



**WINTON SHIRE COUNCIL
LITTLE SWAGGIES CHILD CARE CENTRE**

GOVERNANCE & SERVICE MANAGEMENT POLICY & PROCEDURE

GOVERNANCE & SERVICE MANAGEMENT – POLICY & PROCEDURE

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POLICY STATEMENT

Winton Shire Council (WSC) Little Swaggies Child Care Centre aims to achieve an environment of trust and openness where management and all team members are motivated to continuously improve the service for the benefit of children and their families. We value our team members as professional educators and pride ourselves on employing quality team members who are passionate early childhood educators.

We aim to ensure continuity for children and develop strong, stable teams so that children can have the opportunity to bond with regular carers responsible for their group. Educators employed at our services must meet the qualification requirements as per the Education and Care Services National Regulation.

SCOPE

“Approved providers must ensure that a responsible person is present at a centre-based service at all times that the service is educating and caring for children.

A responsible person may be:

- *the approved provider or a person with management or control*
- *a nominated supervisor*
- *a person in day-to-day charge of the service.”¹*

“The approved provider and nominated supervisor have responsibilities under the National Law and Regulations to ensure the service meets minimum staffing arrangements including:

- *a responsible person – appointed to oversee the day-to-day operation of a service*
- *qualifications – staffing arranged to meet early childhood teaching, diploma and certificate III qualifications, school age care qualifications, as well as first aid, anaphylaxis and emergency asthma management training and child protection*
- *educator to child ratios – minimum number of educators working directly with children*
- *an educational leader – suitably qualified and experienced educational leader/s to lead the implementation of the educational program*

An educator who is under the age of 18 years may work at a centre-based service, provided that the person does not work alone and is adequately supervised at all times by an educator who is over the age of 18 years.”²

Minimum Requirements Nominated Supervisors and Responsible Persons in day-to-day charge

- More than one Nominated Supervisor may be appointed in writing for the service.
- Approved Providers and Nominated Supervisors must ensure that persons placed in day to day charge meet the minimum requirements under the National Law and National Regulations. These include:
 - attained the age of 18 years
 - adequate knowledge and understanding of the provision of education and care to children
 - has not had a previous compliance history or refused authorisation
 - refer to regulations 117B and 117C for more details
- The persons must accept in writing using the:
 - Nominated Supervisor Record Form
 - Responsible Person Acceptance Form

¹ “Guide to the National Quality Framework” Australian Children’s Education & Care Quality Authority September 2020

² “Guide to the National Quality Framework” Australian Children’s Education & Care Quality Authority January 2020

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- Decisions should be based after considering the following:
 - Qualifications and experience
 - Reference checks
 - Compliance History Statement (ACECQA Form)
 - Prohibition Notice Declaration (ACECQA Form)
 - Determining Suitability of Responsible Person Form
 - Fit and Proper (Working with Children Check)
 - Previous workplace compliance
 - First aid, anaphylaxis and asthma qualifications

*"If an Approved Provider becomes "aware of a matter or incident which affects the ability of the nominated supervisor to meet the minimum requirements, you must consider if it is appropriate to remove them as nominated supervisor. For example, if you become aware that the nominated supervisor has had compliance action against them, you must reassess if that person is suitable to be in the position."*³

Educational Leader

The appointment of an Educational Leader should be made after consideration of their qualifications, experience and ability to mentor and inspire others. This role must be accepted in writing using both the Educational Leader Role Accountability and the Educational Leader Record Form.

Notifications

"Approved Providers must notify the regulatory authority of certain incidents and allegations while a child or children are being educated and cared for by the service.

From 1 October this must include:

- *any incident where you reasonably believe that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the service*
- *any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the service."*⁴

For further details on Notifications of complaints or serious incidents refer to the Grievance Resolution Policy, Child Protection Policy and the Incident, Injury, Trauma, Illness Policy.

*"From 1 October 2017, you must ensure that nominated supervisors and people in day-to-day charge have successfully completed child protection training if required in your jurisdiction. To find training or check whether it's required, contact your regulatory authority."*⁵

PROCEDURE

It takes a team approach to deliver quality education and care to children and ensure compliance.

Responsibilities of Leadership, Management, Nominated Supervisors and Responsible Persons:

- Positively and clearly communicate all aspects of the policy and take a zero-tolerance approach to compliance.

³ National Quality Framework Information Sheet "Responsible Person Requirements for Approved Providers from 1 Oct 2017" ACECQA National Quality Agenda Review 30 August 2017

⁴ "KEY CHANGES TO NOTIFICATIONS, INCIDENTS AND COMPLAINTS FROM 1 OCT 2017" National Quality Agenda Review, ACECQA 30 August 2017

⁵ National Quality Framework Information Sheet "Responsible Person Requirements for Approved Providers from 1 Oct 2017" ACECQA National Quality Agenda Review 30 August 2017

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- Understand and comply with all aspects of this policy and related legislation and support team members to do the same.
- Lead a culture of reflection and regular review of policies, seeking feedback from educators, families, children and other community agencies and professionals as appropriate.

Staffing

- Ensure Nominated Supervisors and Responsible Persons are carefully screened prior to appointment including reference and qualification checks.
- Ensure all Nominated Supervisors and responsible person's complete a Determining Suitability for Responsible Person in Charge form, Prohibition Notice and Compliance History Statement.
- Ensure Nominated Supervisors sign consent using the Nominated Supervisor Record Form.
- Ensure the Educational Leader signs consent using the Educational Leader Record Form
- Ensure the Educational Leader are provided with the ACECQA document "The role of the educational leader".
- The Approved Provider must site and confirm the Nominated Supervisors WWCC using the Nominated Supervisor Working with Children Confirmation Form
- The Nominated Supervisor must comply with the requirement to validate/confirm the WWCC of all educators prior to commencing employment and keep a record of validation and expiry.
- Display in a prominent position near the entrance a sign which clearly identifies the Nominated Supervisor, Educational Leader and current person in day-to-day charge
- Ensure that the Responsible Person in Day-to-Day Charge Register is completed at all times showing the person who is in charge. This should be kept for 3yrs.
- Ensure rostering complies with all legislative requirements and provide continuity of care for children and families, including:
 - 50% diploma qualified educators at all times directly working with children
 - Minimum one person with first aid, CPR, anaphylaxis and asthma training at all times
 - Responsible person with child protection training at all times
- Staff inductions will include information on minimum staffing requirements and service roles and responsibilities including how to identify the current responsible person in day-to-day charge.
- Ensure that educators have ready access to an operating telephone or other similar means of communication, to communicate immediately with emergency services or parents of children attending or to receive calls at all times of operation. A back-up system must be available in the event of loss of power or internet. Inform families of any temporary change to communication.

Notifications and Compliance

- Submit changes to Nominated Supervisors and contact details using NQAITS
 - Notify of circumstances and information within the required timeframe through the NQAITS – Refer to tables pages 458 to 467 of the Guide to the National Quality Framework
- Maintain under Regulation 167, a record of the service's compliance including:
 - Details of any amendment or suspension of the service approval
 - Details of any compliance direction or compliance notice

Responsibilities of Educators and Other Team Members:

- Be proactive in fulfilling the requirements of this service policy and related legislative requirements.
- Seek further guidance where required to fulfil your requirements.
- Report any concerns or non-compliance immediately to the Nominated Supervisor or WSC Management.
- Participate in the review of documents and provide constructive feedback to the Nominated Supervisor or WSC Management.

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- Be familiar with and maintain staffing requirements are maintained, considering qualification, age and first aid requirements.
- Provide all qualifications and WWC information prior to commencement and when updated.
- Ensure WWCC and qualifications do not expire.

Where working towards a qualification, provide updates on study progression as per the requirements of the Professional Development and Study Progression Policy and Procedure

COMMUNICATION

- Educators and families will have access to this policy at all times.
- Educators and families will be provided with opportunities to be involved in the review of this policy.
- Staff will be made aware of their responsibilities upon Induction.
- Families will be made aware of these aspects of the service at the time of orientation and through displays located at the service.

RELATED POLICIES AND FORMS

- Compliance Log Book Template
- Educator Code of Conduct Policy
- Confidentiality Policy
- Monitoring Study Progression Form
- Nominated Supervisor Record Form
- Responsible Person Acceptance Form
- Enrolment and Orientation Policy
- Grievance Resolution Policy
- Fees and Attendance Policy
- Staff Schedule
- Compliance History Statement (ACECQA Form)
- Prohibition Notice Declaration Form (ACECQA)

LEGISLATION, RECOGNISED AUTHORITIES AND SOURCES

- *“Guide to the National Quality Framework”* Australian Children’s Education & Care Quality Authority September 2020
 - Refer to tables pages 458 to 467 for reporting information to the Regulatory Authority
- *Education and Care Services National Law Act 2010 (version February 2021)*
 - 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 a nominated supervisor
 - 161A Offence for nominated supervisor not to meet prescribed minimum requirements
 - 162 Offence to operated education and care service unless responsible person is present
 - 162A persons in day-to-day charge and nominated supervisors to have child protection training
 - 173 Offence to fail to notify certain circumstances to Regulatory Authority
 - 174 Offence to fail to notify certain information to Regulatory Authority
 - 316 Nominated Supervisors
- *Education and Care Services National Regulations (version Oct 2020)*
 - 35 Notice of addition of new nominated supervisor
 - 86 Notification of Incidents
 - 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

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- 174 Time to notify certain circumstances to Regulatory Authority
- 175 Prescribed information to be notified to Regulatory Authority
- 176 Time to notify certain information to Regulatory Authority
- National Quality Standards
 - QA4 Staffing Arrangements
 - QA7 Governance and Leadership

CEO DISCRETION

Where applicable, the CEO can apply his discretion as to the enforcement of the procedures outlined in this policy.

REVIEW OF POLICY

This policy remains in force until amended or repealed by resolution of Council. This document will be review biannually or as required.

RECORD OF AMENDMENTS and ADOPTIONS			
DATE	REVISION NO	REASON FOR AMENDMENT	ADOPTED BY COUNCIL
October 2021	V1.0	Preparation for Council Adoption	Month YYYY