**Staffing Policy**

**Rationale:**

To ensure that The Avenue Children’s Centre and Kindergarten is at all times compliant in relation to educator/child ratios and qualified educators and meets legislative, policy and service standards.

**Statement:**

The Avenue Children’s Centre and Kindergarten is committed to:

* ensuring that the health, safety and wellbeing of children at the centre is protected at all times while also promoting their learning and development
* fulfilling a duty of care to all children attending the centre
* providing accountable and effective staffing and management practices
* employing educators with a range of relevant qualifications and experience to provide a quality educational program that meets the needs of children and families in the community
* employing educators according to policy and funding requirements
* complying with current legislation in relation to the employment of staff, including the Equal Opportunity Act 2010, Fair Work Act 2009 and the Working with Children Act 2005.

***The Avenue Children’s Centre and Kindergarten* (Approved Provider) is responsible for:**

* ensuring the centre has a service supervisor certificate
* ensuring that the centre does not operate without a Nominated Supervisor as required under the National Law
* ensuring that there is a Responsible Person (the person with management or control of the service operated by the Approved Provider or a Nominated Supervisor or Certified Supervisor who has been placed in day-to-day charge of the service in accordance with the National Regulations) is on the premises at all times the service is in operation
* ensuring that the Nominated Supervisor, Certified Supervisors, educators and all staff comply with the Code of Conduct Policy at all times
* ensuring that children being educated and cared for by the service are adequately supervised at all times they are in the care of that service
* complying with the legislated educator-to-child ratios at all times (birth- 36 months 1:4, over 36 months up to and including preschool age 1:11
* employing the relevant number of appropriately qualified educators. Qualifications must be approved by ACECQA
* employing additional staff, as required, to provide a quality early childhood education and care program
* ensuring an early childhood teacher (a person with an approved early childhood teaching qualifications working within the centre for the required period of time specified in the National Regulations, and that, where required, a record is kept of this work.

A qualified early childhood teacher is employed on permanent bases to ensure that funded kindergarten program is delivered

If an early childhood teacher is absent from the service because of short-term illness or leave (for a period of up to, but not exceeding 12 weeks), the teacher may be replaced by an educator who holds an approved diploma qualification, or a qualification in primary teaching

* appointing an appropriately-qualified and experienced educator to be the Educational Leader (designated, in writing, a suitably-qualified and experienced educator, co-ordinator or other individual who guides and leads other educators in their planning and reflection, and mentor colleagues in the implementation of their practice), and ensuring this is documented on the staff record
* ensuring that educators and other staff are provided with a current position description that relates to their role at the centre
* maintaining a staff record in accordance with Regulation 145, including information about the Nominated Supervisor, the Educational Leader, other staff members, volunteers, students and the Responsible Person. Details that must be recorded include qualifications, training and the Working with Children Check
* complying with the requirements of the Working with Children Act 2005, and ensuring that the Nominated Supervisor, Certified Supervisor, educators, staff, volunteers and students on placement at the centre have a current Working with Children Check or a Victorian Institute of Teaching (VIT) certificate of registration
* ensuring that the Working with Children Check or VIT registration have been sighted and the details kept on each staff record
* completing a fit-and-proper assessment in accordance with the Education and Care Services National Law Act 2010 (Sections 12, 13, 14) and the Education and Care Services National Regulations 2011 (Regulations 14, 15, 16). Where the Approved Provider is not an individual, a fit-and-proper assessment must be completed for each person with management or control of a service e.g. for the executive members of a Committee of Management

*Fit and proper*: In determining whether an applicant is fit and proper, the Regulatory Authority must take into account the applicant’s history of involvement in education and care services, their compliance with current and prior law, criminal history record check, and any bankruptcy or insolvency issues. The Regulatory Authority may reassess fitness and propriety at any time. Applicants are required to complete the Declaration of Fitness and Propriety form on the ACECQA website and have this approved by the Regulatory Authority. This form must be completed by an individual provider applicant or, in the case of an entity provider applicant, each person with management or control of a service

* *e*nsuring that volunteers/students and parents/guardians are adequately supervised at all times when participating at the centre, and that the health, safety and wellbeing of children at the centre is protected
* ensuring educators who are under 18 years of age are not left to work alone, and are adequately supervised at the centre
* ensuring that there is at least one educator with current approved first aid qualifications, anaphylaxis management training and emergency asthma management training in attendance and immediately available at all times that children are being educated and cared for by the centre
* ensuring that approved first aid qualifications, anaphylaxis management training and emergency asthma management training are evaluated regularly, and that staff are provided with the opportunity to update their qualifications prior to expiry
* ensuring that staff records and a record of educators working directly with children are updated annually, as new information is provided or when rostered hours of work are changed
* ensuring that annual performance reviews of educators and other staff are undertaken
* ensuring that the Nominated Supervisor, educators/staff, volunteers and students on placement at the service are not affected by alcohol or drugs (including prescription medication) that would impair their capacity to supervise or provide education and care to children (Regulation 83)
* ensuring that all educators and staff have opportunities to undertake professional development relevant to their role to keep their knowledge and expertise current
* ensuring that the Nominated Supervisor and educators/staff are advised and aware of current child protection laws and any obligations that they may have under these laws (Regulation 84)
* developing and maintaining a list of casual and relief staff to ensure consistency of service provision.
* Ensuring that recruitment of staff is advertised through verified website platforms and recruitment agencies.
* Hiring of staff is in accordance with legislation; *Equal opportunity act* *2010*, *Privacy Act 1988, Professional childcare standards 2018, Occupational Health and Safety Act 2004, Working with Children act 2005.*
* EnsuringEducators have relevant qualification as verified through ACECQA or be working towards one.
* Ensure thorough background checks of new employees are completed before commencement of employment including the following: relevant Australian working rights, two references one of which must be from within the industry, Working with Children’s Check. Should any of these checks be deemed unsatisfactory employment will not commence.
* Ensure new employees are contracted to 3-month probationary period upon starting. During of which they must complete an induction plan including health and safety, policies and procedures and sign a staff code of conduct.
* Ensure that employees whose job role enables them to conduct CCS payment alongside family assistance law has the guidance, knowledge and training to do so. Guidance may or may not be the referral to the dss.gov.au family assistance guide, approved Childcare Management Software training or CCS Childcare provider handbook.
* Ensure those employed to access the Childcare Management System Qikkids have full training and attend regular training as and when provided through Qikkids Support.

**The Nominated Supervisor (a person who has been nominated by the Approved Provider of the service and who has consented to that nomination in writing) is responsible for:**

* providing written consent to accept the role of Nominated Supervisor
* ensuring that, in their absence from the service premises, a Certified Supervisor (an educator who has been nominated by the Nominated Supervisor of a service, and consents in writing to being placed in day-to-day charge of the education and care service) is placed in day-to-day charge of the centre
* ensuring that the name and position of the Responsible Person in charge of the centre is displayed and easily visible from the main entrance of the service
* complying with the service’s Code of Conduct Policy at all times
* ensuring adequate supervision of children at all times
* ensuring the educator-to-child ratios are maintained at all times, that each educator at the centre meets the qualification requirements relevant to their role, including the requirement for current approved first aid qualifications, anaphylaxis management training and emergency asthma management training, and that details of such training is kept on the staff record
* developing rosters in accordance with staff qualifications, hours of operation and the attendance patterns of children. Rosters will be designed and implemented to ensure that children receive continuity of care and there will be more than one educator present when children are in attendance. No child will at any time be in the care of a sole educator. Only educators who are working directly with children are included in educator to child ratio
* ensuring that educators and other staff undertake appropriate induction following their appointment to the centre
* ensuring that all educators and staff have opportunities to undertake professional development relevant to their role to keep their knowledge and expertise current
* participating in an annual performance review
* ensuring that volunteers/students and parents/guardians are adequately supervised at all times when participating at the centre, and that the health, safety and wellbeing of children at the service is protected
* ensuring that less experienced educators and others engaged to be working with children are adequately supervised
* ensuring educators who are under 18 years of age are not left to work alone and are adequately supervised at the centre
* providing details of their current Working with Children Check or VIT registration for the staff record
* sighting and recording details of current Working with Children Checks or VIT registrations before staff commence at the centre
* ensuring that they are not affected by alcohol or drugs (including prescription medication) that would impair their capacity to supervise or provide education and care to children
* ensuring that they are aware of current child protection laws and any obligations that they may have under these laws
* informing parents/guardians of the name/s of casual or relief staff where the regular educator is absent.
* Ensuring that recruitment of staff is advertised through verified website platforms and recruitment agencies.
* Hiring of staff is in accordance with legislation; *Equal opportunity act* *2010*, *Privacy Act 1988, Professional childcare standards 2018, Occupational Health and Safety Act 2004, Working with Children act 2005.*
* EnsuringEducators have relevant qualification as verified through ACECQA or be working towards one.
* Ensure thorough background checks of new employees are completed before commencement of employment including the following: relevant Australian working rights, two references one of which must be from within the industry, Working with Children’s Check. Should any of these checks be deemed unsatisfactory employment will not commence.
* Ensure new employees are contracted to 3-month probationary period upon starting. During of which they must complete an induction plan including health and safety, policies and procedures and sign a staff code of conduct.

**Certified Supervisors are responsible for:**

* providing written consent to accept the role of Certified Supervisor
* informing Nominated Supervisor in the event of absence from the centre due to leave or illness so they can be replaced by another Responsible Person

**Certified Supervisors, educators and other staff are responsible for:**

* meeting the qualifications, experience and management requirements if they wish to be nominated as a Certified Supervisor in accordance with the National Regulations
* complying with the service’s Code of Conduct Policy at all times
* ensuring that they are not affected by alcohol or drugs (including prescription medication) that would impair their capacity to supervise or provide education and care to children
* providing details of their current Working with Children Check or VIT registration for the staff record
* renewing their Working with Children Check assessment every five years
* undertaking the required induction program following appointment to the centre
* advising the Department of Justice of any relevant change in circumstances, including change of name, address, contact details and change of employer/volunteer organisation, including changes to the organisation’s contact details
* adequately supervising children at all times
* supervising volunteers/students and parents/guardians at all times to protect the health, safety and wellbeing of children at the centre
* maintaining educator-to-child ratios at all times
* maintaining current approved qualifications relevant to their role, including first aid qualifications, anaphylaxis management training and emergency asthma management training
* participating in an annual performance review
* undertaking professional development relevant to their role to keep their knowledge and expertise current
* supervising educators at the centre who are under 18 years of age, and ensuring that they are not left to work alone
* ensuring that they are aware of current child protection laws and any obligations that they may have under these laws
* in any situation where adequate supervision of children is threatened, any educators on a break must be prepared to return to duty to supply adequate supervision.

**Parents/guardians, volunteers and students on placement are responsible for:**

* reading this Staffing Policy
* complying with the law, the requirements of the Education and Care Services National Regulations 2011, and all service policies and procedures
* following the directions of staff at the centre at all times to ensure that the health, safety and wellbeing of children is protected.

**Links to other policies**

* Supervision of Children Policy
* Excursion policy
* Accident policy
* Code of Conduct for Staff Members
* Determining the Responsible Person Present
* Participation of Volunteers and Students Policy
* Child Safe Policy
* Child Safe Environment Policy

**Sources and further reading:**

* Education and Care Services National Law 2010
* Education and Care Services National Regulations 2011
* National Quality Standard
* Occupational Health and Safety Act 2004
* Occupational Health and Safety Regulations 2007
* Privacy Act 1988
* Privacy and Data Protection Act 2014 (Vic)
* Working with Children Act 2005 (Vic)
* ELAA’s Early Childhood Management Manual [www.elaa.org.au](http://www.elaa.org.au)
* The Kindergarten Guide (Department of Education and Training): http://www.education.vic.gov.au/childhood/providers/funding/Pages/kinderfundingcriteria.aspx
* National Early Years Learning Framework:

http://files.acecqa.gov.au/files/National-Quality-Framework-Resources-Kit/belonging\_being\_and\_becoming\_the\_early\_years\_learning\_framework\_for\_australia.pdf

* Victorian Early Years Learning and Development Framework: http://www.education.vic.gov.au/childhood/providers/edcare/pages/profresource.aspx
* Working with Children Check unit, Department of Justice

www.justice.vic.gov.au/workingwithchildren/

* Victoria Police – National Police Record Check: www.police.vic.gov.au/content.asp?Document\_ID=274

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