Title	Staffing Policy
Policy Category	Childrens Programs
Policy Type	Mandatory
NQF Standard	NQS: Quality Area 4
Related Legislation	See legislation map

Background and Context

This policy will provide guidelines for engaging staff at GEKA, including:

- employing sufficient numbers of educators to meet legislative, policy and service standards
- employing educators with qualifications and experience that meet legislative, policy and service standards
- providing appropriate supervision and support to staff and other adults at the service
- complying with legislation relating to Working with Children (WWC) Clearance, Victorian Institute of Teaching (VIT) registration and meeting Child Safe Standards.

This policy should be read in conjunction with other relevant policies such as *Child Safe Environment Policy, Code of Conduct Policy, Determining Responsible Person Policy* and *Participation of Volunteers and Students Policy.*

GEKA is committed to:

- ensuring that the health, safety and wellbeing of children at the service is protected at all times while also promoting their learning and development
- fulfilling a duty of care to all children attending the service
- 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 relevant industrial agreements and current legislation in relation to the employment of staff, including the Equal Opportunity Act 2010, Fair Work Act 2009 and the Worker Screening Act 2020continuity of educators at the service
- the further development of staff.

High quality services with qualified, skilled and supported educators have a long-term positive impact on the trajectory of children's lives. Minimum qualification requirements are specified in legislation for all educators working in early childhood education and care services. Eligibility for services to receive funding also includes requirements for staff to hold specific qualifications (*The Kindergarten Funding Guide* https://www.education.vic.gov.au/childhood/providers/funding/Pages/kinderfundingcriteria.aspx).

A current list of approved qualifications is available on the Australian Children's Education and Care Quality Authority (ACECQA) website https://www.acecqa.gov.au/qualifications/nqf-approved. Applications can also

be made to ACECQA to determine if other qualifications (such as those gained overseas) entitle the individual to work as an early childhood teacher, diploma-level educator or certificate III level educator. Application forms are available on the ACECQA website and a fee is required for processing an application.

In addition, there are legislative requirements that there is at least one educator who holds current approved first aid qualifications, anaphylaxis management training and emergency asthma management training to be in attendance and immediately available at all times that children are being educated and cared for by the service. These qualifications must be updated as required, and details of qualifications must be kept on an individual's staff record. As a demonstration of duty of care and best practice, GEKA requires **all educators** have current approved first aid qualifications, anaphylaxis management training and emergency asthma management training.

Opportunities for professional development are crucial for all educators to ensure that their work practice remains current and aligned to the practices and principles of the national *Early Years Learning Framework* (EYLF) and the *Victorian Early Years Learning and Development Framework* (VEYLDF).

Staff are required to actively supervise children at all times when children are in attendance at the service (refer to *Supervision of Children Policy*). To facilitate this, services are required to comply with legislated educator-to-child ratios at all times, which are based on the qualifications of the educators, and the ages and number of children at the service. Only those educators working directly with children (refer to *Definitions*) can be counted in the ratio.

All educators and staff are required by law to have a current WWC Clearance or be registered with the VIT (refer to Definitions). It is also recommended that the Nominated Supervisor and staff with financial responsibilities also have a criminal history record check (refer to *Definitions*).

Child Safe Standard 4 requires organisations to have policies and procedures in place for the recruitment and selection, supervision, training and performance management of staff (refer to *Child Safe Environment Policy*).

Scope

This policy applies to GEKA, Nominated Supervisor, Certified Supervisor, educators, other staff, students on placement, volunteers and parent/guardians.

Definitions

Adequate supervision: (In relation to this policy) **supervision** entails all children (individuals and groups) in all areas of the service, being in sight and/or hearing of an educator at all times including during toileting, sleep, rest and transition routines. Services are required to comply with the legislative requirements for educator-to-child ratios at all times. Supervision contributes to protecting children from hazards that may emerge in play, including hazards created by the equipment used.

Adequate supervision refers to constant, active and diligent supervision of every child at the service. Adequate supervision requires that educators are always in a position to observe each child, respond to individual needs, and immediately intervene if necessary. Variables affecting supervision levels include:

- number, age and abilities of children
- number and positioning of educators
- current activity of each child
- areas in which the children are engaged in an activity (visibility and accessibility)
- developmental profile of each child and of the group of children
- experience, knowledge and skill of each educator

- need for educators to actively move between areas (effective communication strategies).

Approved first aid qualification: A list of approved first aid qualifications, anaphylaxis management and emergency asthma management training is published on the ACECQA website: www.acecqa.gov.au

Criminal history record check: A full-disclosure, Australia-wide criminal history record check issued by Victoria Police, or by a police force or other authority of a state or territory, or the Commonwealth. It may also be referred to as a National Police Certificate or Police Records Check.

Early childhood teacher: A person with an approved early childhood teaching qualification. Approved qualifications are listed on the ACECQA website: www.acecqa.gov.au

Educator: An individual who provides education and care for children as part of an education and care service.

Educational Leader: GEKA must designate, in writing, a suitably-qualified and experienced educator, co-ordinator or other individual to lead the development and implementation of educational programs at the service (Regulation 118). This person must have a thorough understanding of the *Early Years Learning Framework* (or other approved learning framework), be able to guide other educators in their planning and reflection, and mentor colleagues in the implementation of their practice. At GEKA, the Educational Leader is the General Manger, Operations.

GEKA Leader: A person who is nominated by GEKA Management to provide leadership and mentoring (operational and educational) across the organisation, that aligns with the National Early Years Framework and who actively promotes and ensures adherence to all GEKA practices, policies and procedures.

The Kindergarten Funding Guide: provides detailed information from the Department of Education and Training (DET) about the types of kindergarten funding available, eligibility criteria, how to apply for funding and how to comply with operational requirements once funding has been granted.

Nominated Supervisor: A person who has been nominated by GEKA under Part 3 of the Act and who has consented to that nomination in writing can be the Nominated Supervisor. All services must have a Nominated Supervisor(s) with responsibility for the service in accordance with the National Regulations (Section 5 and 161).

Person with management or control: The General Manager, Operations, has the responsibility, for managing the delivery of the education and care service.

Responsible Person: The Approved Provider (if that person is an individual, and in any other case the person with management or control of the service operated by the Approved Provider), a Nominated Supervisor or or the appointed responsible person who has been placed in day-to-day charge of the service in accordance with the National Regulations.

Staff record: A record which GEKA must keep containing information about the Nominated Supervisor, the Educational Leader, staff, volunteers, students and the Responsible Person at a service. Details that must be recorded include qualifications, training and/orthe WWC Check (Regulations 146–149) or Victorian Institute of Teaching registration (see definitions. A sample staff record is available on the ACECQA website: www.acecqa.gov.au

Victorian Institute of Teaching (VIT): The statutory authority for the regulation and promotion of the teaching profession in Victoria, established as part of the Victorian Institute of Teaching Act 2001. All early childhood teachers are required to be registered with the Victorian Institute of Teaching.

Working with Children (WWC) Check: The clearance is a legal requirement under the *Worker Screening Act 2020* for those undertaking paid or voluntary child-related work in Victoria. The Department of Justice

assesses a person's suitability to work with children by examining relevant serious sexual, physical and drug offences in a person's national criminal history and, where appropriate, their professional history.

Working with Children (WWC) Clearance: A WWC Clearance is granted to a person under *Worker Screening legislation* if:

- they have been assessed as suitable to work with children
- there has been no information that, if the person worked with children, they would pose a risk to those children
- they are not prohibited from attempting to obtain, undertake or remain in child-related employment.

Policy

Responsibilities

GEKA is responsible for:

- complying with the service's *Code of Conduct Policy* at all times
- appointing Nominated Supervisors (refer to *Definitions*) who are aged 18 years or older, fit and proper and have suitable skills, as required under the Education and Care (refer to *Determining Responsible Person Policy*) (*National Law, Section 161*)
- ensuring that there is a Responsible Person (refer to *Definitions and Determining Responsible Person Policy*) on the premises at all times the service is in operation (*National Law, Section 162*)
- ensuring that the Nominated Supervisor, 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 (refer to *Definitions and Supervision of Children Policy*) at all times they are in the care of that service (*National Law: Section 165(1*))
- complying with the legislated educator-to-child ratios at all times (*National Law: Sections 169(1) & (3), National Regulations: Regulations 123, 355, 357, 360*)
- ensuring that all staffing meets the requirements of The Kindergarten Funding Guide at all times the service is in operation
- complying with relevant industrial agreement and current legislation relating to the employment of staff, including the *Equal Opportunity Act 2010, Fair Work Act 2009, Occupational Health and Safety Act 2004 and the Worker Screening Act 2020*
- following the guidelines for the recruitment, selection and ongoing management of staff as outlined in the *Child Safe Environment Policy*
- employing the relevant number of appropriately-qualified educators (refer to Definitions) with ACECQA approved qualifications (*Regulations 126, 361*)
- employing additional staff, as required, to assist in the provision of a quality early childhood education and care program
- ensuring an early childhood teacher (refer to *Definitions*) is working with the service for the required period of time specified in the National Regulations, and that, where required, a record is kept of this work (*Regulations 130–134, 152, 362, 363*)
- appointing an appropriately-qualified and experienced educator to be the Educational Leader (refer to *Definitions*), and ensuring this is documented on the staff record (Regulations 118, 148)
- ensuring that educators and other staff are provided with a current position description that relates to their role at the service
- maintaining a staff record (refer to *Definitions*) in accordance with Regulation 145, including information about the Responsible Person, Nominated Supervisor, the Educational Leader, other staff members, volunteers and students. Details that must be recorded include qualifications,

training, Working with Children Clearance as set out in Regulations 146–149. A sample staff record is available on the ACECQA website: www.acecqa.gov.au

- complying with the requirements of the Worker Screening Act 2020, and ensuring that the Nominated Supervisor, educators and staff at the service have a current WWC Clearance (refer to Definitions) or a Victorian Institute of Teaching (VIT) certificate of registration (applicable to ECT only).
- reading the WWC Clearance or confirming VIT registration (applicable to ECT only) of all staff prior to their being engaged or employed as a staff member at the service
- read and checked the status of the WWC Clearance of all volunteers prior to their being permitted to be a volunteer at the service
- ensuring that a register of the WWC Clearance or VIT registrations is maintained and the details kept on each staff record (*Regulations 145, 146, 147, 149*)
- determining who will cover the costs of WWC Clearance or criminal history record checks (refer to Definitions)
- developing (and implementing, where relevant) an appropriate induction program for all staff appointed to the service
- developing rosters in accordance with the availability of Responsible Persons, staff qualifications, hours of operation and the attendance patterns of children
- ensuring that volunteers/students and parents/guardians are adequately supervised at all times when participating at the service, and that the health, safety and wellbeing of children at the service is protected (refer to *Participation of Volunteers and Students Policy*)
- ensuring that there is at least one educator with current approved first aid qualifications, anaphylaxis management training and emergency asthma management training (refer to *Definitions*) in attendance and immediately available at all times that children are being educated and cared for by the service. (Note: this is a minimum requirement. As a demonstration of duty of care and best practice, GEKA requires all educators have current approved first aid qualifications and anaphylaxis management training and emergency asthma management training.) Details of qualifications and training must be kept on the staff record (*Regulations 136, 145*)
- developing procedures to ensure 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 (refer to *Definitions*) and a record of educators working directly with children (refer to *Definitions*) are updated annually, as new information is provided or when rostered hours of work are changed (*Regulations 145–151*)
- ensuring that annual performance reviews of the Nominated Supervisor, educators and other staff are undertaken
- reviewing staff qualifications as required under current legislation and funding requirements on an annual basis
- ensuring that the Nominated Supervisor, educators and other staff, volunteers and students 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
- 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*) (refer to the *Child Safe Environment Policy*)
- informing parents/guardians of the name/s of casual or relief staff where the regular educator is absent
- developing and maintaining a list of casual and relief staff to ensure consistency of service provision

- ensuring that the procedures for the appointment of casual and relief staff are compliant with all regulatory and funding requirements.

The Nominated Supervisor/GEKA Leader is responsible for:

- ensuring that the name and position of the Responsible Person in charge of the service is displayed and easily visible from the main entrance of the service
- following the guidelines for the recruitment, selection and ongoing management of staff as outlined in the *Child Safe Environment Policy*
- complying with the service's Code of Conduct Policy at all times
- ensuring adequate supervision of children at all times (refer to *Supervision of Children Policy*)
- ensuring the educator-to-child ratios are maintained at all times (*Regulation 169(3)),* that each educator at the service 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
- ensuring that educators and other staff undertake appropriate induction following their appointment to the service
- ensuring that all educators and staff have opportunities to undertake professional development relevant to their role
- participating in and leading the annual performance review of staff at the service, in consultation with GEKA Management
- ensuring that less experienced educators and others engaged to be working with children are adequately supervised
- providing details of their current WWC Clearance or VIT registration for the staff record
- reading of Working with Children Clearance or VIT registrations of staff
- 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 (*Regulation 83*)
- ensuring that they are aware of current child protection laws and any obligations that they may have under these laws (refer to *Child Safe Environment Policy*)
- informing parents/guardians of the name/s of casual or relief staff where the regular educator is absent.

All educators and other staff are responsible for:

- 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 WWC Clearance or VIT registration annually, and where relevant Criminal Records Check for the staff record
- ensuring their Working with Children Clearance or VIT registration is renewed as required
- undertaking the required induction program following appointment to the service
- advising the Working with Children Check Victoria at the Department of Justice and Regulation of any relevant change in circumstances, including change of name, address, contact details and change of employer organisation, including changes to the organisation's contact details
- where the role involves working with children, providing adequate supervision at all times (refer to *Definitions and Supervision of Children Policy*)
- 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
- ensuring that they are aware of current child protection laws and any obligations that they may have under these laws (refer to *Child Safe Environment Policy)*
- informing GEKA, Nominated Supervisor and/or responsible person in the event of absence from the service due to leave or illness so they can be replaced by another Responsible Person or educator.

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

- reading this Staffing Policy
- complying with the *Code of Conduct* for Parents/Guardians (refer to the Code of Conduct Policy) at all times
- complying with the law, the requirements of the *Education and Care Services National Regulations 201*1, and all service policies and procedures
- following the directions of staff at the service at all times to ensure that the health, safety and wellbeing of children are protected.

Approvals and Revision

Date	Version	Author	Revision Description
Q3 2012	*1.00*	*GEKA Management*	*New Policy*
Q2 2021	*5.00*	*GEKA Management*	*Annual Review & WWC Legislation Update*