be shared with the new employee, students and volunteers during the induction and orientation program.

All new employees will be appropriately trained and informed of workplace health and safety policies and procedures before commencing employment, such as hazard and incident forms and reporting procedures, use of PPE equipment, location of fire safety equipment, emergency and evacuations procedures (including lockdowns), location and use of Safety Data Sheets (SDS), any WorkCover information, security procedures and location of first aid kits as described in the *New Employee Induction Checklist*.

As part of the induction and orientation program, the Approved Provider or assigned nominee will provide opportunities for discussing and unpacking the following key documents (including the location of these documents):

- Education and Care Services National Law and National Regulations
- The National Quality Standard
- Service Policies and Procedure Folder
- My Time Our Place: Framework for School Age Care in Australia
- Early Childhood Australia- Code of Ethics
- National Principles Child Safe Organisations -Child Safe Standards
- Reportable Conduct Schemes
- Child Information Sharing Scheme (CISS) and Family Violence Information Sharing Schemes

**CHILDCARE CENTRE DESKTOP- RELATED HUMAN RESOURCES**

Code of Conduct	New Educator Orientation Survey
New Employee Documentation Checklist	Probation Meeting Review
New Employee Induction Checklist	Probation Letters
New Casual Employee Induction Checklist	Staff Handbook

New Educator Orientation - Before Day One New Educator Orientation – The Critical First Week	Student Volunteer Induction Checklist
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## SOURCES

Australia Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).  
 Australian Government. Fair Work Ombudsman. (2020). Hiring employees <https://www.fairwork.gov.au/find-help-for/small-business/hiring-employees>  
 Australian Human Rights Commission. Child Safe Organisations. <https://humanrights.gov.au/our-work/childrens-rights/projects/child-safe-organisations>  
 Early Childhood Australia Code of Ethics. (2016).  
 Education and Care Services National Law Act 2010. (Amended 2023).  
[Education and Care Services National Regulations](#). (Amended 2023).  
 NSW Government. (2020). Office of the Children’s Guardian: [A guide to the Child Safe Standards](#)  
 Victoria Government. Business Victoria. (2020). Staff recruitment <https://www.business.vic.gov.au/hiring-and-managing-staff/staff-recruitment/write-a-contractual-letter-of-offer>  
 Victoria Government. Business Victoria. (2020). Staff induction program and probation review <https://www.business.vic.gov.au/hiring-and-managing-staff/staff-recruitment/new-staff-induction-program-and-probation-period>  
[Western Australian Education and Care Services National Regulations](#)

## REVIEW

POLICY REVIEWED BY	SARAH DUFFY	DIRECTOR	JULY 24
POLICY REVIEWED	JULY 2023	NEXT REVIEW DATE	JULY 2024
VERSION NUMBER	V3.11.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>• annual policy maintenance</li> <li>• added legislated changes to NQF as required</li> <li>• sources checked and updated as required</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
NOVEMBER 2022	<ul style="list-style-type: none"> <li>• Sources checked for currency</li> <li>• Minor edits throughout policy</li> <li>• Additional section added for Continuous Improvement</li> <li>• Removed Probation, Induction and Orientation overview from policy (this is available as separate checklists)</li> <li>• link to Western Australian Education and Care Services National Regulations added in ‘Sources’</li> </ul>	NOVEMBER 2023	
JANUARY 2022	<ul style="list-style-type: none"> <li>• New policy drafted for OSHC services</li> </ul>	NOVEMBER 2022	

## STAFFING ARRANGEMENTS POLICY

Our Outside School Hours Care (OSHC) Service aims to provide 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 developmentally appropriate programs that support children’s participation and engagement, interests and learning.

### 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.

### RELATED POLICIES

CCS Personnel Policy	Performance Management Policy
Code of Conduct Policy	Privacy and Confidentiality Policy
Child Protection Policy	Professional Development Policy
Child Safe Environment Policy	Responsible Person Policy
Dealing with Complaints Policy	Recruitment Policy
Emergency and Evacuation Policy	Safe Transportation Policy
Excursion/Incursion Policy	Rest Policy

Governance Policy Incident, Injury, Trauma and Illness Policy	Supervision Policy Student and Volunteer Policy
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## 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). To ensure our OSHC Service adheres to the Education and Care Service National Regulation we employ educators and staff in compliance with any state specific qualifications and experience and adhere to regulated educator and child ratios.

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS	
56	Notice of addition of nominated supervisor
56A	Notice of change of a nominated supervisor's name or contact details
161	Offence to operate education and care service without nominated supervisor
161A	Offence for nominated supervisor not to meet prescribed minimum requirements
162	Offence to operate education and care service unless responsible person is present
162A	Child protection training
169	Offence relating to staffing arrangements
172	Offence to fail to display prescribed information
173	Offence to fail to notify certain circumstances to Regulatory Authority
174	Offence to fail to notify certain information to Regulatory Authority
175	Offence relating to requirement to keep enrolment and other documents
188	Offence to engage person to whom prohibition notice applies
4 (1)	Definitions
10	Meaning of <i>actively working towards</i> a qualification
13	Meaning of <i>working directly with children</i>
35	Notice of addition of new nominated supervisor
83	Staff members and family day care educators not to be affected by alcohol or drugs
84	Awareness of child protection law
117A	Placing a person in day-to-day charge
117B	Minimum requirements for a person in day-to-day charge
117C	Minimum requirements for a nominated supervisor
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
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
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
173	Prescribed information to be displayed
174	Time to notify certain circumstances to Regulatory Authority
177	Prescribed enrolment and other documents to be kept by approved provider
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
321	General qualification requirements for educators—children over preschool age (SA ONLY)

## RELATED POLICIES

CCS Personnel Policy	Performance Management Policy
Code of Conduct Policy	Privacy and Confidentiality Policy
Child Protection Policy	Professional Development Policy
Child Safe Environment Policy	Record Keeping and Retention Policy
Dealing with Complaints Policy	Responsible Person Policy
Emergency and Evacuation Policy	Recruitment Policy
Excursion/Incursion Policy	Safe Transportation Policy
Governance Policy	Rest Policy
Incident, Injury, Trauma and Illness Policy	Supervision Policy
	Student, Volunteer and Visitors 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). To ensure our OSHC Service adheres to the Education and Care Service National Regulation we employ educators and staff in compliance with any state specific qualifications and experience and adhere to regulated educator and child ratios



## SCOPE

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

## IMPLEMENTATION

Our Service will comply with the required educators to child ratios and take into consideration any qualification requirements and experience for educators at centre-based services in order to meet National Regulations and Standards.

### 'SUITABLY QUALIFIED PERSON' DEFINITION

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

an individual who holds an approved qualification as listed on the ACECQA website that is approved by the National Authority or an individual who holds a qualification as approved by the National Authority

### ACTIVELY WORKING TOWARDS DEFINITION

An educator who is enrolled in a course for an [ACECQA approved diploma level or higher qualification](#).

- The educator is required to provide documentary evidence of enrolment in the course, training plan and satisfactory progress towards completion of the course
- Individuals actively working towards an approved qualification may be counted towards qualification requirements as 'suitably qualified persons.'
- Our OSHC 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.
- Our OSHC Service will ensure records are kept detailing staff who are actively working towards an early childhood qualification, including evidence of satisfactory progress. (See: Record-Actively working towards qualification)
- Educators are 'taken to hold an approved diploma level or certificate III level qualification' if they meet the following criteria:
  - were recognised previously as a diploma level educator under former education and care services law AND employed or engaged in a declared approved service

## 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 (Reg.118)**

- 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 range of learning experiences that cater for the needs and interests of children through play and leisure opportunities
- The Educational Leader 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

### 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 OSHC Service. The nominated supervisor has a range of responsibilities under the National Law and Regulations including, but not limited to, 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 OSHC 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 (not 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 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 has the ability to 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 Working with Children Check and criminal history record check.

### Responsible Person

A responsible person is required to be physically present at the OSHC 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.

- Our OSHC 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)
- 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
- The responsible person will always act with professionalism when dealing with children, educators, visitors, families and volunteers
- All responsible persons will accept the role in writing, to ensure they have a clear understanding about their role and responsibilities (Reg.117A)
- The responsible person must have a history of compliance with Education and Care National Law and other relevant law (e.g., Family Law)
- The responsible person must have successfully completed Child Protection training and be aware of mandatory reporting obligations. (Reg. 84).

### 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 (including cardio-pulmonary resuscitation), 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 OSHC Service and be immediately available in an emergency and hold the mandatory qualifications for:
  - an ACECQA approved first aid qualification (including cardio-pulmonary resuscitation renewed every 12 months)
  - anaphylaxis management training and
  - emergency asthma management training.

(Approved qualifications are published on the ACECQA website)
- Services need to have a staff member with current approved qualifications on duty and be immediately available in an emergency.
- It is the staff and educator's responsibility to ensure they maintain current first aid (including cardio-pulmonary resuscitation), anaphylaxis management and emergency asthma management training qualifications and provide the OSHC Service with a copy of the certificate. Staff and educators must ensure they participate in training prior to the expiration date on their certificates
- approved first aid qualifications and ACECQA approved anaphylaxis and asthma management training every 3 years and renew cardio-pulmonary resuscitation every 12 months

### Working with Children Check /Clearance

A Working with Children Check (WWCC) is a requirement for people who work or volunteer in child-related work. It involves a National Police Check and a review of findings of reportable workplace misconduct. 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 OSHC Service will acquire a Working with Children Check (WWCC)
- Management will verify all Working with Children Checks before any staff, educators, students and volunteers are engaged at the Service, to ensure the children are protected at all times
- 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 relevant authority in South Australia

- 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.

## 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 and our *Record Keeping and Retention Policy*:

- 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**
- Immunisation status may be recorded as part of the staff record
- Details of staff including full name, address, date of birth, qualifications held, approved training completed (Reg. 147)
- Details of Teacher registration
- Details of the Educational Leader
- Details of responsible person
- Details of nominated supervisor
- Details of staff who are actively working towards a qualification, including evidence of satisfactory progress (from July 1 2023)

## Adequate Supervision

Adequate supervision is a consideration for any part of the OSHC Service premises where children are educated and cared for and is part of every educator's duty of care. Supervision is an active practice to help protect children from harm or hazards. Educators are required to ensure children are in sight and hearing at all times, demonstrating that the best interest of children is being provided for.

- **Our OSHC Service will comply with educator to child ratios outlined in National Legislation and National Quality Framework**

- Educators will be required to adhere to the Service's *Supervision Policy* and floor plan to maintain effective supervision
- Educators will balance supervision and children's growing need to privacy and autonomy, taking into account their age/s and stage of development
- 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
- Educators will respond to individual needs and attend to children as necessary
- Children will be supervised whilst resting after school
- An educator will be in sight and hearing of a sleeping child at all times to provide continuous supervision
- 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
- When supervising outdoors or when children are engaged in risky play, educators will position themselves to ensure high visibility and accessibility to these areas and experiences
- Outdoor play environments are planned and educators are positioned to ensure effective supervision is maintained whilst children are transitioning between indoor/outdoor learning environments and accessing toilets
- Educators will supervise children during the transition between school and the OSHC Service
- Supervision during times of transportation to and from the OSHC service will ensure the educator to child ratio is adhered to at all times
- 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*)
- 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
- Supervising educators will give their complete attention to the children and not perform other duties or tasks.

## WORKING DIRECTLY WITH CHILDREN

National Regulations state that an educator cannot be included in calculating the educator to child ratio of an OSHC 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 OSHC Service.

- To ensure compliance with regulations, our Service 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.

### Rosters

- Our OSHC Service will ensure the roster and routine provides adequate supervision of children at all times.
- Consideration will be made to engage educators to maintain 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.

## VOLUNTEERS AND STUDENTS

### 1.1.1 STUDENTS, VOLUNTEERS AND VISITORS

- The approved provider/ nominated supervisor will ensure that volunteers, students and visitors meet any requirements for Working with Children Checks/Clearance
- **At no time will volunteers, students and/or visitors be left alone with a child or group of children or be included in the educator to child ratio**
- The *Student and Volunteer Application form* will document the name, address and date of birth of volunteers and students
- The *Student and Volunteer Application form* and *Visitor Sign In/Out Record* will document the date and hours the student/volunteer attended the service
- **All volunteers and students will be inducted into the OSHC Service to ensure they adhere to the Service 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
- Management will provide the student/volunteer with information about Child Protection Law and mandatory reporting obligations
- Our OSHC Service will ensure that no student, volunteer or visitor is affected by or under the influence of drugs or alcohol while on the service premises when children are being educated and cared for.

### Privacy

- Staff and 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 Services 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 OSHC 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 by an educator who is over 18 years of age.

### Staff Recruitment

Our OSHC 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 Police Checks, maintenance of a valid Working with Children Check/Clearance (WWCC) and appropriate qualification. Valid first aid, asthma and anaphylaxis management 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 families' processes, Family Assistance Law, administration of Child Care Subsidy, Child Information Sharing Schemes and introduction to senior staff members and/or mentor.

## POLICIES AND PROCEDURES



Our OSHC Service will ensure a copy of the policies and procedures are available to all staff at all times, either electronically or in hard copy. The approved provider will ensure steps are taken to ensure staff follow policies and procedures through the following practices:

- new staff members are to read and acknowledge key policies and procedures during the induction process
- policy review is to be conducted during staff meetings to support staff understanding and adherence
- staff meeting minutes will record evidence of policies and procedures reviewed with staff
- policy review will be systematic and occur on a regular basis to support regular review and maintenance of policies and procedures
- staff are requested to provide feedback following policy reviews
- policy review will be conducted following updates to legislation or regulation amendments or following an incident or complaint
- the *Staff Policy Acknowledgement Form* is completed for each staff member
- performance reviews and improvements plans will be linked to policies and procedures
- checklists and audits will be used to identify any practices inconsistent with policies and procedures
- the *Performance Management Policy* outlines procedures for dealing with non-compliance of policies
- Performance improvement plans reflect expectations of behaviours required from staff linked to policies and procedures

**1.1.2 Educator to Child Ratios**

Age	State	Educator to Child Ratio
Over Pre-School Age	NT, QLD, SA, TAS, VIC, NSW	1 :15

**SOUTH AUSTRALIA**

**Regulations 321**

- Our OSHC Service will ensure the first of every 2 educators included in the educator to child ratio holds a qualification as per the ACECQA list of approved OSHC qualifications for South Australia.

**CONTINUOUS IMPROVEMENT**

Our *Staffing Arrangements Policy* will be updated and reviewed annually in consultation with families, staff, educators and management.

**CHILD CARE CENTRE DESKTOP- RELATED RESOURCES**

Code of Conduct Staff Acknowledgement Educational Leader Programming Agreement Nominated Supervisor Offer and Acceptance Form Policy Acknowledgement Form	Responsible Person Offer and Acceptance Form Record 'actively working towards' qualification Form Student and Volunteer Application Form Visitor sign in/out Record
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## SOURCES

Australian Children's Education & Care Quality Authority. (2014).  
 Australian Children's Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).  
 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 2023).  
[Education and Care Services National Regulations](#). (Amended 2023).  
 NSW Government. Office of the Children's Guardian: <https://ocg.nsw.gov.au/working-children-check>  
 QLD Government. Department of Education. Early Childhood Education and Care. [Ensuring staff follow policies and procedures](#)  
 Revised National Quality Standard. (2018).  
[Western Australian Education and Care Services National Regulations](#)

## REVIEW

POLICY REVIEWED BY	SARAH DUFFY	DIRECTOR	JULY 24
POLICY REVIEWED	JULY 2024	NEXT REVIEW DATE	JULY 2025
VERSION NUMBER	V11.02.24		
MODIFICATIONS	<ul style="list-style-type: none"> <li>• Annual policy review</li> <li>• Related National Law added</li> <li>• Additional information added re: first aid qualification, anaphylaxis and asthma management and CPR training</li> <li>• Additional information added re: student and volunteers' knowledge about child protection law and mandatory reporting requirements</li> <li>• Additional state specific information added</li> <li>• Sources checked for currency and updated as required</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
JUNE 2023	<ul style="list-style-type: none"> <li>• Actively working towards qualification section added</li> <li>• National Regulations reviewed</li> <li>• Minor formatting edits</li> </ul>	FEBRUARY 2024	
FEBRUARY 2023	<ul style="list-style-type: none"> <li>• minor formatting edits within text</li> <li>• Policy and Procedures section added</li> </ul>	FEBRUARY 2024	

	<ul style="list-style-type: none"> <li>removal of mandatory COVID-19 vaccination requirement</li> <li>hyperlinks checked and repaired as required</li> <li>Continuous Improvement section added</li> <li>Childcare Centre Desktop Resource section added</li> </ul>	
MAY 2022	<ul style="list-style-type: none"> <li>Educator/child ratio for WA amended in line with Regulation 369</li> </ul>	FEBRUARY 2023

## STAFF LEAVE ENTITLEMENT POLICY

Our Out of School Hours Care (OSHC) Service is committed to providing a safe and healthy workplace that supports employees to take breaks away from the workplace to balance work with rest, recreation and family responsibilities.

The *Staff Leave Entitlement Policy* aims to comply with Government legislation and workplace laws to provide clear guidelines in relation to employment conditions and entitlements set by Fair Work Australia through the National Employment Standards and relevant Awards, including but not limited to Children's Services 2010 Award and Education Services (Teachers) 2020 Award.

### 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.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
126	Centre-based services – general educator qualifications
135	Early childhood teacher illness or absence
151	Record of Educators working directly with children
152	Record of access to early childhood teachers
Division	Requirements for educators who are early childhood teachers.

**RELATED LEGISLATION**

NSW Anti-Discrimination Act 1977	Fair Work Act 2009
Federal and State Occupational Safety and Health Legislation	Federal and State Equal Opportunity Legislation and any other relevant industrial awards
Education and Care Services National Law Act 2010	Children and Young Persons Act 1998 (NSW)

**RELATED POLICIES**

Code of Conduct Policy Child Safe Environment Policy Dealing with Complaints Policy Governance Policy Pregnancy in Early Childhood Policy	Privacy and Confidentiality Policy Recruitment Policy Responsible Person Policy Student and Volunteer Policy
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**PURPOSE**

This policy has been developed to communicate expectations and obligations regarding applying for leave from the Out of School Hours Care Service including- Annual leave, Personal/Carer's Leave, Parental Leave Pay, Dad and Partner Pay, Long Service Leave, Community Service Leave, Family and Domestic Violence Leave, Compassionate Leave, Rostered Days Off, Superannuation, Termination/Resignation of employment and Overtime/ Time in Lieu.

Lieu.

**SCOPE**

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

**IMPLEMENTATION**

Our OSHC Service will commit to providing leave arrangements for all employees as legislated by the Australian Government through relevant industrial Awards and the National Employment Standards as set by Fair Work Australia. We will offer an opportunity for staff to access paid and unpaid leave for a range of purposes to support a healthy and productive workplace. This policy provides guidelines for staff to request and apply for leave.

All documentation relating to Leave Entitlements is to be stored confidentiality in individual staff files.

## DEFINITIONS

### FAMILY MEMBER

Fair Work Australia defines an immediate family member as a:

- spouse or former spouse
- de facto partner or former de facto partner
- child
- parent
- grandparent
- grandchild
- sibling, or
- child, parent, grandparent, grandchild or sibling of the employee's spouse or de facto partner (or former spouse or de facto partner).

This definition includes step-relations (e.g., step-parents and step-children) as well as adoptive relations.

A household member is any person who lives with the employee.

### TYPES OF EMPLOYMENT: [Full Time/ Part Time/ Casual](#)

A full-time employee is engaged to work an average of 38 ordinary hours per week.

A part-time employee is an employee who is engaged to work on a regular basis for less than 38 hours per week.

Casual employment means employment on a day-to-day basis. Casuals will be paid a minimum of two hours pay for each engagement.

### NATIONAL EMPLOYMENT STANDARDS (NES)

The NES sets minimum employment standards and conditions for employees within Australia including maximum weekly hours, requests for flexible working arrangements, offers and requests to convert from casual to permanent employment, parental leave and related entitlements, annual leave, personal/carer's leave, compassionate leave and unpaid family and domestic violence leave, community service leave, long service leave, public holidays and notice of termination and redundancy pay.

### ANNUAL LEAVE

Annual Leave will be accrued at the rate as stated in the relevant Award and NES.

The NES, Children's Services Award and Educational Services (Teachers) 2020 state full time employees will be entitled to 4 weeks Annual Leave every 12 months. Part time employees are entitled to Annual Leave on a pro rata basis. For example, if an employee works 19 hours per week, they will be entitled to 2 weeks Annual Leave every 12 months. Casuals are not entitled to Annual Leave.

Annual Leave begins to accumulate from the first day of employment. Annual Leave accumulates when employees are on leave including paid leave, such as paid annual leave and paid sick and carer's leave, community service leave including jury duty and long service leave.

Annual leave does not accumulate when the employee is on unpaid annual leave, unpaid sick/carer's leave, unpaid parental leave and unpaid family and domestic violence leave.

Annual Leave does not accumulate when an employee is on leave on the Paid Paternity Leave Scheme. The balance of Annual Leave at the end of each year carries over to the next year.

### REQUESTING ANNUAL LEAVE

Annual leave must be accumulated before it can be taken as paid leave.

To request Annual Leave, employees must lodge a *Leave Request Form* and hand it to the Nominated Supervisor. Employees will be notified in writing if the request has been successful and approved. Leave will not be granted to any two (2) employees for the same period. Leave request forms must be submitted at least 2 weeks before the leave is requested.

All leave will be subject to approval. The operational and key staff requirements of the business will be taken into consideration prior to leave being approved. This includes ensuring the Education and Care Services National Regulations (2011) requirements for staffing are met at all times.

### DIRECTION TO TAKE ANNUAL LEAVE

Employees may be directed to take Annual Leave if the employee has an excessive accumulation of Annual Leave, usually if the balance of Annual Leave is over 6 weeks.

### CHRISTMAS SHUT DOWN

Our Service closes for two weeks over the Christmas holiday period. During this time employees are directed to take Annual Leave. If the employee does not have sufficient Annual Leave accumulated, they will be directed to take Leave Without Pay during the shutdown period.

## PERSONAL/ CARER'S LEAVE

Personal Leave will be accrued at the rate as stated in the relevant Award and NES.

The NES, Children's Services Award and Educational Services (Teachers) 2020 state Personal Leave will be accrued at the rate as stated in the relevant award or agreement. All permanent full-time staff are entitled to 10 days Personal Leave each year, and pro-rata for part-time staff. Casual staff are not entitled to Personal Leave. Evidence may be requested for any personal leave where a staff member is unable to work due to illness or injury or is caring for a family member.

Personal Leave provides provisions for an employee take time off to help them deal with personal illness, caring responsibilities and family emergencies. Personal Leave can be used when an employee is ill or injured. An employee may have to take time off to care for an immediate family or household member who is sick or injured or help during a family emergency. This is known as Carer's Leave, but it comes out of the employee's Personal Leave balance.

Personal Leave begins to accumulate from the first day of employment. Personal leave must be accumulated before it can be taken as paid leave. Personal Leave accumulates when employees are on leave including paid leave such as paid annual leave and paid sick and carer's leave, community service leave including jury duty and long service leave and Paid Parental leave.

Personal leave does not accumulate when the employee is on- unpaid annual leave, unpaid sick/carer's leave, unpaid parental leave and unpaid family and domestic violence leave.

## NOTIFICATION OF ABSENCE

If you are unwell and cannot attend your rostered shift you must contact the Nominated Supervisor or assigned nominee at least four (4) hours before the commencement of your shift. Under no circumstances are messages to be left with a colleague. Text messages/ emails/ Private Messages are not an acceptable form of communication.

If you do not notify the Nominated Supervisor/Responsible Person and do not attend for your shift, it will be considered that you have abandoned your responsibilities and your employment may be terminated.

## REQUESTING PERSONAL LEAVE

Personal leave should not be requested in advance. We encourage all medical appointments to be arranged outside of work hours. If a medical appointment or elective surgery is pre-arranged and it is

advised the employee is unfit to work, then this will be discussed with the Nominated Supervisor prior to leave being approved.

### MEDICAL CERTIFICATE REQUEST

For those in permanent positions, evidence may be requested for personal leave to state the staff member was genuinely entitled to personal leave and be provided by a registered medical practitioner. A statutory declaration is considered acceptable forms of evidence. If a staff member does not provide evidence when asked, they may not be entitled to paid personal leave.

### UNPAID PERSONAL LEAVE

All employees, including casual workers, are entitled to 2 days unpaid Personal/Carer's Leave each year. Employees get 2 days unpaid carer's leave each time an immediate family member or household member of the employee needs care and support because of:

- illness
- injury or
- an unexpected emergency.

Full time and Part time employees are unable to use unpaid Personal leave if they have any accumulation of Personal Leave.

### HEALTH OF EMPLOYEE

Employees may be requested to provide a medical clearance if management is concerned that the employee may have an injury or illness that provides a risk to their own health or wellbeing or the health or wellbeing to children or colleagues. The employee may be requested to take Personal Leave or Leave without Pay until a medical clearance is arranged.

### PARENTAL LEAVE

Parental leave lets employees take time away from work for the birth or adoption of a child. The term 'parental leave' can include:

- unpaid parental leave
- government-funded payments-
  - Paid Parental Leave
  - Dad and Partner Leave
- employer-funded paid parental leave.



## UNPAID PARENTAL LEAVE

Under the National Employment Standards in the Fair Work Act 2009, an employee employed with the same employer for 12 months or more before they or their partner gives birth or adopts a child, may be entitled to up to 12 months of unpaid parental leave. An employee can also request an additional 12 months' unpaid leave. (Including long-term casuals)

## PAID PARENTAL LEAVE

From 1 July 2023 the date of a child's birth or adoption will affect Parental Leave Pay. For children born or adopted **before** July 1 2023, eligible working parents are able to access 18 weeks of government funded Parental Leave Pay. Fathers and other eligible partners may still be able to apply for Dad and Partner Leave for a child born or adopted before July 1 2023. ([Claiming timeframes apply](#)).

For children born or adopted **after** July 1 2023, a payment of up to 100 days, or 20 weeks is available to assist parents care for a child. This payment combines the Paid Parental Leave and Dad and Partner's Pay. See: [Parental Leave Pay for child born or adopted after July 2023](#)

## REQUEST FOR FLEXIBLE WORKING CONDITIONS

Employers and employees can agree to change standard working arrangements to help employees balance work with other aspects of their lives. The employee must have worked with the employer for at least 12 months and the request fit into one of the following categories:

- a parent of, or have responsibility for the care of, a child who is school age or younger
- a carer (within the meaning of the Carer Recognition Act 2010)
- a person with disability
- aged 55 or older
- experiencing family violence, or
- providing care or support to a family member, or someone they live with, who is experiencing family violence.

The employee must make the request in writing and the employer must consider their request, discuss the request with the employee to try to reach an agreement about changes to their working conditions and respond in writing within 21 days.

The employer must state whether the request is granted or refused and provide reasons if the request is refused and only refuse a request on reasonable business grounds.

## LONG SERVICE LEAVE

Long service leave applies to employees who are full-time, part-time or casual. If an employee has been working for the same employer for 10 years, they are entitled to 2 months (8.67 weeks) paid leave, to be paid at the employees ordinary gross weekly wage under the [Long Service Leave Act 1955](#) (the Act).

Employees are entitled to Long Service Leave as per state/territory laws or provisions. Contact the [long service leave agency](#) in your state or territory for further information.

To request Long Service Leave, employees must lodge a *Leave Request Form* and hand it to the Nominated Supervisor. Employees will be notified in writing if the request has been successful and approved. Leave will not be granted to any two (2) employees for the same period. Leave request forms must be submitted at least 2 weeks before the leave is requested.

### **LEAVE WITHOUT PAY**

Leave Without Pay will not be approved unless all existing Annual and Personal Leave has been granted.

To request Leave Without Pay, employees must lodge a *Leave Request Form* and hand it to the Nominated Supervisor. Employees will be notified in writing if the request has been successful and approved. Leave will not be granted to any two (2) employees for the same period. Leave request forms must be submitted at least 2 weeks before the leave is requested

### **COMMUNITY SERVICE LEAVE**

Community Service Leave covers voluntary emergency management activities, such as RFS/SES.

Community service leave is unpaid, except for Jury Duty.

An employee engages in a voluntary emergency management activity if:

- the activity involves dealing with an emergency or natural disaster
- the employee engages in the activity on a voluntary basis
- the employee was either requested to engage in an activity, or it would be reasonable to expect that such a request would have been made if circumstances had permitted, and
- the employee is a member of or has a member-like association with a recognised emergency management body.

An employee is entitled to take community service leave while they are engaged in the activity and for reasonable travel and rest time. There is no limit on the amount of community service leave an employee can take.

### **JURY DUTY**

Employees must advise their employers of the period or expected period of leave as soon as possible. If an employee requests leave, they need to provide evidence showing they attended jury selection or jury duty.

Employees are paid by the court a portion of their base pay rate per day. Employers may be required to provide make-up payment for the ordinary hours worked, for up to 10 days.

### FAMILY AND DOMESTIC VIOLENCE LEAVE

The National Employment Standards (NES) provides conditions for all employees, including full-time, part-time and casual employees, to access 10 days of paid family and domestic violence leave within a 12-month period. The leave is not pro-rated for part-time or casual employees. Family and Domestic Violence Leave does not accumulate each year. The 10 days of leave is renewed every 12 months. The new 10 day leave entitlement will be introduced from February 1 2023 for non-small business employers (business with 15 or more employees) or the August 1 2023 for small business employers (businesses with less than 15 employees). The paid Family and Domestic Violence Leave replaces the unpaid Family and Domestic Leave of 5 days.

The paid Family and Domestic Leave will renew each year on the employee's work anniversary.

Employees are able to take paid Family and Domestic Leave in accordance with the conditions set from Fair Work Australia.

### COMPASSIONATE LEAVE

All employees (including casual employees) are entitled to compassionate leave.

Compassionate leave can be taken when a member of an employee's immediate family or household:

- dies
- contracts or develops a life-threatening illness or injury
- a baby in their immediate family or household is stillborn
- they have a miscarriage
- their current spouse or de factor partner has a miscarriage

Full-time and part-time employees receive paid compassionate leave and casual employees receive unpaid compassionate leave.

Full-time and part-time employees are paid at their base pay rate for the ordinary hours they would have worked during the leave. Compassionate leave cannot be cashed out.

## SUPERANNUATION

All employees who earn above the threshold limit will be entitled to superannuation paid at the statutory rate. If you wish to have your Superannuation paid to your fund of choice you will need to complete the “Superannuation Standard Choice Form”. You can obtain a copy from the Nominated Supervisor or [online](#)

## TERMINATION/RESIGNATION CONDITIONS

Notice of termination of employment will be as per relevant Award. In the event of instant dismissal, the notice period may be paid, and the employee asked to leave immediately.

Employees who fail to give the required notice must forfeit the relevant termination pay. Notice to terminate employment must be given in writing to the Nominated Supervisor.

[Children’s Service Award 2010](#)

Employee’s period of continuous service with the employer at the end of the day the notice is given	Period of notice
Not more than one year	1 week
More than 1 year but not more than 3 years	2 weeks
More than 3 years but not more than 5 years	3 weeks
More than 5 years	4 weeks

An employer has to provide an extra week of notice if the employee is over 45 years old and have worked for the employer for at least 2 years.

## ABSENCE FROM EMPLOYMENT WITHOUT NOTIFICATION

An employee may be taken to have abandoned their employment if they do not provide notification of absence. The Nominated Supervisor will make reasonable attempts to contact the employee, if the employee does not respond to these attempts the termination of employment procedure will be instructed.

## OVERTIME AND TIME IN LIEU

Overtime may be paid in circumstances where the employee works over 38 hours per week or where employees are required to work or attend meetings or training outside of general ordinary hours.

Overtime rates will be paid as per award. Overtime must be approved by the Responsible Person prior to the employee working additional hours.

Time in Lieu (TIL) may be accepted by an employee in agreement for additional hours worked instead of overtime.

To request Time In Lieu Leave, employees must lodge a Leave Request form and hand it to the Nominated Supervisor. Employees will be notified in writing if the request has been successful and approved. Leave will not be granted to any two (2) employees for the same period. Leave request forms must be submitted at least 2 weeks before the leave is requested.

## CONTINUOUS IMPROVEMENT/REFLECTION

Our *Staff Leave Entitlement Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

## CHILDCARE CENTRE DESKTOP- RELATED RESOURCES

Staff Leave Request Form
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## SOURCE

Australian Government. [Fair Work Ombudsman](#)

Australian Government. Fair Work Ombudsman. [Community service leave](#)

Australian Government. Fair Work Ombudsman. [Family and domestic violence leave](#)

Australian Government. Fair Work Ombudsman. [Flexible working arrangements](#)

Australian Government. Fair Work Ombudsman. [Jury duty](#)

Australian Government. Fair Work Ombudsman. [Long Service Leave](#)

Australian Government. Fair Work Ombudsman. [Maternity & parental leave](#)

Australian Government. Fair Work Ombudsman. Modern Award. [Children's Services Award 2010](#)

Australian Government. Fair Work Ombudsman. Modern Award. [Educational Services \(Teachers\) Award 2020](#)

Australian Government- Fair Work Ombudsman [Parental Leave Best Practice Guide](#)

Australian Government. Fair Work Ombudsman. [Pregnant employee entitlements](#)

Australian Government. Fair Work Ombudsman. [Pregnant employee entitlements](#)

Australian Government. Fair Work Ombudsman. [Sick & carer's leave](#)

Australian Government Services Australia *Paid Parental Leave Scheme Employer Toolkit* (updated 2020).

<https://www.servicesaustralia.gov.au/organisations/business/services/centrelink/paid-parental-leave-scheme-employers/what-resources-are-available/paid-parental-leave-scheme-employer-toolkit>

Education and Care Services National Law Act 2010. (Amended 2023).

[Education and Care Services National Regulations](#). (Amended 2023).

Guide to the National Quality Framework. (2017). (Amended 2023).

NSW Government. NSW Industrial Relations. [Long Service Leave Entitlement NSW](#)

[Western Australian Education and Care Services National Regulations](#)

## REVIEW

POLICY REVIEWED BY	SARAH DUFFY	DIRECTOR	JULY 24
POLICY REVIEWED	JULY 2024	NEXT REVIEW DATE	JULY 2025
VERSION NUMBER	V4.06.23		
MODIFICATIONS	FEBRUARY <ul style="list-style-type: none"> <li>additional information/links to Paid Parental Leave scheme</li> <li>deleted Pandemic Leave (now closed)</li> <li>addition of Family and domestic violence leave</li> </ul> JUNE <ul style="list-style-type: none"> <li>alert re: changes to Parental Leave (effective July 2023)</li> <li>Childcare Centre Desktop Resource section added</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
OCTOBER 2022	<ul style="list-style-type: none"> <li>hyperlinks checked and repaired as required</li> <li>continuous improvement/reflection section added</li> <li>link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>	OCTOBER 2023	

## RECRUITMENT POLICY- (SA)

Our Out of School Hours Care (OSHC) Service aims to implement a robust, well-planned recruitment process to ensure we select the best person for the position and the needs of our service. We aim to engage employees who are suitably qualified, experienced and passionate about school aged care. Our *Recruitment Policy* outlines our processes to ensure they are aligned with legislative obligations, our OSHC Service's values and support diversity and inclusion.

### 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.
<b>QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN</b>		
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
<b>QUALITY AREA 7: GOVERNANCE AND LEADERSHIP</b>		
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision making and operation of the service.
7.2.3	Development of professionals	Educators, co-ordinations and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.

<b>EDUCATION AND CARE SERVICES NATIONAL REGULATIONS</b>	
4	Definitions
84	Awareness of child protection law
Part 4.4	Staffing Arrangements
Division 7	Approval and determination of qualifications
Division 9	Staff and educator records—centre-based services

## RELATED LEGISLATION

Equal Opportunity Act 1984 (SA)	Fair Work Act 2009
Federal and State Occupational Safety and Health Legislation	Federal and State Equal Opportunity Legislation and any other relevant industrial awards
Education and Care Services National Law Act 2010	Child Safety (Prohibited Persons) Act 2016 (SA)
Sex Discrimination Act	Child Care Subsidy Secretary's Rules 2017
Age Discrimination Act 2004	Disability Discrimination Act 1992
Racial Discrimination Act 1975	A New Tax System (Family Assistance) Act 1999
Family Law Act 1975	Family Assistance Law – Incorporating all related legislation for Child Care Provider Handbook in Appendix G <a href="https://www.education.gov.au/early-">https://www.education.gov.au/early-</a>

	<a href="#">childhood/resources/child-care-provider-handbook</a>
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## RELATED POLICIES

CCS Personnel Policy Child Safe Environment Policy (SA) Child Protection Policy Code of Conduct Policy	Dealing With Complaints Policy Governance Policy Privacy and Confidentiality Policy Probation, Induction and Orientation Policy Staffing Arrangements policy
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## PURPOSE

We aim to ensure the most suitability qualified, experienced, and reliable staff are employed at our Out of School Hours Care (OSHC) Service. We are committed to ensuring we meet all legislative and regulatory requirements including the Education and Care Services National Law, Children and Young Persons Act, Fair Work Act and Anti-Discrimination Act.

Our OSHC Service is committed to being a child safe Early Education and Care Service and embeds the National Principles for Child Safe Organisations. We promote a culture of safety and wellbeing to minimise the risk of harm to children whilst promoting children's sense of security and belonging. Our recruitment and screening processes play a vital role in protecting children from harm.

Our OSHC Service values workplace diversity and inclusion and we strongly encourage applicants from Aboriginal and Torres Strait Islanders, women, and individuals with disability. Recruitment and selection of staff will be guided by the requirements of relevant legislation, issues of equity and diversity, qualification, knowledge and skills, workforce participation and experience.

## SCOPE

This policy applies to staff, educators, Approved Provider, Nominated Supervisor and management of the OSHC Service.

## RECRUITMENT DECISIONS

The Approved Provider or assigned nominee will approve all recruitment decisions as outlined in this *Recruitment Policy* and Recruitment Plan Procedure. (*See Recruitment Plan*). Recruitment decisions will be based on the need and requirements of the service and will consider the following:

- ensuring the OSHC Service meets all staffing requirements as per Education and Care Services National Law and National Regulations
- any resignation of existing staff



- an increase in occupancy

The recruitment processes will be consistent, transparent, professional and timely. Any grievances relating to the recruitment procedure will be addressed as per the *Dealing with Complaints Policy*. All personal information regarding recruitment will be treated with the strictest confidence.

Selection criteria for each vacant position will be determined before advertisement and will take the following into consideration:

- position title
- qualifications required for the position
- experience required for the position
- position description/skills required for the position
- conditions of employment
- mandatory employment screening requirements including verifying Working With Children Check (WWCC), where applicable National Police Criminal History checks, immunisation requirements and conducting reference checks for every candidate to ascertain the candidate's attitudes and behaviours in previous child-related roles.
- clear expectations about commitment to child safety (Child Safe Standards)

Comprehensive job descriptions for each advertised position will be available for all applicants. Any applicants deemed unsuitable will be advised within an appropriate time frame

## ADVERTISEMENTS

Information about the position and the OSHC Service will be provided to potential applicants which includes:

- job title
- job description
- location
- hours of work
- salary (award/ above award)
- Service Philosophy
- operation hours, age group of children educated and cared for
- selection criteria relating to the position available
- how to apply for the role
- a commitment to providing a safe environment for children

- closing date for applications
- contact information for further information
- immunisation requirements
- WWCC requirements [check state/territory requirements]

Vacant positions may be advertised internally to encourage career advancement and opportunity.

External advertisements may be placed through relevant media and networks including social media, newspaper and employment services.

Potential applicants will be asked to complete an employment application as part of their application for the position available. *See Employment Application*

### SELECTION PANEL AND INTERVIEWS

A selection panel will be determined for applicants short listed for an interview. The selection panel will consist of at least 2 people. Our OSHC service will use the interview guide and questionnaire when preparing for interviews. *(See Interview Guide and Questionnaire)*

Applicants who require support or access provisions, are encouraged to advise this at the time of their application, to ensure appropriate assistance is provided throughout the recruitment process.

Questions will be prepared in advance of the interview and applicant responses will be recorded during the interview. Each applicant will be asked the same questions to ensure fair and equitable treatment of all applicants. Interviews will be conducted in a private space and confidentiality will always be maintained. Applicants will be provided an opportunity to ask questions relating to the service and position at the end of the interview.

### CONFLICT OF INTEREST

Any person on a selection panel must disclose to the Approved Provider or person organising the interview process if there is a conflict of interest at the time of reviewing the applications. A conflict of interest may arise if the applicant is a personal friend or past or present close work colleague.

Management must promote transparency and accountability, promote integrity and impartiality during the employment process and therefore consider if the conflict of interest poses a risk to the consistency of the application process.

### PRE-EMPLOYMENT SCREENING-PROBITY CHECKS

Effective pre-employment screening ensures our service is compliant to legislative and regulatory requirements and aims to ensure we engage staff who have the skills, experience, qualifications and general 'fit'.

All preferred candidates will undergo appropriate pre-employment checks including reference checks, Working with Children Checks (WWCC), immunisation status and where applicable National Police criminal history checks before an offer of employment is recommended. Measures should be in place to ensure probity checks are completed by a person or persons who have no prior professional relationship or personal friendship with the applicant to mitigate the perception of bias in the recruitment process

### REFERENCE CHECKS

Verbal reference checks will be conducted over the phone for preferred applicants. Reference check questions will be determined prior to the check conducted and will establish the relationship the referee has with the applicant.

At least 2 references are to be provided for a reference check. Where possible references should be from the immediate previous employer. The reference checks will ascertain, where possible, the applicant's attitudes and behaviours in previous child-related roles and ascertain whether the applicant has ever been the subject of complaints.

### WWCC/POLICE CHECKS

Working with Children Check legislation aims to prevent people who pose a risk from working with children as paid employees or volunteers. All employees, volunteers and students must undergo a Working with Children Check (or its equivalent) prior to working at the service. Employees, volunteers or students that are unable to provide a copy of a validated WWC Check (or equivalent) prior to the start of engagement or employment will not be able to undertake any work-related activity within the service.

A Working with Children Check is required for all employees, volunteers and students over the age of 14. The service will register with the Screening Unit to check individual applicants before they begin employment or engagement at the service. [DHS Screening Unit](#)

### PRODA BACKGROUND CHECKS

Employees involved in the administration of Child Care Subsidy are required to undertake additional background checks. (*See CCS Personnel Policy*).

## OFFER OF EMPLOYMENT

An offer of employment will be made to the successful applicant following careful consideration by the selection panel. A confirmation of employment letter will be provided to successful applicants upon acknowledgment. (*See Confirmation of Employment Letter*). Successful applicants are required to provide documentation regarding qualifications and immunisations and complete an employee immunisation record. (*See New Employee Documentation Checklist and Employee Immunisation Record.*) A written employment contract will be provided to the successful applicants detailing the position, hours of shift, award information, wages and salary, date and time of commencement, contact person, probationary period.

Applicants who are unsuccessful will be notified within an appropriate time frame and offered feedback regarding their application.

## PROBATIONARY PERIOD AND INDUCTION

Each new employee is subject to a Probationary Period of three (3) months. This ensures assessment for both the employee and service to ensure suitability of the role for the employee. During this time employees will receive advice, training and guidance to help them become familiar with and competent in, performing the work they have been appointed to do. The appointment is subject to the satisfactory completion of the Probationary period which itself is subject to termination during any stage, by either party, upon notice in writing, or by payment in lieu of notice.

Our OSHC Service is committed to providing a comprehensive induction program to ensure the smooth integration of new employees. The Approved Provider or assigned nominee will support the new employee and help them to understand the organisational structure, how decisions are made and communicated and what role they will have in the decision-making process. An induction checklist will be used to support this process, which explains an employee's responsibility to know the policies, procedures and practices within our Service and their duty of care obligations to ensure the safety and wellbeing of all children. Induction will include relevant information on child safe practices adhering to the Child Safe Standards, Code of Conduct, strategies that identify, assess and minimise risks to children and mandatory reporting procedures.

(*See New Employee Induction Checklist*).

Continuity in care within the OSHC Service is paramount. By orientating staff professionally and correctly, it guarantees the consistency of care not only within the room but also across the entire Service. New

employees will undergo regular supervision appraisals, mentoring, training and development as part of the orientation process.

## CONTINUOUS IMPROVEMENT/REFLECTION

Our *Recruitment Policy* will be updated and reviewed annually in consultation with families, staff, educators and management.

## CHILD CARE CENTRE DESKTOP- RELATED HUMAN RESOURCES

Code of Conduct	New Employee Induction Checklist
Confirmation of Employment Letter	New Educator Orientation - Before Day One
Employment Application	New Educator Orientation - Critical First Week
Employee Immunisation Record	New Educator Orientation Survey
Interview Guide and Questionnaire	Recruitment Plan
New Employee Documentation Checklist	Staff Handbook

## SOURCES

Australian Government Department of Education. *Child Care Provider Handbook (2023)*

<https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook>

Australian Government. Fair Work Ombudsman. (2020). Hiring employees <https://www.fairwork.gov.au/find-help-for/small-business/hiring-employees>

Australian Government. Australian's anti-discrimination law. <https://www.ag.gov.au/rights-and-protections/human-rights-and-anti-discrimination/australias-anti-discrimination-law>

Australian Human Rights Commission. Child Safe Organisations. <https://humanrights.gov.au/our-work/childrens-rights/projects/child-safe-organisations>

Government of South Australia Department of Human Services (2020). Working With Children Check: <https://screening.sa.gov.au/home>

## REVIEW

POLICY REVIEWED BY	SARAH DUFFY	DIRECTOR	JULY 24
POLICY REVIEWED	JULY 2024	NEXT REVIEW DATE	JULY 2025
VERSION NUMBER	V2.11.23		
MODIFICATIONS	<ul style="list-style-type: none"> <li>annual policy maintenance- no major changes</li> <li>sources checked for currency</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
NOVEMBER 2022	<ul style="list-style-type: none"> <li>policy drafted specifically for SA services</li> <li>additional references added regarding SA</li> </ul>	NOVEMBER 2023	

	legislation	
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## RESPONSIBLE PERSON POLICY

As per *Education and Care Services National Law and Regulations*, a Responsible Person must be physically in attendance at all times that the Out of School Hours Care (OSHC) Service is educating and caring for children.

*Approved providers are responsible for appointing a Responsible Person who is aged 18 years or older, has adequate knowledge and understanding of the provision of education and care to children, and has an ability to effectively supervise and manage an education and care service (ACECQA, 2017)*

### 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.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1	Governance	Governance supports the operation of a quality service
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.

EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS	
Section 162	Offence to operate education and care service unless responsible person is present
Section 169	Offence relating to staffing arrangements
117A	Placing a person in day-to-day charge
117B	Minimum requirements for a person in day-to-day charge
117C	Minimum requirements for a nominated supervisor
150	Responsible Person
168	Policies and Procedures
173	Prescribed information to be displayed
177	Prescribed enrolment and other documents to be kept by approved provider

### RELATED POLICIES

Code of Conduct Policy	Respect for Children Policy
Health and Safety Policy	Staffing Arrangements Policy
Interactions with Children, Family and Staff Policy	Supervision Policy
Privacy and Confidentiality Policy	Work Health and Safety Policy

### PURPOSE

Our OSHC Service is committed to meeting our duty of care obligations under the *Education and Care Services National Law and National Regulations* to ensure a Responsible Person is physically on the premises at all times to ensure the health, safety, wellbeing, learning, and development of all children at the service is maintained at all times.

### SCOPE

This policy applies to the management, approved provider, nominated supervisor, staff and educators of the Outside School Hours Care Service.

### DEFINITIONS

NAME	DEFINITION
Nominated Supervisor	A person with responsibility for the day to day management of an approved service. The Nominated Supervisor has a range of responsibilities under the Law and Regulations that govern the operation of education and care services.

Responsible Person	A person who is physically at the Service and has the role of Nominated Supervisor or duly appointed person. The Responsible Person has consented to be placed in day to day charge of the Service but does not take on the responsibilities of the Nominated Supervisor rather they ensure the consistency and continuity in practices.
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## IMPLEMENTATION

Our OSHC Service will ensure a Responsible Person will be on the premises at all times, and the details of the Responsible Person will be clearly visible to families and visitors at the main entry of the Service. A record of the Responsible Person will be documented each day via the Responsible Person Register.

If the Responsible Person leaves the premises, they will 'hand over' obligations for the role to another duly appointed person at the Service. It is vital that all hand-overs to a designated Responsible Person are documented when commencing this position throughout the day via the Responsible Person record. The process for determining the Responsible Person will be clear to all educators and staff, and procedures will be followed at all times. Both the outgoing and incoming Responsible Persons will ensure the displayed name of the current Responsible Person at the Service correctly reflects who presently holds the position.

Our Service will have one Responsible Person present at all times when caring for and educating children.

A responsible person can be:

- An Approved Provider or a person with management or control
- A Nominated Supervisor, *or*
- A person in day-to-day charge of the service (PIDTDC)

## THE APPROVED PROVIDER/MANAGEMENT WILL ENSURE A RESPONSIBLE PERSON:

- is appointed and physically on the premise at all times children are being educated and cared for
- is over the age of 18 years
- meets the minimum requirements for qualifications, experiences and management capabilities
- holds a valid and current Working With Children Check (or state/territory equivalent)
- has completed approved child protection training and is aware of the reportable conduct scheme
- has knowledge and a commitment to the National Child Safe Standards
- has adequate knowledge and understanding of the provision of education and care to children, the Education and Care National Law and Regulations and National Quality Standard, the approved



framework for school age care- *My Time, Our Place* (MTOPI), Family Assistance Law and administration of CCS

- has the ability to effectively supervise and manage an education and care service
- is a fit and proper person (as per regulatory authority conditions)
- has evidence of completing an approved diploma level education and care qualification or higher is considered as a requirement or 'actively working towards' an ACECQA approved qualification
- provides references including their current and previous employers. These will be checked, and records kept on file
- provides written consent for the position of Responsible Person and this is filed in staff records (not required if the Approved Provider is the responsible person)
- is removed from the position, if the approved provider deems the individual is no longer considered to meet the fit and proper requirements

#### THE APPROVED PROVIDER/MANAGEMENT WILL ENSURE:

- educators, staff, students, visitors and volunteers have knowledge of and adhere to this policy
- the regulatory authority is notified 7 days prior to a Nominated Supervisor starting at the Service or within 14 days after the person has commenced the role through NQA IT System
- the regulatory authority is notified if the Nominated Supervisor changes their name or contact details; is no longer employed by the Service, has been removed from the role or withdraws their nomination
- a Responsible Person will be removed from the position should management become aware of a matter or incident which affects the ability of the person to meet the minimum requirements of the position
- the staff register has the name of the Responsible Person at the Service for each time children are being educated and cared for by the Service
- a Responsible Person is on duty from the time the Service opens each day until the time the Service closes
- ensure that the identity of the Responsible Person on duty is displayed in the main entrance of the Service and is easily visible for families and visitors
- the **PIDTDC** interchanges with the Nominated Supervisor in their absence
- the individual's compliance history is taken into account prior to appointing the nominated supervisor or responsible person including compliance with:
  - the National Law
  - a former education and care services law

- a children’s services law
  - an education law
- they consider any decision under the National Law, or any other children’s services or education law, to refuse, refuse to renew, suspend, or cancel a licence, approval, registration, certification or other authorisation granted to the person prior to appointing a nominated supervisor
- documentation is recorded that demonstrates the individual’s capacity to supervise and manage the service, this may include:
  - a Supervisor Certificate (including any conditions of the certificate),
  - resume detailing work history,
  - reference from previous employer, or
  - transcripts of courses or unit relating to staff management or administration of an education and care service.
- Responsible Persons are aware that they have to sign off when they have finished their duty and will ensure the Nominated Supervisor or appointed Responsible Person (PIDTIC) will sign on and take on the role
- a staff record is kept recording
  - the full name, address and date of birth of the responsible person/nominated supervisor;
  - evidence of relevant qualifications
  - if applicable, evidence that the Responsible Person/Nominated supervisor is actively working towards that qualification
  - evidence of any approved training (including first aid training and child protection training)
  - verification of a Working with Children Check – identifying number and expiry date
  - written consent for the position of Responsible Person

### **A NOMINATED SUPERVISOR/APPOINTED RESPONSIBLE PERSON WILL:**

- provide written consent to accept the role of Responsible Person/Nominated Supervisor
- sign their name and hours of responsibility on the Responsible Service Register
- ensure that the identity of the Responsible Person on duty is displayed in the main entrance of the Service and is easily visible for families and visitors
- inform management (Approved Provider/Nominated Supervisor) in a timely manner in the event of absence from the Service due to leave or illness so they can be replaced by another Responsible Person
- ensure they have a sound understanding of the role of Responsible Person
- abide by any conditions placed on the Responsible Person

- understand that a Responsible Person placed in day-to-day charge (PIDTIC) of the Service does not have the same responsibilities under the National Law as the Nominated Supervisor.
- in the case of Nominated Supervisor, Notify the Regulatory Authority within 7 days of any changes to their personal situation, including a change in mailing address, circumstances that affect their status as fit and proper (such as the suspension or cancellation of a Working with Children Check card or teacher registration), or if they are subject to disciplinary proceedings.
- notify management at the Service in writing, if they wish to withdraw their consent to be a Responsible Person
- Responsible Person appointments will be recorded on the Staff Roster, so all educators and staff are aware of who is appointed Responsible Person at all times the service is open
- the Director/Nominated Supervisor will advise educators and staff the educators who have been appointed as a Responsible Person.

**CONTINUOUS IMPROVEMENT/REFLECTION**

Our *Responsible Person Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

**CHILDCARE CENTRE DESKTOP - RELATED RESOURCES**

Responsible Person Procedure	Responsible Person Register
Responsible Person Offer and Acceptance	Routine Checklist - Responsible Person

**SOURCES**

Australian Children’s Education & Care Quality Authority. (2014).  
 Australian Children’s Education & Care Authority. (2017). Responsible Person Requirements for Approved Providers: <https://www.acecqa.gov.au/sites/default/files/2018-09/ResponsiblePersonRequirements.pdf>  
 Australian Children’s Education & Care Authority. (2018). Nominated Supervisors. <https://www.acecqa.gov.au/sites/default/files/2018-03/InformationSheetNominatedSupervisor.pdf>  
 Australia Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).  
 Education and Care Services National Law Act 2010. (Amended 2023). [Education and Care Services National Regulations](#). (Amended 2023).  
 Revised National Quality Standard. (2018) [Western Australian Education and Care Services National Regulations](#)

POLICY REVIEWED BY	SARAH DUFFY	DIRECTOR	JULY 24
POLICY REVIEWED	JULY 2024	NEXT REVIEW DATE	JULY 2025

VERSION NUMBER	V9.10.23	
MODIFICATIONS	<ul style="list-style-type: none"> <li>• annual policy review- no major changes</li> <li>• additional information added under Approved Provider section</li> <li>• Childcare Centre Desktop resources added</li> <li>• sources checked for currency and updated as required</li> <li>responsible person register removed from Appendix of this policy</li> </ul>	
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE
OCTOBER 2022	<ul style="list-style-type: none"> <li>• policy maintenance - no major changes to policy</li> <li>• hyperlinks checked and repaired as required</li> <li>• new section- Continuous Improvement/Review added</li> <li>• minor formatting edits within text</li> <li>• link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>	OCTOBER 2023
OCTOBER 2021	<ul style="list-style-type: none"> <li>• minor edits to policy</li> <li>• deleted requirement to have an Australian Police Check for responsible person (Only required for Nominated Supervisor)</li> </ul>	OCTOBER 2022

# STAFF ‘WELLNESS PROGRAM’ POLICY

According to the World Health Organisation, adults spend approximately one third of their lives at work. Our work in school age care requires sustained high physical, mental and emotional effort to complete our job. A range of workplace determinants can have a negative or positive impact on the health and wellbeing of an employee. Within our Out of School Hours Care (OSHC) Service, we are committed to promoting a positive work environment where the health, safety and wellbeing of our employees is acknowledged and supported.

Wellness is more than just an active process of becoming aware of and learning to make healthy choices for our mental, physical and social needs to ensure our body is maintained and works efficiently.

Wellness is “about our overall state of wellbeing that enables us to live and function at our best.”

(Queensland Government, 2019, Healthier. Happier. Workplaces).

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
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.

## RELATED POLICIES

Dealing with Complaints Policy (Staff) Interactions with Children, Family and Staff Policy	Privacy and Confidentiality Policy Professional Development Policy Work, Health and Safety Policy
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## PURPOSE

We believe in providing a healthy workplace that values and enhances the health and wellbeing of our employees. Promoting wellbeing can help prevent stress and create a positive working environment where individuals and organisations thrive. *‘A healthier workplace means everyone wins.’* (Queensland Government, 2019, Healthier. Happier. Workplace).

## SCOPE

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

## IMPLEMENTATION

As our employees care for and educate children, it is essential to support them with the right tools and resources to make healthier choices to improve their own health and wellbeing. Employees who remain healthy increase productivity, enhance the workplace culture, and embody the healthy behaviours we convey to children on a daily basis. We believe in using the workplace for improving and maintaining good health.

Our OSHC Service is committed to developing a shared vision to improve the health and wellbeing of our employees. We believe the development of a *Wellness Program* may build an awareness of a healthy culture within our organisation and motivate and engage all employees to be involved in improving their own health and wellbeing.

Our OSHC Service promotes healthy wellbeing of all employees and strives to foster a supportive workplace environment aimed at reducing burnout and compassion fatigue. In preparation of Fair Work Australia's upcoming legislation aimed at preventing employers from contacting employees outside of work hours, our service encourages management to refrain from contacting employees outside of work hours, unless the contact is deemed reasonable and necessary for business purposes. Additionally, disciplinary action will not be taken against employees who refuse to respond to non-urgent communication outside of their normal working hours, in accordance with the upcoming legislation. (Legislation for large businesses is due effective from August 2024).

### Wellness Program

Our work in school age care requires sustained high physical, mental and emotional effort to complete our job. Such sustained work demands can have an impact on the wellbeing of employees. A Wellness Program may help individual employees overcome specific health-related issues. Our OSHC Service will encourage employees to create a shared vision to develop a Wellness Program that reflects and addresses the needs of our current staff and creates a wellness culture. Management and staff will co-develop a policy and procedures that support the health and wellbeing of employees.

**Components of a Wellness Program *may* include:**

Environmental wellness:

- Finding satisfaction within the work environment
- Ensuring the work environment and relationships are comfortable and supportive
- Recognising opportunities that lead to new skills and acting on those opportunities
- Working to ensure the stability and longevity of the natural environment

Emotional wellness:

- Keeping a positive attitude
- Being sensitive to your feelings and the feelings of others
- Learning to cope with stress
- Being realistic about your expectations and time
- Taking responsibility for your own behaviour
- Dealing with your personal and financial issues realistically
- Viewing challenges as an opportunity
- Being able to work independently
- Being able to work within a team, and knowing you can ask for help

Spiritual wellness:

- Being open to different cultures and religions
- Participating in community projects
- Defining personal values and ethics
- Participating in spiritual activities
- Caring about the welfare of others

Social wellness:

- Being comfortable with and liking yourself as a person
- Interacting with and accepting people of varying ages, backgrounds, genders, race, lifestyle, etc.
- Foster healthy and positive relationships with co-workers
- Communicating your feelings
- Developing friendships
- Engaging in social activities
- Balancing your time to include both work and life

## Intellectual wellness:

- Learning because you want to, not because you have been told to
- Completing required tasks
- Learning through professional development, including, readings, discussions, workshops, training, etc.
- Observing what is around you
- Listening
- Staying current with middle childhood knowledge
- Questioning
- Exposing yourself to new experiences

## Physical wellness:

- Exercising regularly
- Healthy eating
- Getting regular check-ups
- Avoiding the use of tobacco and illicit drugs

**THE APPROVED PROVIDER/ NOMINATED SUPERVISOR/ MANAGEMENT WILL:**

- demonstrate commitment to ongoing collaboration and engagement to create a workplace Wellness Program
- consult with employees to ensure workplace strategies meet the needs of the workplace
- support employee's participation in the Wellness Program
- foster mentoring and development pathways for employees. This may include providing programming time, mentoring sessions, professional development opportunities, capacity building, and supporting wellbeing initiatives.
- provide a workplace environment and systems that are supportive of employee wellness
- provide opportunities for employees to participate in wellness activities
- acknowledge stressful situations for employees, both at work and at home
- recognise that an employee's health is determined by several factors, both work and non-work related
- limit contacting employees outside of normal work hours, unless contact is deemed reasonable and necessary for business purposes
- ensure disciplinary action is not taken against employees who refuse to respond to non-urgent communication



- regularly provide employees with information about the importance of health and wellness (newsletters, brochures, readings, etc.)
- ensure employees take their required breaks (e.g., morning tea, lunch)
- provide access to support agencies, including counselling services
- encourage employees to support colleagues during difficult situations

### EDUCATORS WILL:

- work within the OSHC Service's procedure and policies implemented to address workplace wellness
- be respectful, caring and inclusive of all colleagues
- utilise each other's strengths regardless of qualification and experience
- commit to further contributions to ongoing collaborative engagement to evaluate and enhance the Wellness Program
- participate in the Wellness Program
- communicate their wellness with management

### Resources

ACECQA- Educator Wellbeing Posters <https://www.acecqa.gov.au/resources/supporting-materials/posters#EWP>

Alcohol and Other Drugs Information Service (ADIS) 1800 422599

Beyond Blue- online and phone mental health support. 1300 22 4636 <https://www.beyondblue.org.au/>

Beyou- provides educators with knowledge, resources and strategies for helping children and young people achieve their best possible mental health <https://beyou.edu.au/>

Black Dog Institute- provides information and resources for mood disorders, depression and bipolar disorder. <https://www.blackdoginstitute.org.au/education-services/workplaces/>

Blue Knot Helpline- access to trained, experienced and trauma-informed counsellors, male and female, support adult survivors of childhood trauma and abuse. 1300 657 380

Healthier. Happier. Workplaces Queensland Government Resources, information, initiatives to help everyone think about small changes to improve their health and fitness <https://www.healthier.qld.gov.au/fitness/>

Head to Health- Australian Government Department of Health Digital mental health resources for all your needs. <https://headtohealth.gov.au/>

Headspace- A meditation app to assist with stress management, sleep and self-care <https://www.headspace.com/>

Q Life provides nation-wide peer support and referral service for LGBTI people, their families and health professionals. <https://qlife.org.au/> 1800 184 527

**Smiling Mind**- Free mindfulness meditation app to help you look after your mental health and manage stress and daily challenges <https://www.smilingmind.com.au/>

**Ted Talks**- explore the latest thinking on how to build a better learning community for educators, families and children. <https://www.ted.com/talks>

**Work Health and Wellbeing**- Strengthen your business Workplace Health and Safety Queensland. Toolkit designed to help businesses to improve systems that influence work health and wellbeing.

<https://www.worksafe.qld.gov.au/safety-and-prevention/mental-health/mentally-healthy-workplaces-toolkit>

## CONTINUOUS IMPROVEMENT/REFLECTION

The *Staff Wellness Policy* will be reviewed on an annual basis in conjunction with children, families, educators, staff and management.

## SOURCES

ACT Government. [Healthier Work Initiative](#).

Australian Children’s Education & Care Quality Authority. (2014).

Australian Children’s Education & Care Quality Authority. (2020). [Supporting Educator Wellbeing Through these Challenging Times](#).

Australian Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).

Be You (2018): <https://beyou.edu.au>

Early Childhood Australia Code of Ethics. (2016).

*Fair Work Act 2009* (Cth).

Fair Work Australia- [\(2024\). Variation to modern awards to include right to disconnect](#)  
*Ombudsman Act 2001* (Cth).

*Privacy and Personal Information Protection Act 1998* (Cth).

Queensland Government. Queensland Health. [Healthier. Happier. Workplaces](#)

*Work Health and Safety Act 2011* (Cth).

*Workplace Relations Act 1996* (Cth).

World Health Organization

[Western Australian Education and Care Services National Regulations](#)

## REVIEW

POLICY REVIEWED BY	SARAH DUFY	DIRECTOR	JULY 24
POLICY REVIEWED	JULY 2024	NEXT REVIEW DATE	JULY 2025
VERSION NUMBER	V3.04.24		
MODIFICATIONS	<ul style="list-style-type: none"> <li>annual policy review- no major changes to policy</li> <li>additional statements related to variation of modern awards to include right to disconnect (effective August 2024)</li> </ul>		

	<ul style="list-style-type: none"> <li>hyperlinks checked and repaired as required</li> </ul>	
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE
APRIL 2023	<ul style="list-style-type: none"> <li>policy maintenance - no major changes to policy</li> <li>minor formatting edits within text</li> <li>hyperlinks checked and repaired as required</li> <li>additional link to ACECQA wellbeing posters</li> <li>Continuous Improvement section added link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>	APRIL 2024
APRIL 2022	New Policy developed for OSHC	APRIL 2023