Cheltenham Community Centre Early Learning Childcare

E28. Staffing

1. Policy

1.1 This policy will provide guidelines for engaging staff at Cheltenham Community Centre (CCC) Early Learning Childcare, 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) Check and meeting Child Safe Standards.

1.2 This policy should be read in conjunction with the following service policies:

- Child Safe Environment Policy
- Code of Conduct Policy
- Determining Responsible Person Policy
- Participation of Volunteers and Students Policy

1.3 Cheltenham Community Centre (CCC) Early Learning Childcare 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 2020
- Continuity of educators at the service
- The further development of staff.

1.4 This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood educators, staff, students, volunteers, parents/guardians, children, and others attending the programs and activities of CCC Early Learning Childcare, including during offsite excursions and activities.

1.5 The service provider is CCC Early Learning Childcare, and the Approved Provider is Cheltenham Community Centre Inc. The Approved Provider delegates its responsibility for the day-to-day operation of the service to the Nominated Supervisor.

1.6 In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

- Regularly check staff records to ensure WWC Clearance and qualifications are current and complete
- Regularly seek feedback from everyone affected by the policy regarding its effectiveness
- Monitor the implementation, compliance, complaints and incidents in relation to this policy
- Keep the policy up to date with current legislation, research, policy and best practice
- Revise the policy and procedures as part of the service's policy review cycle, or as required
- Notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk.

2. Procedures

2.1 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. A current list of approved qualifications is available on the Australian Children's Education and Care Quality Authority (ACECQA) website. 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 diploma-level educator or certificate III level educator.

2.2 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 a copy of the qualifications must be kept on an individual's staff record. As a demonstration of duty of care and best practice, ELAA recommends all educators have current approved first aid qualifications, anaphylaxis management training and emergency asthma management training.

2.3 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. 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 can be counted in the ratio.

2.4 All educators and staff are required by law to have a current WWC Clearance. It is also recommended that the Nominated Supervisor and staff with financial responsibilities also have a criminal history record check. 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.

2.5 **Responsibilities**
The Approved provider and persons with management or control are responsible for:

- Ensuring that obligations under the Education and Care Services National Law and National Regulations are met in relation to staffing arrangements.
- Ensuring that quality staffing practices are in place in line with the National Quality Standard, especially Quality Area 4 – Staffing arrangements.
- Complying with the service's Childcare Code of Conduct Policy at all times.
- Ensuring that all educators, staff, volunteers and students are familiar with Early Childhood Australia's Code of Ethics.
- Ensuring that the environment is free from the use of tobacco, illicit drugs and alcohol, and the nominated supervisor, educators, staff, volunteers and students are not affected by alcohol or drugs (including prescription medication).
- Appointing nominated supervisor who are aged 18 years or older, fit and proper and have suitable skills, as required under the National Law.
- Ensuring the nominated person completes and signs a Compliance history statement template and a Prohibition notice declaration template.
- Ensuring that there is always a nominated supervisor or person in day-to-day charge on the premises the service is in operation.
- Ensuring that the nominated supervisor and person in day-to-day charge are aware of the existence and application of current child protection law and their obligations under the law and have completed any jurisdictional requirements for child protection training.
- Developing rosters in accordance with the availability of responsible persons, staff qualifications, hours of operation and the attendance patterns of children.
- Ensuring that the name of each nominated supervisor of the service is displayed and easily visible from the main entrance of the service.
- Notifying the DE in writing about a new nominated supervisor and if the details of the nominated supervisor change.
- 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.
- 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 and Wellbeing Policy
- Employing the relevant number of appropriately qualified educators with ACECQA approved qualifications.
- Employing additional staff, as required, to assist in the provision of a quality early childhood education and care program.
- Ensuring that early childhood educators and other staff undertake appropriate induction following their appointment to the service.
- Ensuring an early childhood teacher is working with the service for the required period of time and that, where required, a record is kept of this work.
- Maintaining a record of early childhood teachers and educators working directly with children.
- Appointing an appropriately qualified and experienced educator to be the educational leader 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 service.
- Ensuring all early childhood teachers have a Victorian Institute of Teaching (VIT) certificate of registration.
- Maintaining a staff record, 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.

- Complying with the requirements of the Worker Screening Act 2020, and ensuring that the nominated supervisor, educators, staff, volunteers and students the service have a current WWC Clearance or a Victorian Institute of Teaching (VIT) certificate of registration (applicable to ECT only).
- Confirming 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.
- Confirming 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.
- Determining who will cover the costs of WWC Clearance or criminal history record checks.
- 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.
- Ensuring educators who are under 18 years of age are not left to work alone and are adequately supervised at the service.
- Ensuring that there is at least one educator with current (within the previous 3 years) 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 service. Details of qualifications and training must be kept on the staff record.
- 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 and a record of ECT and 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 the nominated supervisor, early childhood teachers, educators and other staff are undertaken as per the National Quality Framework 7.2.3
- Reviewing staff qualifications as required under current legislation and funding requirements on an annual basis.
- Ensuring that the nominated supervisor, early childhood teachers, 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.
- Ensuring that nominated supervisor, early childhood teachers, educators meet their responsibilities relating to educational programs; supervision and safety of children; entry to and exit from premises; nutrition and food and beverages; administration of medication; sleep and rest; excursions and transportation; staffing ratios and qualifications.
- Ensuring that all early childhood teachers, educators and staff have opportunities to undertake professional development relevant to their role as per the National Quality Framework.
- Ensuring that the nominated supervisor, early childhood teachers and educators/staff are advised and 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.
- 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 and persons in day-to-day charge are responsible for:

- Ensuring that obligations under the Education and Care Services National Law and National Regulations are met in relation to staffing arrangements.
- Ensuring that quality staffing practices are in place in line with the National Quality Standard, especially Quality Area 4 – Staffing arrangements.
- Complying with the service's Childcare Code of Conduct Policy at all times.
- Ensuring that all educators, staff, volunteers and students are familiar with Early Childhood Australia's Code of Ethics.
- Ensuring that the environment is free from the use of tobacco, illicit drugs and alcohol, and the nominated supervisor, educators, staff, volunteers and students are not affected by alcohol or drugs (including prescription medication).
- Appointing nominated supervisor who are aged 18 years or older, fit and proper and have suitable skills, as required under the National Law.
- Ensuring the nominated person completes and signs a Compliance history statement template and a Prohibition notice declaration template.
- Ensuring that there is always a nominated supervisor or person in day-to-day charge on the premises the service is in operation.
- Ensuring that the nominated supervisor and person in day-to-day charge are aware of the existence and application of current child protection law and their obligations under the law and have completed any jurisdictional requirements for child protection training.
- Developing rosters in accordance with the availability of responsible persons, staff qualifications, hours of operation and the attendance patterns of children.
- Ensuring that the name of each nominated supervisor of the service is displayed and easily visible from the main entrance of the service
- Notifying the DE in writing about a new nominated supervisor and if the details of the nominated supervisor change.
- 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.
- 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 and Wellbeing Policy
- Employing the relevant number of appropriately qualified educators with ACECQA approved qualifications.
- Ensuring that early childhood educators and other staff undertake appropriate induction following their appointment to the service.
- Ensuring an early childhood teacher is working with the service for the required period of time and that, where required, a record is kept of this work
- Maintaining a record of early childhood teachers and educators working directly with children.
- Appointing an appropriately qualified and experienced educator to be the educational leader 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 service.
- Maintaining a staff record, 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.
- Complying with the requirements of the Worker Screening Act 2020, and ensuring that the nominated supervisor, educators, staff, volunteers and students the service have a current WWC Clearance or a Victorian Institute of Teaching (VIT) certificate of registration (applicable to ECT only)

- Confirming 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.
- Confirming 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.
- Determining who will cover the costs of WWC Clearance or criminal history record checks.
- 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.
- Ensuring educators who are under 18 years of age are not left to work alone and are adequately supervised at the service.
- Ensuring that there is at least one educator with current (within the previous 3 years) 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 service. Details of qualifications and training must be kept on the staff record
- 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 and a record of ECT and 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 the nominated supervisor, early childhood teachers, educators and other staff are undertaken as per the National Quality Framework 7.2.3.
- Reviewing staff qualifications as required under current legislation and funding requirements on an annual basis.
- Ensuring that the nominated supervisor, early childhood teachers, 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
- Ensuring that nominated supervisor, early childhood teachers, educators meet their responsibilities relating to educational programs; supervision and safety of children; entry to and exit from premises; nutrition and food and beverages; administration of medication; sleep and rest; excursions and transportation; staffing ratios and qualifications.
- Ensuring that all early childhood teachers, educators and staff have opportunities to undertake professional development relevant to their role as per the National Quality Framework.
- Ensuring that the nominated supervisor, early childhood teachers and educators/staff are advised and 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.
- 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 educators and all other staff are responsible for:

- Complying with the service's Childcare Code of Conduct Policy at all times.
- Ensuring that all educators, staff, volunteers and students are familiar with Early Childhood Australia's Code of Ethics.

- Ensuring that the environment is free from the use of tobacco, illicit drugs and alcohol, and the nominated supervisor, educators, staff, volunteers and students are not affected by alcohol or drugs (including prescription medication).
- Ensuring the nominated person completes and signs a Compliance history statement template and a Prohibition notice declaration template.
- Ensuring that the nominated supervisor and person in day-to-day charge are aware of the existence and application of current child protection law and their obligations under the law and have completed any jurisdictional requirements for child protection training.
- 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.
- Ensuring that a register of the WWC Clearance or VIT registrations is maintained, and the details kept on each staff record.
- Ensuring educators who are under 18 years of age are not left to work alone and are adequately supervised at the service.
- Ensuring that nominated supervisor, early childhood teachers, educators meet their responsibilities relating to educational programs; supervision and safety of children; entry to and exit from premises; nutrition and food and beverages; administration of medication; sleep and rest; excursions and transportation; staffing ratios and qualifications.

The parents/guardians are responsible for:

- Complying with the service's Childcare Code of Conduct Policy at all times.
- Ensuring that all educators, staff, volunteers and students are familiar with Early Childhood Australia's Code of Ethics.

The Contractors, volunteers and students:

- Complying with the service's Childcare Code of Conduct Policy at all times.
- Ensuring that all educators, staff, volunteers and students are familiar with Early Childhood Australia's Code of Ethics.
- Ensuring that the environment is free from the use of tobacco, illicit drugs and alcohol, and the nominated supervisor, educators, staff, volunteers and students are not affected by alcohol or drugs (including prescription medication).
- Ensuring the nominated person completes and signs a Compliance history statement template and a Prohibition notice declaration template.
- Ensuring that the nominated supervisor and person in day-to-day charge are aware of the existence and application of current child protection law and their obligations under the law and have completed any jurisdictional requirements for child protection training.
- 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.
- Ensuring that a register of the WWC Clearance or VIT registrations is maintained, and the details kept on each staff record.
- Ensuring educators who are under 18 years of age are not left to work alone and are adequately supervised at the service.
- Ensuring that nominated supervisor, early childhood teachers, educators meet their responsibilities relating to educational programs; supervision and safety of children; entry to and exit from premises; nutrition and food and beverages; administration of medication; sleep and rest; excursions and transportation; staffing ratios and qualifications.

3. Legislation and standards

3.1 Relevant legislation and standards include but are not limited to:

- Child Safe Standards
- Education and Care Services National Law Act 2010

- Section 161
- Section 162
- Section 165(1)
- Section 169
- Section 172
- Education and Care Services National Regulations 2011
- Education and Training Reform Act 2006 (Vic) (amended in 2014)
- Equal Opportunity Act 2010 (Vic)
- Fair Work Act 2009
- National Quality Standard, Quality Area 4: Staffing Arrangements
- Privacy Act 1988 (Cth)
- Privacy and Data Protection Act 2014 (Vic)
- Worker Screening Act 2020
- Worker Screening Regulations 2021 (Vic)

The most current amendments to listed legislation can be found at :
Victorian Legislation – Victorian Law Today
Commonwealth Legislation – Federal Register of Legislation

Regulations:

- Regulation 83
- Regulation 84
- Regulation 117(A, B, C)
- Regulation 118
- Regulation 120
- Regulation122
- Regulation 123
- Regulations 126
- Regulations 130 – 135
- Regulation 136
- Regulation 145
- Regulations 146–152.
- Regulation 357
- Regulation 363
- Regulation 151
- Regulation 152
- Regulation 173

4. DEFINITIONS:

4.1 **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 (National Law 165). 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 move between areas (effective communication strategies).

4.2 **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

4.3 **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.

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

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

4.6 **Educational Leader:** The Approved Provider of an education and care service 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. This person must have a thorough understanding of the Early Years Learning Framework and the Victorian Early Year Learning and Developmental Framework be able to guide other educators in their planning and reflection, and mentor colleagues in the implementation of their practice.

4.7 **Nominated Supervisor:** A person who has been nominated by the Approved Provider of the service under Part 3 of the Act can be the Nominated Supervisor. All services must have a Nominated Supervisor with responsibility for the service in accordance with the National Regulations. The Approved Provider must take reasonable steps to ensure the Nominated Supervisor is a fit and proper person with suitable skills, qualifications and experience. The Regulatory Authority must be notified if the Nominated Supervisor for the service changes or is no longer employed at the service within 14 days. Person with management or control: Each member of the executive committee of the association, which is the Approved Provider, who has the responsibility, alone or with others, for managing the delivery of the education and care service.

4.8 **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) or a Nominated Supervisor or person in day-to-day charge of the service in accordance with the National Regulations.

4.9 **Staff record:** A record which the Approved Provider of a centre-based service 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 the WWC Check. A sample staff record is available on the ACECQA website: www.acecqa.gov.au

4.10 **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.

4.11 **Working directly with children:** Working directly with children is defined as being physically present with children and directly engaged in providing them with education and/or care.

4.12 **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.

4.13 **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.

5. SOURCES AND RELATED POLICIES

5.1 Sources

- The Commission for Children and Young People (2018), A Guide for Creating a Child Safe Organisation: https://ccyp.vic.gov.au/assets/resources/CSSGuideFinalV4-Web-New.pdf
- Australian Children's Education and Care Quality Authority (ACECQA): www.acecqa.gov.au
- ELAA's Employee Management and Development Kit: developed to support early learning services in the ongoing management and development of their employees at: https://elaa.org.au/resources/freeresources/employee-management-development-kit/
- ELAA's Early Childhood Management Manual contains additional information and attachments relating to staffing, including sample position descriptions, sample letters of employment and interview questions. Available from: www.elaa.org.au
- The Early Years Learning Framework for Australia: Belonging, Being, Becoming: www.education.gov.au
- Victorian Early Years Learning and Development Framework: www.education.vic.gov.au
- Working with Children Check unit, Department of Justice and Regulation – provides details of how to obtain a WWC Check: www.workingwithchildren.vic.gov.au
- Victoria Police – National Police Record Check: www.police.vic.gov.au

5.2 Service policies

- Administration of First Aid
- Responding to Medical Conditions – including anaphylaxis, allergies, asthma & diabetes
- Child Safe Environment
- Childcare Code of Conduct
- Parental Complaints
- Dropping and picking up of Children
- Determining Responsible Person
- Inclusion and Equity
- Interactions with Children
- Participation of Volunteers and Students
- Confidentiality Policy and Guidelines
- Child Safe Environment
- Child Safe and Wellbeing

Revision History

Date	Revision	Revised by
26/04/2024	Created	Huan-Ming Cholinski
14/06/2024	Revised	Huan-Ming Cholinski
10/03/2025	Reviewed and revised	Leanne Lee-Ack
29/08/2025	Reviewed and updated	Leanne Lee-Ack