



St. Thomas School & Pre-School

10 Rushton Street, Goodwood 5034

Ph: 81778100 Fax: 8272-6045

e-mail: info@stg.catholic.edu.au

www.stg.catholic.edu.au

Staffing Arrangements Policy

NQS

QA4	4.1.1	Organisation of educators - The organisation of educators across the service supports children's learning and development
QA7	7.1.3	Roles and Responsibilities - Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.

National Law

Section	5	Definitions (nominated supervisor consent in writing)
	56	Notice of change to 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	Persons in day-to-day charge and nominated supervisors to have child protection training
	165	Offence to inadequately supervise children
	169	Offence relating to staffing arrangements
	170	Offence relating to unauthorised persons on education and care service premises
	173	Offence to fail to notify certain circumstances to Regulatory Authority
	174	Offence to fail to notify certain information to Regulatory Authority

National Regulations

Regulations numbered 240 and higher are state or transitional regulations

Reg	10	Meaning of actively working towards qualification
	117A	Placing a person in day to day charge
	177B	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
	126	Centre-based services—general educator qualifications
	129	Requirements for educators who are early childhood teachers
	130	Requirement for early childhood teacher—centrebased services—fewer than 25 approved places
	131	Requirement for early childhood teacher—centrebased services—25 or more approved places but fewer than 25 children
	132	Requirement for early childhood teacher— centre-based services—25 to 59 children
	133	Requirement for early childhood teacher—centre-based services—60 to 80 children
	134	Requirement for early childhood teacher—centre-based services—more than 80 children
	135	Early childhood teacher illness or absence
	136	First aid qualifications
	150	Staff record must include name of responsible person at service each time children being educated and cared for by the service.
	173	Prescribed information to be displayed
	239A	Centre-based services in remote and very remote areas – attendance of ECTs applies until 31/12/23
	240	Centre-based services in remote and very remote areas –qualifications for educators applies until 31/12/23
	241	Persons taken to hold an approved early childhood teaching qualification
	242	Persons taken to be early childhood teachers applies until 31.12.21
	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
	324	Early childhood teachers—preschools Applies to reg 126
	325A	Educator to child ratios during short absence of educators
	332	Early childhood teacher—60 or more but fewer than 80 children
	333	Early childhood teacher in attendance—more than 80 children
	333A	Resignation of ECT or suitably qualified person applies until 31/12/23

Aim

To ensure our supervision and staffing practices keep children safe at all times.

Related Policies

Child Protection Policy

Continuity of Education and Care Policy

Educator and Management Policy

Excursion Policy

Governance Policy

Supervision

Children's safety and wellbeing is taken very seriously at our service. All educators and staff members will ensure that children are adequately supervised at all times, and that they can respond immediately to any child that is distressed, in need of assistance or support or in a dangerous situation. This includes during transition periods throughout the day when children may, for example, be changing rooms or groups, moving between outdoor and indoor environments, arriving or leaving the service, moving from service vehicles to the service premises, leaving or returning from excursions, moving to meal areas, washing their hands, or using the toilet or nappy change facilities.

To achieve this outcome educators will be alert, aware and in sight and sound of all children for whom they are responsible. Educators supervising outdoors must position themselves to see as much of the play area as possible and follow any playground supervision plans if relevant. They will also actively engage with children and not stand back and watch. Educators working directly with children must focus on the children and not other duties/activities. They will not group together in the outdoor environment except for brief, necessary discussions regarding the children.

In particular, children will be supervised:

- when resting or sleeping
- during hand washing and/or toilet times
- while undergoing toilet training (they will not be left unsupervised in the bathroom)
- at the table when eating (children will not be able to wander round with food and drink)
- in any areas where risk is increased
- during any water activity (at least one educator close at all times)
- Whilst moving around the school to different levels

Educators will ensure children only move between levels if they are accompanied by an educator. Children will move between floors using the stairs, and will only use the lifts where it is not practical or safe to use the stairs (eg children in wheelchairs, aggressive intruder in stairwell). At no time will children be allowed to use the stairs or lifts without adult supervision.

To ensure all children are accounted for during transitions between environments or rooms, Room Leaders will ensure a copy of the daily sign in sheet or similar record is used to check that all children under educators' supervision have made the transition.

There may also be times when minimum ratio requirements are not sufficient to ensure children are adequately supervised. On these occasions the Nominated Supervisor will assess the situation and when necessary ensure there are extra adults present to ensure children's health, safety and wellbeing.

Issues affecting the adequacy of supervision include:

- the number, ages and abilities of children
- the number and positioning of educators
- each child's current activity
- areas where children are playing, in particular the visibility and accessibility of these area
- risks in the environment and experiences provided to children
- the educators' knowledge of each child and each group of children
- the experience, knowledge and skill of each educator.

Educators will ensure team members know when they leave the room or area, or finish their shift, and are aware of any particular issues that may require additional oversight of children. They will do this verbally and there must be acknowledgement by the other educator prior to leaving the environment. Educators will use the sign in/out sheets to indicate if the educator is leaving for any length of time.

To further ensure children are always adequately supervised the Approved Provider or Nominated Supervisor, and where relevant Room Leaders, will ensure:

- only educators working directly with children are included in the educator to child ratio
- students, volunteers and any educator under eighteen years is supervised at all times by an educator eighteen and over
- no child is ever left alone with a visitor/ unauthorised person
- they promote continuity of care when organising rosters and a regular pool of relief educators
- any educators on a meal-break in the Service return to duty to supply adequate supervision in any emergency situation where adequate supervision of children is threatened. Relief staff requirements will be reviewed if educators begin to be regularly recalled

Responsible Person

A responsible person is:

- an approved provider
- a nominated supervisor

- a person who is in day to day charge of the service.

The Approved Provider, Nominated Supervisor and Person in Day to Day Charge will implement the following Responsible Procedure to ensure there is always a “responsible person” present at all times when caring for and educating children, and their name and position is clearly displayed in the main entrance of the Service.

If Nominated Supervisor present when service opens he or she will:

1. sign in on a Responsible Person sign in/out record
2. make sure their name and role (Nominated Supervisor) is clearly displayed in the main entrance
3. before they leave the service, handover the Responsible Person role to either the Approved Provider or Person in Day to Day Charge by:
 - talking directly to the Approved Provider or Person in Day to Day Charge
 - signing out of the Responsible Person record
 - making sure the Approved Provider or Person in Day to Day Charge signs in on the Responsible Person record
 - changing the name and position of the Responsible Person displayed in the main entrance to match that of the new Responsible Person
 -

The Nominated Supervisor will not leave the service if the Approved Provider and Person in Day to Day Charge are both absent

4. when they return to the service, resume the Responsible Person role by:
 - talking directly to the person who took on the role when they were absent ie Approved Provider or Person in Day to Day Charge
 - changing the name and position of the Responsible Person displayed in the main entrance to their name and role

If the Approved Provider or Person in Day to Day Charge takes on the Responsible Person role while the Nominated Supervisor is absent, he or she will:

1. sign in on a sign in/out record
2. make sure their name and role is clearly displayed in the main entrance
3. stay at the service until the Nominated Supervisor returns and resumes the Responsible Person role, or before they leave the service, handover the Responsible Person role to another Responsible Person ie Approved Provider or Person in Day to Day Charge by:
 - talking directly to that person
 - changing the name and position of the Responsible Person displayed in the main entrance to match that of the new Responsible Person

The Approved Provider or Person in Day to Day Charge will not leave the service if there is not another Responsible Person present to take on the role.

Nominated Supervisors and Persons in Day to Day Charge

The Approved Provider will make sure people appointed as a Nominated Supervisor or Person in Day to Day Charge are at least 18 and have:

- the required skills to be a nominated supervisor or person in day to day charge eg has adequate knowledge and understanding about providing education and care including understanding of child protection obligations
- can effectively supervise and manage the service

The Approved Provider will take all reasonable steps to ensure children's safety and wellbeing is protected and ensure the person is 'fit and proper' person to fill the role by:

- considering their age, qualifications and experience
- checking their working with children check is current
- getting a statement from person about their compliance history.
- getting declaration from person that they're not a 'prohibited person'.

See 'Appointment of Nominated Supervisor' template attached.

Note a Nominated Supervisor will also make an informed decision based on these factors if they appoint a person in day to day charge.

A person who accepts a Nominated Supervisor position must consent in writing using ACECQA notification form NS01 which must be scanned and uploaded when notifying the Regulatory Authority through the NQA ITS about a change of Nominated Supervisor.

A person who accepts being in day to day charge must also consent in writing (see attached template). The nominated supervisor will keep a record of all persons who may be placed in day to day charge.

The Approved Provider or Nominated Supervisor will keep a record of all information and documentation supporting a person's appointment as Nominated Supervisor or in day to day charge.

The Approved Provider and Nominated Supervisor will comply with all the notification requirements relating to staff changes and staff details as outlined in the Governance Policy.

Educator to Child Ratios

The Approved Provider and Nominated Supervisor will ensure our educator to child ratios always meet the minimum requirements below:

- For children aged from birth to 24, 1 educator to 4 children.
- For children aged over 24 months but less than 36 months, 1 educator to 5 children.
- For all preschool aged children over 36 months, 1 educator to 11 children.

In relation to ratios:

- The numbers of children do not include children being cared for in an emergency for no more than two consecutive days the service operates
- Students or volunteers will never be included in ratios unless they hold or are actively working towards at least an approved certificate III level qualification
- An early childhood teacher (ECT) (or suitable qualified person) can be included in the ratios if they are present at the service and working directly with children
- More than one educator will be present when children are in attendance where possible.

The Nominated Supervisor and staff will calculate ratios for mixed age children by first considering the total number of children and the educator to child ratio required for each age range. If the number of children actually being cared for in a particular age range is less than that allowed in the ratio, that educator has the capacity to work directly with another child in an older age bracket. For example if the service is only caring for 3 children under 24 months, but 6 children in the next age bracket, one of the 6 children can be allocated to the educator caring for the younger children. This leaves 5 children for the educator in the older age bracket to care for, and this meets the ratio requirements. Ratio requirements must always be met for younger children before allocating educators to older age brackets.

Educator to child ratios during short absences

Services will not be in breach of ratio requirements while an educator is on a short absence if the educator:

- is absent for 30 minutes or less in total per day and
- is immediately available to attend to children during each absence

Educational Leader

The Approved Provider will appoint in writing a qualified and experienced Educational Leader to lead the development and implementation of the educational program.

Educator Qualifications

At least 50% of educators who work directly with children and are included in our educator to child ratios must have or be actively working towards an approved Diploma level education and care qualification.

All other educators who work directly with children and are included in our educator to child ratios must have or be actively working towards an approved Certificate III level education and care qualification.

Exception

- The Certificate III qualification requirements don't apply to an educator who has been employed on probation for up to 3 months at one or more centres operated by the Approved Provider.

To be actively working towards a qualification, a person must be enrolled in the course and provide written evidence that they:

- have commenced the course
- are making satisfactory progress
- meet the requirements to maintain enrolment.

If they are working towards a diploma qualification, they must also hold an approved Certification III qualification or have completed approved Certificate III units or have completed 30% of the units in an approved ECT qualification.

If an ECT (or suitably qualified person) is required to be in attendance at the service and is working directly with children, the ECT (including an ECT covering the position because of illness or leave) (or suitably qualified person) is counted as meeting the Diploma qualification.

Approved Diploma Qualification

A person is taken to hold an approved Diploma level education and care qualification if:

- they hold an approved qualification or former qualification as published on the ACECQA website www.acecqa.gov.au or
- if immediately before 1 January 2012, they were recognised under the former education and care services law of any participating jurisdiction as a Diploma level educator and employed or engaged in a declared approved service.

Approved Certificate III Qualification

A person is taken to hold an approved Certificate III level education and care qualification if:

- they hold an approved qualification or former qualification as published on the ACECQA website www.acecqa.gov.au or
- immediately before 1 January 2012, they were recognised under the former education and care services law of any participating jurisdiction as certificate III level educator and employed or engaged in a declared approved service.

Early Childhood Teachers (ECT)

The Approved Provider and Nominated Supervisor will ensure we always meet the minimum ECT requirements below:

Preschools

- the first and second educators required to meet the educator to child ratio for preschool aged children in a government preschool (other than a prescribed preschool) must be ECTs
- the first and third educators required to meet the educator to child ratio for preschool aged children in a prescribed preschool must be ECTs
- any other educators required to meet ratios for government or prescribed preschools must have or be actively working towards at least an approved Certificate III qualification.

A prescribed preschool means:

- A preschool provided by a school on a school site.
- A rural preschool.
- A preschool with fewer than 16 children.

If an ECT is absent from a preschool because of illness or leave which does not exceed 12 weeks, the following people can act in the ECT role:

- A person who holds an approved diploma level education and care qualification or
- A person who holds a primary teaching qualification
- a suitably qualified person.

Note a 'suitably qualified person' is a person:

- actively working towards an approved ECT qualification who has completed at least 50% of it or
- actively working towards an approved ECT qualification who holds an approved Diploma qualification or
- registered as a primary or secondary school teacher in Australia and also holds an approved Diploma qualification or higher approved qualification.

Other centre-based services

Less than 25 approved places, or 25 or more approved places but fewer than 25 children in attendance:

- access to an ECT working for at least 20% of the time the service provides education and care (may be calculated on a quarterly basis). Access may be via information communication technology.

For **25 to 59 children** in attendance on any given day there are two options to meet ECT requirements:

1. The service must have one ECT in attendance for:
 - at least 6 hours on the day if operating 50 or more hours a week or
 - 60% of the operating hours on that day if operating for less than 50 hours per weekOR
2. The service has 25 – 59 approved places and employs a full-time or full-time equivalent ECT.

For **60 to 80 children** in attendance on any given day there are two options to meet ECT requirements.

1. The service must have one ECT in attendance for:
 - at least 6 hours on that day if operating 50 or more hours a week or
 - 60% of the operating hours on that day if operating for less than 50 hours per week

The service must also have a second ECT or a 'suitably qualified person' in attendance for:

- at least 3 hours on that day if operating for 50 or more hours a week or
- 30% of the operating hours on that day if operating for less than 50 hours a week

OR

2. The service has 60-80 approved places, and employs a full-time or full-time equivalent ECT, and employs a second ECT or 'suitably qualified person' for half of the full-time or full-time equivalent hours.

For more than 80 children in attendance on any given day there are two options to meet ECT requirements.

1. The service must have one ECT in attendance for:
 - at least 6 hours on that day if operating 50 or more hours a week or
 - 60% of the operating hours on that day if the service operates for less than 50 hours per week.

The service must also have a second ECT or 'suitably qualified person' in attendance for:

- at least 6 hours on that day if operating 50 or more hours a week or
 - 60% of the operating hours on that day if operating for less than 50 hours per week
- OR

2. The service has more than 80 approved places, and employs a full-time or full-time equivalent ECT, and employs a second full-time ECT or 'suitably qualified person'.

The numbers of children do not include children being cared for in an emergency for no more than two consecutive days the service operates.

If an ECT is absent because of short term illness or leave, or until 31/12/23 resignation, we may cover their absence with a person who holds an approved Diploma level qualification, or a qualification in primary teaching, or a 'suitably qualified person' for up to 60 days in any 12 month period. If a second ECT or suitably qualified person is absent because of short term illness or leave or until 31/12/23 resignation, we may cover their absence with a person who holds an approved Diploma level qualification or a qualification in primary

teaching for up to 60 days in any 12 month period. The 60 day period must be calculated on a pro-rata basis if the ECT or suitably qualified person is employed part-time.

Note a 'suitably qualified person is a person:

- actively working towards an approved ECT qualification who has completed at least 50% of it or
- actively working towards an approved ECT qualification who holds an approved Diploma qualification or
- registered as a primary or secondary school teacher in Australia and also holds an approved Diploma qualification or higher approved qualification.

The Nominated Supervisor will ensure a record is maintained of the hours each ECT and Suitably Qualified Person is in attendance (or service has access to ECT if less than 25 children).

Approved ECT qualifications:

The following are approved ECT qualifications:

- an approved ECT qualification as published on the ACECQA website www.acecqa.gov.au under regulation 137(1)(a)(i)
- an approved former ECT qualification as published on the ACECQA website www.acecqa.gov.au under Regulation 137(2)(a)(i)
- recognition as an ECT under the former law of any State/Territory (may not apply if the educator was working towards an ECT qualification), or for the purposes of a preschool funding program, if employed in a declared approved service as an ECT immediately before the new NQF began in 2012.

Any restrictions applying to former qualifications as an ECT still apply.

Note teachers may need to register with the Teaching Registration Body in the State or Territory where they're working if this differs to the jurisdiction in which they initially registered.

Until 31 December 2023, an educator who's actively working towards an approved ECT qualification and can prove they've completed at least 50% of the qualification or hold an approved diploma level education and care qualification, can be counted as an ECT.

From 1 January 2022 to 31 December 2023, a person who has ALL of the following is recognised as an ECT:

- a primary or secondary teaching qualification
- teacher registration/accreditation in Australia
- an ACECQA approved Certificate III (or higher) early childhood education and care qualification.

Teachers who obtain this combination of qualifications before the end of 2023 will continue to be recognised as ECTs after 2023 ends.

First Aid Qualifications

The Approved Provider or Nominated Supervisor will ensure that at least one educator, staff member or Nominated Supervisor present at the service:

- holds a current approved first aid qualification
- has undertaken current approved anaphylaxis management training and
- has undertaken current approved emergency asthma management training.

If the service is situated within a school's grounds, the service will meet the first aid requirements if there is at least one school staff member in attendance and immediately available who holds a current first aid qualification and has completed current approved anaphylaxis and asthma management training.

Preschool educators at St Thomas School and Preschool undertake the HLTAID012 (change of name as of July): Provide an Emergency First Aid Response in an Education and Care Setting (formerly HLTAID004) and undertake an annual CPR update

An educator is taken to hold an approved first aid qualification or training if the educator holds an approved qualification or training as published on the ACECQA website.

Child Protection

The Approved Provider will ensure each Nominated Supervisor and Person in Day to Day Charge has successfully completed the child protection training (if any) or protocols required by the SA government.

The Approved Provider and Nominated Supervisor will ensure all employees understand the current child protection law and their obligations under the law.

Fitness and Propriety

Working with Children Checks

The Approved Provider or Nominated Supervisor will ensure all employees, volunteers and students employed or engaged from 1 July 2019 have a not prohibited Working with Children Check (WWCC) obtained from the Department of Human Services (DHS) Screening Unit unless they are exempt. Anyone running or managing the service (eg the Approved Provider) must also have a WWCC.

The Approved Provider or Nominated Supervisor will also:

- verify an employee/volunteer's WWCC via the DHS Screening Unit online portal to ensure DHS can advise if the employee/volunteer becomes a prohibited person and as is no longer fit to work with children

- notify the DHS Screening Unit if they become aware of information that may adversely affect a person's WWCC (eg criminal charges)
- implement procedures to ensure employees/volunteers renew their WWCC before expiry (see WWCC Register Appendix F.) WWCCs are current for five years.

Screening under pre 1.7.19 arrangements

Child related employment screening clearances obtained prior to the new requirements remain valid for working with children as follows:

- current and valid DHS (formerly Department of Communities and Social Inclusion) screening clearances are valid until they expire, or for teachers, the earlier of screening expiry or the renewal of their professional registration. Employees/volunteers can apply for a new WWCC up to 6 months before the current screening expires.

Sources

Education and Care Services National Law and Regulations

National Quality Standard

Children's Safety (Prohibited Persons) Act 2016

Child Safety (Prohibited Persons) Regulations 2019

Family Assistance Law

Working with Children Check Information Kit Department of Human Services

Review

The policy will be reviewed annually by:

- Management
- Employees
- Families
- Interested Parties

Reviewed: July 2022

Date for next review: July 2023

Appointment of Person in Day to Day Charge

I appoint <INSERT FULL NAME>

to be a person in day to day charge at < INSERT NAME OF SERVICE >

and declare that that this person:

- has the required skills to be a person in day to day charge eg has adequate knowledge and understanding about providing education and care including understanding of child protection obligations
- can effectively supervise and manage the service
- is at least 18 years

- is a fit and proper person - they have
 - a current child protection clearance
 - declared they have never been subject to any compliance action or disciplinary proceedings under the National Law or Regulations or State/ Territory early childhood laws (Supervisor to complete ACECQA Compliance History Statement template)
 - declared they are not a 'Prohibited Person'

Signature

Print Full Name

Approved Provider /Nominated Supervisor (Delete title which does not apply)

Date

I accept being placed in day to day charge and will always uphold the National Law and Regulations, and the policies, procedures, philosophy and Code of Conduct of the service

Signature

Print Full Name

Date

Appointment of Nominated Supervisor

Note you also need to complete ACECQA form NS01

I appoint <INSERT FULL NAME>

to be a person in day to day charge at < INSERT NAME OF SERVICE >

and declare that that this person:

- has the required skills to be a person in day to day charge eg has adequate knowledge and understanding about providing education and care including understanding of child protection obligations
- can effectively supervise and manage the service
- is at least 18 years

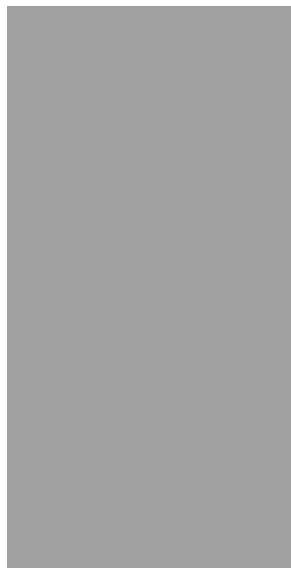
- is a fit and proper person - they have
 - a current child protection clearance
 - declared they have never been subject to any compliance action or disciplinary proceedings under the National Law or Regulations or State/ Territory early childhood laws (Supervisor to complete ACECQA Compliance History Statement template attached)
 - declared they are not a 'Prohibited Person'

Signature

Print Full Name

Approved Provider

Date



I accept being Nominated Supervisor and will always uphold the National Law and Regulations, my obligations as Nominated Supervisor under those laws and regulations, and the policies, procedures, philosophy and Code of Conduct of the service

Signature

Print Full Name

Date

Educators Working Directly with Children Register

National Regulations

Regs	Educator Full Name	Highest Qualification Completed or Studying <i>Cert III (C)</i> <i>Diploma (D)</i> <i>ECT (E)</i>			Current Qualification or Training <i>First Aid (FA)</i> <i>Asthma (AS)</i> <i>Anaphylaxis (AN)</i>			Shift Start Time	Record times when you enter a room				
		C	D	E	FA	AS	AN		IN	OUT	IN	OUT	IN
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		C	D	E	FA	AS	AN		IN	OUT	IN	OUT	IN
		C	D	E	FA	AS	AN		IN	OUT	IN	OUT	IN
		C	D	E	FA	AS	AN		IN	OUT	IN	OUT	IN
		C	D	E	FA	AS	AN		IN	OUT	IN	OUT	IN

A person is working directly with children at a given time if at that time the person—
 (a) is physically present with the children; and
 (b) is directly engaged in providing education and care to the children.

Instructions

- Our service will follow our Staffing Arrangements Policy regarding ratios, adequate supervision and qualification requirements at all times.
 The Register of Educators on Duty will record how we meet these requirements.

