Policy Group 8: Educators, Staff Members and Volunteers

8.1 Role and Expectations of Educators
8.2 Educational Leader
8.3 Recruitment and Employment of Educators
8.4 Educator Professional Development and Learning
8.5 Volunteers and Students
8.6 Staff and Volunteer Grievance
8.7 Workplace Harassment and Bullying
8.8 Employee Performance Monitoring, Review and Management
8.9 Staff, Management and Volunteer Code of Conduct
8.10 Staff Orientation and Induction
8.11 Staff Leave
8.12 Staff Qualifications – Monitoring Progress
8.13 Staff Health
8.14 Staff Online Social Networking
8.15 Children of Employees
8.16 Staff Immunisation
8.17 Fit for Work
8.18 Staff Pregnancy Policy
8.19 Staff Dress Code
8.20 Employee Dismissal Policy
8.21 Babysitting Policy
8.22 Educator Code of Ethics
8.23 Determining the Responsible Person
Policy Group 8: Educators, Staff Members and Volunteers

8.1 Role and Expectations of Educators Policy

The Service encourages the building of skilled, qualified, motivated educators who are provided with adequate resources, training and support enabling them to engage in their role effectively as the educators of children at the Service.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Commission for Children and Young People and Child Guardian Act 2000*
- *Duty of Care*
- *NQS Area: 1.1.5, 1.1.6; 1.2; 2; 3; 4.1; 4.2; 5; 6.2.1; 6.3.2; 6.3.4; 7.1; 7.2; 7.3.1, 7.3.5*
- *Policies: 2.1 – Respect for Children, 2.3 – Educator Ratios, 3.3 – Educators Practice, 8.3 – Recruitment and Employment of Educators, 8.8 – Staff Performance Monitoring, Review and Management, 8.10 – Staff Orientation and Induction.*

Procedures

The Service shall require that all persons employed (whether for financial remuneration or as volunteers) in the Service are fit and proper to undertake the work for which they are engaged in the Service. It shall be a condition of all employment (including for volunteers) that their employment ceases immediately if they cease to be fit and proper for any reason.

The Education and Care National Law 2010 states that an Approved Provider must not operate a service without a Nominated Supervisor for that service. Educators who hold a Supervisor Certificate are eligible, with their consent, to be the Nominated Supervisor of a service.

As the person responsible for the day-to-day management of an Approved Service, a Nominated Supervisor has a range of responsibilities including (but not limited to):

- Ensuring educational programs are delivered in accordance with approved frameworks, based on the developmental needs of children and designed to take into account the individual differences of each child;
- Ensuring children are adequately supervised, not subject to inappropriate discipline and protected from harm or hazards;
- Ensuring food and beverages provided by the service are healthy, nutritious and are chosen with regards to the dietary needs of children attending;
- Ensuring appropriate health and hygiene practices are developed, implemented and practiced by educators and children;
- Ensuring the prescribed levels of educator to child ratios are met and each educator at the service meets the qualification requirement relevant to their role.

A person is considered fit and proper if, in the reasonable opinion of the Nominated Supervisor (or other appropriate delegate of the Approved Provider of the Service) they:

- Are capable of providing an adequate standard of child care in the school age care setting;
- Are of good character and suitable to be entrusted with the care and protection of children; and
- Have obtained and given to the Approved Provider of the Service, as appropriate, a current positive suitability notice (or copy of paid application), under the Commission for Children and Young People Act, 2000.

The Approved Provider shall ensure that all educators have a current position description detailing their role and duties as per their position.

The Nominated Supervisor shall ensure that educators are fully informed of the Policies and Procedures of the Service, including all changes to them, by providing an Educator Handbook and appropriate forums to provide feedback and ideas to the Nominated Supervisor for the ongoing improvement of the Service.

The Nominated Supervisor shall ensure that there is an up-to-date copy of the *Education and Care Services National Law 2010 and Regulations 2011* at the Service (refer to [www.acecqa.gov.au](http://www.acecqa.gov.au) to obtain a copy) for reference by educators and so that educators are made and kept aware of its relevance and application to them.

The Nominated Supervisor shall convene regular meetings with educators to keep them informed of all matters of concern relating to the Service which it is relevant or necessary for them to know in order to do their job confidently. Minutes of these meetings will be recorded.
Educators will not be permitted to consume alcohol, drugs or cigarettes, or be affected by them during the hours children are in their care.

Educators who require regular medication will hold a medical certificate that confirms their ability to care for children.

Educators have a responsibility to:
- Adhere to the Policies and Procedures of the service as well as any direction given by the Nominated Supervisor in relation to their job role;
- Actively supervise children in all areas of the service by being within sight and/or hearing distance;
- Respect the diversity of all children’s backgrounds and abilities and accommodate the individual needs of each child;
- Foster all children’s self-esteem and confidence, empowering them to make choices and guide their own play;
- Promote children’s sense of belonging, connectedness and wellbeing by interacting in a consistently positive and genuinely warm and nurturing manner;
- Treat all children equitably and respond positively to all children who require their attention;
- Communicate with children respectfully, taking the time to listen and value what they say;
- Work collaboratively to challenge, support, reflect and learn from other educators in order to further develop own skills and practices;
- Consistently implement and reflect on individual practices as documented in the ‘My Time, Our Place’ Framework for School Age Care:
  - Holistic Approaches;
  - Collaboration with Children;
  - Learning Through Play;
  - Intentionality;
  - Environments;
  - Cultural Competence;
  - Continuity and Transitions;
  - Evaluation for Well-being and Learning.

Educators have a right to:
- Be respected;
- Be treated courteously by children, parents and other educators;
- Work in a safe, clean and supportive environment;
- Be valued and supported as a professional;
- Be offered professional development opportunities;
- Have ideas and opinions valued.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td>1.8.13</td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.2 Educational Leader Policy

The service acknowledges the need to have a suitably qualified and experienced Educator to lead the development of the program and to ensure the establishment of clear goals and expectations for teaching and learning. The Nominated Supervisor (if not the Educational Leader) will oversee the development and implementation of the educational program for the service.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Commission for Children and Young People and Child Guardian Act 2000
- Duty of Care
- NQS Area: 1; 2.2.2; 3.1.3; 3.2; 3.3; 4.2; 5.2.1, 5.2.3; 6.1.2, 6.1.3; 6.2.1; 6.3; 7.1; 7.2; 7.3.1, 7.3.2, 7.3.3, 7.3.5.
- Policies: 2.1 – Respect for Children, 2.3 – Educator Ratios, 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.8 – Staff Performance Monitoring, Review and Management, 8.10 – Staff Orientation and Induction, 10.1 – Quality Compliance, 10.5 – Approval Requirements under Legislation.

Procedures

The Nominated Supervisor/Approved Provider must nominate a suitably qualified Educator/s as the Educational Leader/s for the service.

The Educational Leader will be responsible to:

- Lead the development of the service program, using the approved learning framework to inform and guide children’s learning and development, and ensuring that clear goals and expectations have been established;
- Ensure that curriculum decision making is informed by the context, setting and cultural diversity of the families and the community;
- Ensure that the foundation for the program is based on the children’s current knowledge, ideas, culture and interests;
- Ensure that each child’s learning and development is assessed as part of an ongoing cycle of planning, documenting and evaluating;
- Ensure that critical reflection and evaluation of children’s learning and development is used for planning and to improve the effectiveness of the program;
- Mentor educators in the implementation of the program, provide professional support to assist with further skills and knowledge and provide opportunities for ongoing reflection and feedback on current practices.
- Ensure that families have opportunities and support to be involved in the program and service activities as well as contributing to the review of service policies and decisions.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td>1.8.13</td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.3 Recruitment and Employment of Educators Policy

The service strives to follow its transparent processes to employ educators who are qualified and appropriate for the position. The service also strives to be an equal opportunity employer. To ensure the best possible outcomes through the recruitment and selection process, it is essential to implement practices and procedures to ensure suitable candidates for positions are employed.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Commission for Children and Young People and Child Guardian Act 2000
- Child Care Industry Award – State 2003 (for services operated by P&C Associations)
- Children’s Services Award 2010 (for services not operated by P&C Associations)
- Fair Work Act 2009 and National Employment Standards (for services not operated by P&C Associations)
- Duty of Care
- NQS Area: 4.1; 4.2.1; 7.1; 7.2.1; 7.3.1, 7.3.2, 7.3.5.
- Policies: 2.3 – Educator Ratios, 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.2 – Educational Leader, 8.10 – Staff Orientation and Induction, 10.1 – Quality Compliance, 10.5 – Approval Requirements under Legislation.

Procedures

Vacant permanent part-time positions may be offered internally if the P & C Association (Approved Provider), in conjunction with the Nominated Supervisor feel there is a suitable candidate.

If there are no suitable candidates for internal appointment, the position will be advertised through appropriate agencies or sources including:

- Local and District Newspapers;
- Appropriate Websites including student employment via Tertiary institutions;
- School Newsletters.

Suitable advertisements should include a description of the position, hours/days required, personal attributes and appropriate qualifications, closing date for applications and address. Written applications should include a cover letter, resume and selection criteria where appropriate. (Particularly in relation to the recruitment of permanent positions such as the Nominated Supervisor, Assistant Coordinator and other positions as applicable.)

Applications received by the due date shall be reviewed by the Nominated Supervisor and Management. Suitable candidates should then be called to arrange an interview. An email confirming receipt of the application shall be sent to unsuitable applications to inform them that their application has not met with the selection criteria.

The interview process may include a panel of up to three key personnel made up of either:

- Management representatives;
- Service Representatives;
- Appropriate School employees.

Selection criteria and interview questions based on requirements for the position will be reviewed prior to the interview date by the selection panel.

The selection panel shall conduct the interview in a professional manner, using questioning techniques to ascertain the candidates’ suitability for the position. Should the panel be unable to agree on a suitable candidate, then further interviews may be required.

Educators will only be employed (including as volunteers) if, after reasonable enquiries, including reference checks by the Nominated Supervisor (or the Management Committee in the case of employment of the Nominated Supervisor) they are appropriate for the job, as contemplated by the Role and Expectations of Educators Policy (see Policy 8.1).

Suitable candidates shall be contacted by a member of the selection panel to make offer of the available position and to negotiate starting dates and inform of the orientation and induction process.

A written letter of offer will be sent to the successful applicant informing them of the decision.

Unsuccessful interviewees will be notified as soon as possible by a nominated person on the interview panel and will be followed up with written correspondence if applicable.
Nominated copies of staff qualifications, suitability notices, first aid qualifications will be requested and kept confidentially by the service in individual staff files.

Casual educators may be employed and/or dismissed at the Nominated Supervisor's discretion. The 'reasonable enquiries' required for employing casual educators will include (but not be limited to):

- Requesting an appropriate resume from the candidate, including three character referees;
- The Nominated Supervisor interviewing the candidate;
- Contacting at least two referees to check the person’s character;
- Completion of validation of blue card form;
- Obtaining a copy of the appropriate qualifications of the person for the relevant job.

Prior to being selected for a job, whether as a paid staff or a volunteer, the person will be given a written job description and terms of employment (for paid employees) prepared or approved by the Nominated Supervisor, Educator handbook and access to a full copy of these Policies and Procedures.

The successful candidate will be required to sign an employment agreement stating that:

- They have received and agree to accept the job on the basis of the materials given to them; and
- Agree to observe strictly the Policies and Procedures of the Service, as modified from time to time.

All new educators will be given an induction session, of at least 2 hours duration, by the Nominated Supervisor or other suitable educator nominated by the Nominated Supervisor, to ensure they are aware of (and where relevant) obtains copies of:

- Their terms of employment or engagement (including role description);
- Relevant pay award;
- All Policies and Procedures (including grievance procedures);
- Information about the philosophy and goals of the Service;
- The Educator Handbook;
- National Quality Standards for Education and Care Services;
- ‘My Time, Our Place’ Framework for School Age Care
- The physical facilities of the Service;
- The other educators in the Service and their roles;
- The Duty of Care owed by educators of a School Age Care Service to children and others; and
- Any other matters which are necessary to enable the educator to properly do their job within the Service, or which they reasonably wish to know.

The Nominated Supervisor shall, in conjunction with Management and educators, review the relevant job descriptions and any other requirements relating to the job (e.g. job performance indicators which have been previously agreed), at least once each year and shall ensure that any resulting changes to the job description, performance indicators or terms of employment are recorded, and accepted by both parties.

The Management Committee shall review the job description of the Nominated Supervisor and any other requirements relating to the job (e.g. job performance indicators which have been agreed), at least once each year and shall ensure that any resulting changes to the job description, performance indicators or terms of employment are recorded, and accepted by both parties.

The Nominated Supervisor and/or the Management Committee shall ensure that appropriate expert industrial relations advice is sought and obtained as necessary to deal with staffing issues within appropriate legal and industrial standards.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td>1.8.13</td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.4 Educator Professional Development and Learning Policy

The Service endeavors to provide adequate and relevant ongoing training and development for educators to enable them to do their job confidently and to properly comply with these Policies and Procedures and other requirements of the Service.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- ‘My Time, Our Place’ Framework for School Age Care
- Duty of Care
- NQS Area: 2.3.4; 4.1; 4.2.1, 4.2.2; 7.1.2, 7.1.3, 7.1.4, 7.2; 7.3.1, 7.3.2, 7.3.5.
- Policies: 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.2 – Educational Leader, 8.8 – Performance Monitoring, Review and Management, 8.10 – Staff Orientation and Induction, 8.12 – Staff Qualifications – Monitoring Progress, 10.1 – Quality Compliance.

 Procedures

The Nominated Supervisor will facilitate opportunities for educators to access information for professional development and learning on a regular basis about issues relevant to:

- The operation of the Service and its Policies and Procedures;
- Legal or other regulatory requirements; and
- Other issues of interest or benefit to educators to help them better do their job in the overall interests of the Service and the children.

Professional development includes opportunities to learn or further enhance skills whereas professional learning includes access to information that is required. This information may be accessible through:

- Meetings;
- Training/information sessions;
- Workshops.

The Nominated Supervisor will, wherever possible within the resources of the Service, bring in specialist or expert presenters to provide training to educators on issues requiring expert knowledge.

The Nominated Supervisor will ask educators on a regular basis to contribute suggestions for training topics.

The Nominated Supervisor will be responsible to ensure that a written record of all professional development of educators is kept and is produced to the Management Committee for information at least once each year.

Educators will be paid for attendance at compulsory training sessions and service team meetings, in accordance with relevant awards. This does not include First Aid & CPR certification.

The service shall allocate funds within the budget for training and professional development for educators.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td>22.2.12</td>
<td>1.2.14</td>
<td></td>
</tr>
</tbody>
</table>
8.5 Volunteers & Students Policy

Volunteers and students are a valued and integral part of the Service and are managed in a consistent and professional manner, in accordance with the other policies of the Service which apply to employees, modified only as necessary to reflect the voluntary nature of the role.

For the purpose of this policy, volunteers also refer to students who are unpaid and volunteering for skill/knowledge acquisition.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Duty of Care
- NQS Area: 4.1; 4.2.1; 7.1.1, 7.1.2, 7.1.3, 7.1.5; 7.3.1, 7.3.2, 7.3.5.
- Policies: 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.10 – Educator Orientation and Induction, 10.1 – Quality Compliance, 10.9 – Risk Management and Compliance.

Procedures

All procedures of the Service which are applicable to employees, apply to volunteers except where expressly provided otherwise, or with such necessary modifications to reflect the voluntary nature of the role.

Volunteers over 18 must hold a blue card before they begin volunteering. Nominated copies of their Suitability Card and/or Positive Notice will be kept on file for all volunteers who volunteer at the service. A Verification to Authorise Blue Card form will be completed by the volunteer.

Volunteer workers may be counted towards the educator to child ratios for the service provided they meet the qualification requirements. Volunteers under the age of 18 must be fully supervised. Risk assessments will be conducted, as necessary, when utilising volunteers.

An induction process, including volunteer handbook, will be given to provide an opportunity to help volunteers understand:

- The Service’s commitment to an environment which is safe and friendly to children;
- The Service’s policies, procedures and code of conduct;
- Procedures to follow when harm is disclosed;
- Their rights and responsibilities;
- What is expected of them;
- The boundaries of their roles;
- The roles of key people in the Service;
- What to expect if there is an allegation of harm made against them or to them;
- A confidentiality agreement;
- Reporting procedures; and
- Grievance procedures.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td>2.7.12</td>
<td>31.7.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.6 Staff and Volunteer Grievance Policy

The service aims to maintain a harmonious work environment through resolving staff and volunteer grievances effectively and to the satisfaction of all concerned. The service is committed to addressing grievances in a prompt and effective manner, ensuring the rights of employees and volunteers are respected. Both employer and staff/volunteers will abide by their obligations under any relevant industrial award or agreement. The aim of this policy is to ensure that grievances are resolved through discussion between both parties however, the employer acknowledges that, from time to time, individual employees/volunteers may have grievances which need to be resolved externally in the interest of good relationships/transparency.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Duty of Care
- NQS Area: 4.2; 7.1.1, 7.1.2, 7.1.3, 7.1.5; 7.2.2; 7.3;
- Policies: 8.3 – Recruitment and Employment of Educators, 8.5 – Volunteers & Students Policy, 8.7 – Workplace Harassment and Bullying, 8.9 – Educator Code of Conduct, 8.10 – Staff Orientation and Induction.

Procedures

The Nominated Supervisor shall be the first contact for all complaints however, the employee/volunteer will have direct access to the P & C Association, and the Nominated Supervisor will permit and, if appropriate, encourage the employee to do so, if:

- the complaint is about the conduct of the Nominated Supervisor;
- the employee/volunteer is not comfortable to take the complaint to the Nominated Supervisor;
- the employee/volunteer is not satisfied with the Nominated Supervisor’s handling of the complaint;
- the complaint is about a matter of Management and Administration Policy.

For this purpose, employees/volunteers will be kept informed of the current contact details of the P&C President through the Educator/Volunteer Handbook, or other appropriate form of communication, and otherwise will be available on request.

The Nominated Supervisor will seek to resolve all genuine and reasonable verbal grievances in the most appropriate way possible in consultation with the complainant. Discussions with the complainant are not to be conducted in the presence of children, other employees or parents, and heated discussions are to be avoided as far as possible. The Nominated Supervisor may make and keep a confidential written record of such discussions.

If the verbal grievance remains unresolved, at the complainant’s discretion, a written grievance may be submitted to the P & C President for further action. This will instigate the following formal procedure:

- Complainant to meet with management to discuss complaint;
- Management to give opportunity, in writing, for other named parties to meet with Management to discuss details of grievances tabled;
- Management may seek the services of a professional association for advice, support and/or assistance.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td>22.2.12</td>
<td>1.2.14</td>
<td></td>
</tr>
</tbody>
</table>
8.7 Workplace Harassment and Bullying Policy

All employees have the basic right to work in a place where they are valued, respected and appreciated by their colleagues, supervisors and employers. Workplace harassment and bullying can be detrimental to the ongoing health, well being and sense of safety for employees/volunteers. The following guidelines shall be implemented by the service to ensure workplace bullying and harassment is not tolerated and that appropriate procedures for managing reports of bullying and harassment are in place.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Duty of Care
- Commission for Children and Young People and Child Guardian Act 2000
- Work Health and Safety Act 2011
- Prevention of Workplace Harassment Advisory Standard 2004
- Queensland Anti Discrimination Act
- NQS Area: 4.2; 7.1.1, 7.1.2, 7.1.3; 7.3.1, 7.3.2, 7.3.4, 7.3.5.
- Policies: 8.1 – Role and Expectations of Educators, 8.5 – Volunteers & Students Policy, 8.9 – Staff Code of Conduct, 8.10 – Staff Orientation and Induction.

Procedures

Workplace bullying and harassment shall not be tolerated or accepted by any employee, volunteer or management of the service.

It shall be acknowledged that the impacts of bullying and harassment can be traumatic and may result in employees suffering stress, feelings of isolation at work, anxiety, loss of self esteem, loss of financial security, loss or deterioration of personal relationships, physical symptoms of stress such as headaches, backaches, stomach cramps, and depression.

Physical assault must be reported to the Queensland Police Service immediately.

Grievance procedures shall be made available to employees and clearly articulated in the Educator handbook, Family handbook and Volunteers, Coaches and Student handbook during orientation.

Employees shall be encouraged to join a Union. The Childcare employees union is United Voice PH: 1800 805 027 www.unitedvoice.org.au

All reports of bullying shall be managed in accordance with the grievance procedures which will include:

- Reporting the grievance to management through appropriate channels;
- Documenting all conversations regarding the grievance and all alleged instances of harassment or bullying, when they occurred, who was involved, what actually happened and any witnesses or other relevant information;
- Management shall seek expert advice from their employer association in managing any alleged instances of harassment or bullying in the workplace;
- Management shall arrange for a meeting with the offender to discuss the nature of the alleged complaint and or grievance;
- Appropriate dispute resolutions services shall be accessed as required and upon professional advice.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td>2.7.12</td>
<td>31.7.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.8 Staff Performance Monitoring, Review and Management Policy

The service acknowledges that to ensure the provision of high quality child care, an active approach is needed in relation to monitoring and managing the ongoing performance of employees to ensure that appropriate knowledge, skill and capacity to perform the position effectively are maintained.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *NQS Area: 4.2; 7.1; 7.2.2, 7.2.3; 7.3.1, 7.3.2, 7.3.4, 7.3.5.*
- *Policies: 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.4 – Educator Professional Development and Learning, 8.5 – Volunteers & Students, 8.9 – Staff Code of Conduct, 8.10 – Staff Orientation and Induction, 10.1 – Quality Compliance.*

Procedures

Staff performance shall be managed by the Nominated Supervisor, or in the case of the Nominated Supervisor and Assistant Coordinator - the executive office bearers of the management committee.

Staff performance shall be managed in accordance with indicators which have been developed in relation to their position description.

Staff performance shall be monitored through implementing an annual review process. Such a process shall involve:

- Staff completing a performance review self-assessment prior to interview with Nominated Supervisor and/or management;
- A performance review assessment conducted by the Nominated Supervisor;
- A formal interview where aspects of each assessment are discussed and performance reviewed.

Part of the performance review shall include a commitment to ongoing professional development where opportunities for enhancing knowledge and skill based on the needs and goals of the service and its stakeholders are discussed.

Professional development shall be monitored throughout the forthcoming year following the implementation of the plan.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td>1.8.13</td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.9 Staff, Management and Volunteer Code of Conduct Policy

The service expects that all employees conduct themselves in such a way that is professional and in accordance with the philosophy and goals of the service. Employees are expected to actively demonstrate a positive attitude towards their work, the service and the service’s clients. The service requires that all employees abide by the code of conduct at all times during their interactions with children, families, community members, management and other employees.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Commission for Children and Young People and Child Guardian Act 2000
- NQS Area: 4.2; 7.1.2, 7.1.3, 7.1.4, 7.1.5; 7.2.1, 7.2.2; 7.3.2, 7.3.3, 7.3.4, 7.3.5.
- Policies: 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.5 – Volunteers & Students, 8.10 – Staff Orientation and Induction.

Procedures

Employees shall be provided with a copy of the service’s code of conduct/code of practice or code of ethics prior to commencing employment.

Employees shall be expected to read the document and indicate that they have understood all of the conduct requirements by signing the agreement.

Educators shall be expected to consistently uphold the agreement during their employment with the service.

Breaches to the agreement shall be taken seriously which may result in appropriate action taken on behalf of the employer/service.

Staff, Management and Volunteer Code of Conduct

The Service’s Code of Conduct complements the ‘Early Childhood Care Code of Ethics’. The code of ethics provides a basis for critical reflection, a guide for professional behaviour and general assistance with the resolution of ethical dilemmas.

All educators, volunteers and ancillary staff members agree to:

- Abide by any relevant legislative and National Quality Standard requirements as well as understand and actively implement the policies, procedures and rules of the service;
- Value the different perspectives of educators, supporting and working collaboratively to maintain the philosophy and goals of the service;
- Contribute to creating a positive atmosphere of trust and openness through modelling respectful and courteous language and behaviour;
- Maintaining a safe environment for all including active supervision of children, compliance with Workplace Health and Safety requirements and ensuring all necessary documentation is completed;
- Treat children, families, educators, other employees, members of the Management Committee or visitors to the service with courtesy, respect and consideration at all times. This includes communicating with families in a professional manner including use of calm voice;
- Only discuss confidential information or issues of the service with appropriate people within the service and not with any person outside the organisation, unless required by law;
- Resolve any conflicts with other employees or members of the Management Committee using the policy and procedures developed within the service;
- Represent the Service in a positive way;
- Act positively on complaints and provide services to the best of their ability;
- Strive to build a harmonious, equitable and non-discriminatory workplace;
- Wear clean, neat clothes, professionally appropriate to the type of work to be undertaken and not offensive to the children, families, other employees, Committee members or visitors of the service.
- It is unacceptable for any employee to use any form of harassment, physical, verbal or emotional punishment when carrying out their duties with children, families, other employees or other visitors to the Service.
<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td></td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.10 Staff Orientation and Induction Policy

The Service assumes the responsibility to ensure that all staff receive appropriate orientation and induction which prepares, supports and facilitates their working performance and ongoing capacity for employment within the service.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Work Health and Safety Act 2011
- NQS Area: 1; 2; 3; 4; 5; 6.1.2; 6.2.1; 6.3.2; 7.1; 7.2.2, 7.2.3; 7.3.1, 7.3.2, 7.3.5.
- Policies: 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.6 – Staff and Volunteer Grievance, 8.9 – Staff Code of Conduct.

Procedures

The Nominated Supervisor (or other Senior Educator) shall take responsibility for the appropriate and ongoing induction and orientation for new employees.

The orientation and induction process shall include (but not be limited to):

- A meeting with the new employee prior to engagement to complete all paperwork relating to their suitability for employment. (This will involve completing appropriate documentation to validate the new employee’s blue card where one is already held by the candidate.);
- An information package given to the new employee, which highlights key aspects of the role which must be known and understood prior to commencing work at the service;
- A minimum 2 hour induction/orientation session where the Nominated Supervisor will work through the Induction and Orientation checklist (see Appendix C) with the new employee;
- During the first couple of sessions of employment, the new employee will be partnered with an experienced educator.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td>1.8.13</td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
Staff Leave Policy

The service management seeks to ensure that all employee leave and entitlements are managed in accordance with clearly articulated guidelines so as not to negatively impact on the operations of the service. This policy shall include all applicable forms of leave and relevant entitlements.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Child Care Industry Award (State) 2003 (P&C managed services only), Children’s Services Award 2010, National Employment Standards.
- Fair Work Act 2009
- NQS Area: 4.1; 7.1.1, 7.1.2, 7.1.3; 7.3.1, 7.3.2, 7.3.4, 7.3.5.
- Policies: 2.3 – Educator Ratios, 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 10.1 – Quality Compliance Policy.

Procedures

All employees seeking to take extended leave such as Annual Leave or Leave without pay shall submit their request in writing to the Management Committee at least two weeks prior to such leave being requested.

Employees requesting Long Service Leave must submit their request, in writing to the Management Committee, at least 3 months prior to the leave being taken.

Management shall approve such leave unless the impact of leave is detrimental towards the successful operations of the service. Should leave not be approved, the employee shall be entitled to have notification and rationale within 3 working days of the original request for leave.

All sick leave shall be reported to the immediate supervisor of that employee to ensure a suitable replacement can be obtained. The service shall have pre-planned arrangements for filling shifts when educators call in sick.

In the event that this is the Nominated Supervisor/Nominated Supervisor, then such report shall be made to the person expected to assume responsibility for the service on that day or throughout the duration of leave. This person would also need to hold a Supervisor Certificate.

Management shall ensure that employees do not accrue any more than 6 weeks annual leave per annum. This shall be monitored through providing a balance sheet with annual audited reports documenting leave accruals.

Employees shall receive notification of their leave accruals on their weekly or fortnightly pay slip.

All types of leave shall be appropriately recorded on rosters and timesheets.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td></td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.12 Staff Qualifications – Monitoring Progress Policy

The Service seeks to ensure that all employees enrolled and studying relevant qualifications are monitored and supported as they progress through their studies. This ensures that the service strives towards providing a suitably qualified level of educators.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Child Care Industry Award (State) 2003 (P&C managed services only), Children’s Services Award 2010, National Employment Standards.
- NQS Area: 4.1; 7.1.1, 7.1.2, 7.1.3, 7.1.4; 7.3.1, 7.3.2, 7.3.5.
- Policies: 2.3 – Educator Ratios, 8.3 – Recruitment and Employment of Educators, 8.4 – Educator Professional Development and Learning, 8.8 – Employee Performance Monitoring, Review and Management, 10.1 – Quality Compliance.

 Procedures

All employees shall provide a nominated copy of their certificate of enrolment in the approved course or other relevant documentation providing such evidence during their initial probation period or as otherwise required by legislation.

This record shall be attached to a study monitoring form and maintained in the employee’s confidential file held at the service.

The Nominated Supervisor shall monitor and track the employee’s progress through the course, particularly observing that the course will be completed within the required time frame being twice the scheduled course duration.

The employee shall be required to submit a Statement of Progress/Result or other evidence such as a transcript to demonstrate appropriate completion of course components on a regular basis. (This information will be gathered every 6 months or as details are released from the Training Provider or Higher Education Institution).

In the event that necessary progress through the course is observed by the Nominated Supervisor to be delayed and or jeopardized for any reason, then a meeting shall be scheduled between the employee and the Nominated Supervisor to discuss an appropriate course of action. Management will be informed of the outcomes of this discussion and shall have authority to approve the required course of action.

The Employee may jeopardize their ongoing employment at the service if they fail to meet the progress in study requirements or complete the course within the prescribed finishing period.

Employee pay rates are based on the Children’s Services Award 2006 and shall be determined by the Management Committee in consultation with CMS based on age, qualifications and experience.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td></td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.13 Staff Health Policy

The service expects that employees shall take a conscientious approach to managing their own health and in protecting the health and well being of children, colleagues and others engaged in the service’s program and activities.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Duty of Care*
- *NQS Area: 4.1; 7.1.2, 7.1.3, 7.1.4, 7.1.5; 7.3.1, 7.3.2, 7.3.4, 7.3.5.*
- *Policies: 2.3 – Educator Ratios, 4.1 – General Health and Safety, 4.2 – Infectious Diseases, 4.4 – Preventative Health and Wellbeing, 8.10 – Staff Orientation and Induction, 8.16 – Staff Immunisation, 8.17 – Fit For Work Policy*

Procedures

Employees shall not attend to work under the influence of any drug, alcohol or any substance which may impact on their individual capacity to perform duties as expected of them in their position.

Employees who are unwell should not attend to work and should notify their supervisor at their earliest convenience that they are unfit for work. (Medical certificates may be required.)

Employees may be requested to undertake a health check or medical to verify that they are fit for work as expected of them in their role. This process will be non-discriminatory and implemented without bias or prejudice.

Employees who become unwell whilst on the job shall report immediately to their supervisor and may be relieved from duties.

Employees who have been diagnosed with or suspect that their illness is due to infectious disease shall follow the guidelines as specified by the service in regards to exclusion periods.

Employees should maintain current immunisation status and may be required to provide the employer with a medical report detailing such status.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td></td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
Staff Online Social Networking Policy

The service acknowledges that employees may access online social networking sites such as Facebook, Twitter, MSN and various chat rooms to interact with friends, family and colleagues. This policy aims to establish guidelines on the access and outside work usage of online social networking, with the aim of preventing misrepresentations of the Service and/or its stakeholders.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Work Health and Safety Act 2011*
- *Duty of Care*
- *NQS Area: 4.3.1; 7.2.3, 7.3.2.*
- *Policies: 2.8 – Anti-bullying, 8.1 – Role and Expectations of Educators, 8.7 – Workplace Harassment and Bullying, 8.9 – Staff Code of Conduct.*

Procedures

Definition

‘Social Networking Media’: refers to any online tools or functions that allow people to communicate via the internet. This includes, but is not limited to, applications such as:

- Social networking sites: Facebook and LinkedIn;
- Video and photo sharing websites: YouTube, Flickr;
- Blogging and micro blogging sites: Twitter and Bebo;
- All forums and discussion boards;
- Wiki’s: Wikipedia;

Responsibilities

Good judgment and common sense must be used to ensure the reputation of the service, its employees and stakeholders are not harmed during the use of social networking media. Once something is placed online, it spreads quickly and cannot be retracted.

While the Service does not wish to control personal private information released outside of work hours, any image, comment or status distributed by an Employee that damages the reputation of the Service, its employees and other stakeholders, will be treated as a serious breach of this policy and may result in disciplinary action.

When using social networking media, the following guidelines must be adhered to at all times:

- Children and families of the service should not be added or accepted as ‘friends’ on social networking sites;
- Offensive comments are not to be made about fellow employees, the employer, families and/or stakeholders (e.g. the school, P & C Association and OSHC) online. This will be viewed as cyber bullying. Even if comments are not made directly, they may still be viewed indirectly by multiple people;
- The service name shall not be mentioned in online posts and statuses. This is the best way to ensure that the service’s reputation is safeguarded. If it is necessary for an employee to speak about their place of employment online, they are to refer to ‘work’ and not to the service name;
- Work-related problems, tasks and ventures should not be discussed online. Confidentiality must be maintained at all times;
- Be clear that your personal views are yours, and not necessarily the views of the service management and/or stakeholders;
- Photos of employees in work uniform are not to be placed online;
- If anything is posted online by others which may harm the reputation of the service, its employees or stakeholders, and you have the capacity to delete such information, the Approved Provider asks that you do so immediately.
- When possible the Social Networking Page should be made ‘Private’ to avoid being viewed by children and families, and other various stakeholders.

If something potentially dangerous to the image or people of the service is found online, bring this to the attention of the Nominated Supervisor. This should be done immediately and the information should not be shared with others.
<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td></td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.15 Children of Employees Policy

The Service strives to provide a supportive environment for all families and children using the service. This is extended to children of employees who attend the service however, the service also acknowledges the complexities that may arise when children of employees are participating in the service’s program and activities. This policy strives to articulate a model for best practice when employees are providing direct care to their own children in the course of their employment within the service.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Duty of Care
- NQS Area: 1.1.5; 4.2.1; 5; 7.1.2; 7.3.1, 7.3.2, 7.3.4, 7.3.5.
- Policies: 2.6 - Guiding Children’s Behaviour, 2.7 - Exclusion for Behavioural Reasons, 8.1 - Role and Expectations of Educators,, 8.3 - Recruitment and Employment of Educators, 8.10 – Staff Orientation and Induction.

Procedures

Employing staff who have children attending Patricks Road State School, or family members of employees of Patricks Road State School, is at the discretion of the Nominated Supervisor. It is not encouraged due to a conflict of interest however each circumstance will be treated individually based on the current staff needs of the centre and the qualifications and availability of the candidate.

Children of employees shall be permitted to be enrolled in and attend the service using the priority of access guidelines as defined in this policy and procedure document.

Children of employees are entitled to attend OSHC at half the regular fee whilst the employee is working at the service.

Children of employees must be eligible to attend a school age care program as described by relevant legislative instruments, namely the Education and Care Services National Law 2010 and Regulations 2011.

Children of employees are entitled to become volunteers at the service providing they follow all volunteer protocols.

Should personal problems between the staff member and their child affect the staff member’s duty of care and/or concentration whilst working then their child will no longer be permitted to attend the service. This is at the discretion of the Approved Provider.

Employees shall be expected to professionally carry out all duties as expect of them while they are employed in the service regardless of the attendance of their own children.

Children of employees shall be provided with consistent care, consideration and involvement in the service as any other child participating in the program.  The behaviour of children of employees shall be managed as it would any other child participating in the program.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td>5.8.13</td>
<td>22.2.12</td>
<td>1.12.12</td>
</tr>
</tbody>
</table>
8.16 Staff Immunisation Policy

The Service acknowledges their obligation as an employer under the Work Health and Safety Act 2011, in ensuring the workplace health and safety of employees and others. This extends to limiting exposure to health and safety risks that may arise from the incidence of vaccine-preventable diseases in the workplace. Vaccination of employees and volunteers is not a mandatory requirement under relevant legislation, however is considered by this service as a best practice approach to prevention of vaccine-preventable diseases outbreak.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Education and Care Services National Law Act, 2010 and Regulations 2011*
- *Work Health and Safety Act 2011*
- *Duty of Care*
- *NQS Area: 2.1.1, 2.1.4; 7.1.2; 7.3.1, 7.3.2, 7.3.4, 7.3.5.*

Procedures

All employees and volunteers working with children in the service should be up to date with all the vaccinations that are recommended for adults. The costs incurred for immunising permanent employees shall be paid for by the service when accounted for within the budget.

All employees and volunteers working with children in the service should consider additional vaccinations, recommended due to an increased risk of exposure in the workplace.

Information sheets from Queensland Health and Workplace Health and Safety Qld provide further guidance regarding recommended immunisations for adults, including but not limited to:

- Hepatitis A;
- Measles, Mumps and Rubella (MMR);
- Varicella (Chickenpox);
- Pertussis (Whooping Cough);
- Hepatitis B - (May be recommended in specific circumstances, such as when providing child care to populations who have a higher prevalence of Hepatitis B).

Employees/volunteers will be required to complete an Employee immunisation record (see Appendix C) as part of the service employment process.

Each record shall be maintained confidentially in the employee/volunteer’s file.

Any expenses associated with completing the immunisation record such as blood tests and medical fees shall be incurred solely by the employee.

Any employee or volunteer conscientiously objecting to Vaccination shall articulate their position in writing, accepting responsibility for their own individual choice to do so. This document will be maintained confidentially in the employee/volunteer’s file.

Conscientious objectors may be required to seek further advice from a medical authority to support them to clearly understand such position. In such cases additional procedures will be relevant to those employees/volunteers should an outbreak of any vaccine-preventable disease occur in the workplace, this will include, but not be limited to:

- Exclusion from the workplace; and/or;
- Restrictions as advised by the relevant health authority.

Such exclusion would be without pay if that person is a paid employee of the service.

Please note:

The service is encouraged to access the information sheets available for child care from:


These may be provided to educators for further information and should be sourced and dated in the policy when accessed.
The Australian Immunisation Handbook is available from:


<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td>5.8.13</td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.17 Fit for Work Policy

The Service believes that the safety of employees at work and any persons involved within the service (including children) is of paramount importance. In order to ensure the health and safety of all individuals associated with its operations, the service will take all reasonable steps to ensure that employees are in a fit and competent state to work safely.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Work Health and Safety Act 2011
- Duty of Care
- NQS Area: 4.3.1; 7.2.3, 7.3.1, 7.3.2, 7.3.3, 7.3.4, 7.4.2, 7.5.1
- Policies: 4.4 – Preventative Health and Wellbeing, 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.10 – Staff Orientation and Induction, 8.13 – Staff Health, 10.8 – Information Handling (Privacy and Confidentiality) and Record Keeping.

 Procedures

**PLEASE NOTE** Some content of this policy has been adapted from the Australian Children’s Services Employers Association (CMS) as best practice.

Interpretation

‘Fit for Work’: an employee is fit for work if they have a blood alcohol level of 0.00 and test negative for drug use.

An employee is ‘fit for work’ if physically able to carry out their duties, as per their job description.

‘On duty’: An employee is on duty at any time they are undertaking the duties and responsibilities associated with their contract of employment.

Responsibilities

The Approved Provider/OSHC Nominated Supervisor will:

- Be responsible for assessing the fitness for work of employees under their control, while they are on duty;
- Immediately stand down any employee suspected to be under the influence of alcohol or other drugs;
- Immediately stand down any employee that is not physically fit and capable of performing their duties.

Any such employees must not return to work until they are able to demonstrate that they are fit to work.

Each employee is responsible for:

- Ensuring that they are not in an unfit state for any reason, including physical limitations and/or the adverse effects of alcohol or other drugs;
- Notifying the Nominated Supervisor of any concerns that their fitness for work may be impaired;
- Ensuring that any prescription or non-prescription medication is taken safely and in accordance with the requirements as listed further in this policy;
- Notifying the Nominated Supervisor, or other responsible person, of any situation in which this policy has been breached, including:
  - Any situation in which other individuals are believed to be unfit for work;
  - The unauthorised possession or consumption of alcohol or other drugs on site or during work;
  - Any other apparent breach of this policy.

All such information will be dealt with in strictest confidence.

Employees should also be aware that rights to workers compensation or a common law claim may be affected if they are involved in a work related accident while under the influence of alcohol or drugs.

Alcohol

An employee must not be under the influence of or be affected by alcohol while on duty. This means that all employees are expected to have a 0.00 blood alcohol content at all times they are required to undertake the duties and responsibilities associated with their contract of employment.

If any employee becomes aware of behaviours from which they might draw the conclusion that another employee is intoxicated, the Nominated Supervisor or Approved Provider MUST be contacted immediately. Such behaviours may include, but not be limited to:

- Slurred or impaired speech;
Possibly aggressive in manner;
Staggered, jerky movements, could seem uncoordinated;
Heavy eyes and/or flushed face;
Dull, tired appearance

If the above concerns are raised regarding an employee, the Approved Provider may request a blood alcohol test, at the management expense. If the employee’s blood alcohol content is higher than 0.00 they will be considered unfit for work immediately. For the employee to return to work, the Approved Provider/Nominated Supervisor must be satisfied that they are fit for work and that they have a blood alcohol content of 0.00. Proof of which may include the undergoing of another blood alcohol test, at the employees expense.

An employee is prohibited from operating any machinery or equipment, including any motor vehicle, if they are under the influence of alcohol.

Alcohol must not be consumed anywhere within the grounds of the Service, during work time. There may be occasions when alcohol may be consumed as part of a work function, or other recognized work event. Where the consumption of alcohol has been properly approved, employees must continue to act in a sensible and responsible manner and with due care for their own and other people's safety and well-being. Failure to act in a sensible and responsible manner or to follow any directions with regards to the consumption of alcohol may result in disciplinary action as listed further in this policy.

The unauthorised possession or consumption of alcohol at the workplace will result in disciplinary action as listed further in this policy.

**Drugs & Other Substances**

Employees must not consume or be under the influence of any unlawful drug anywhere on the Service premises or grounds or while on duty.

If any employee becomes aware of behaviours from which they might draw the conclusion that another employee is under the influence of drugs, the Nominated Supervisor or Approved Provider MUST be contacted immediately.

If concerns of this nature are raised regarding an employee, the Approved Provider may request a drug test, at the management expense. This means that employees are expected to return a negative urine test for the following substances:

- Amphetamines;
- Cannabinoids/THC/Marijuana;
- Opiates/Barbiturates;
- Benzodiazepines;
- Cocaine/Methadone;
- LSD.

If an employee tests positive for any other substance, the Approved Provider may obtain relevant expert advice to determine whether the Employee will be considered fit for work.

If an employee tests positive for drugs they will be considered unfit for work immediately. For the employee to return to work, the approved Provider must be satisfied that they are fit for work. Proof of which may include the undergoing of another urine drug test, at the employees expense.

An employee must not cultivate, sell or have in their possession or control any unlawful drug or drug taking implement anywhere on the Outside School Hours Care premises or grounds or while on duty.

The use, possession, cultivation, manufacture and distribution of an unlawful drug is illegal. If the Approved Provider becomes aware that you have, or have had, in your possession or control, or are cultivating or supplying unlawful drugs or drug taking implements, whether for profit or otherwise on Outside School Hours Care premises or grounds or while on duty, they will notify the police and actively assist them in their enquiries.

Any drugs prescribed by a medical practitioner must be used in accordance with medical advice. Any non-prescription drugs must be used in accordance with manufacturers' recommendations. If an employee is taking prescription or non-prescription drugs, which could cause drowsiness or otherwise affect their fitness for work, they must advise the Nominated Supervisor so that their ability to work safely can be monitored. If necessary, a medical opinion may be obtained.

The unauthorised possession or consumption of drugs at the workplace will result in disciplinary action and may result in termination of employment.
Alcohol and Drug Testing Requirements
Testing may be carried out where:

- An employee is involved in an incident or accident;
- An employee displays:
  - unsafe behavior; or
  - causes injury to any other person; or
  - commits an act of negligence or carelessness; or
  - shows disregard for safety.
- There is reason to believe that an employee is affected by alcohol or drugs;
- An employee who previously tested positive is being monitored to ensure safe practice; or
- Evidence of alcohol or drug use at the workplace is discovered and the employee or employees concerned can be identified with reasonable certainty.

An employee who does not co-operate fully with the administration of an alcohol or drug test without a legitimate reason will not be able to return to work until they have co-operated and provided a breath and/or urine sample for analysis.

Employees who refuse will be required to take unpaid leave until they co-operate. Refusal to co-operate may result in disciplinary action.

Interference with testing – the actual or attempted adulteration, substitution or other interference by a person with a test sample or result, will result in disciplinary action which may include termination of employment.

Disciplinary Procedures
The Approved Provider may take the following disciplinary action where an employee is found to be under the influence of alcohol or other drug:

- Immediate termination;
- Final warning; or
- Warning.

The appropriate disciplinary action will depend on the individual circumstances of each matter. In making any decisions, the Approved Provider will take into account factors including, but not limited to:

- The seriousness of the employees behavior;
- The risk posed to the safety of employees and others; and
- Any previous breaches of this policy.

An employee who receives a warning will be counseled by the Approved Provider regarding:

- The ‘Fit for Work Policy’ and the obligations and responsibilities under it;
- The serious and unacceptable nature of the person’s behavior;
- The risk posed for the safety of the employee and others;
- The employees responsibility to demonstrate that the problem has been effectively addressed;
- The consequences for future breaches of this policy; and
- The reasons why the person has used alcohol or other drugs to the extent that they are in an unfit state.

The employee will be advised that they may be monitored for a period of time to ensure that the problem has been addressed and that during this period they may be subject to periodic alcohol and drug testing.

The employee will receive a written warning which will reflect the key points covered in this process. A copy of this will be placed on their personnel file.

Employees will not be paid for the period which they are unfit for work.

An employee who receives a final written warning will be counseled by the Approved Provider as set out above and will be required to demonstrate that the threat to work performance and/or safety has been effectively addressed before they are permitted to return to work.

The final written warning will have the effect that any further breaches of this policy may result in termination of their employment. A copy of the warning will be placed on their personnel file.

Fatigue
Work related fatigue may arise from situations requiring concentration for extended periods during work hours, working in extreme temperatures or working in high-risk situations.

Non-work related fatigue is generally the result of poor quality or inadequate sleep which may be caused by a number of reasons, including sleep disruption, ill family members, distress, domestic responsibilities or a second job.
The Nominated Supervisor is responsible for ensuring roster cycles are monitored and reviewed to address the potential for fatigue, especially among employees engaged in split shifts and/or potentially hazardous activities.

The Nominated Supervisor is responsible for ensuring shift lengths are monitored to prevent excessive time working. Provision will be made on all shifts for appropriate rest breaks during and between shifts to ensure that employees have adequate opportunity for rest.

The Nominated Supervisor will take all practical steps to assess and manage the work environment to minimize the impact of fatigue.

The Service will provide appropriate information and education on the causes and management of fatigue and will arrange for all individuals to be made aware of their responsibility to prevent impairment of their fitness for work by fatigue.

**Physical Ability**

The Nominated Supervisor is responsible for ensuring that all employees are fit and able to perform their duties, when arriving for their shift.

To be considered physically capable of performing their duties, the employee must be able to move about freely, particularly in the case of emergency or risk of harm to others.

As per their job description, the employee MUST be able to interact with the children and actively contribute to the activities, experiences and routines of the Service. This may include, but not be limited to physical activities such as walking, running, standing, crouching and kneeling.

**Confidentiality**

Confidentiality is vital in promoting the effectiveness of this policy and all reasonable efforts, consistent with safety, legal requirements and common sense, must be made to maintain an individual’s privacy.

Information relating to an employees’ fitness for work must be transmitted, used and stored in a confidential manner in accordance with the Information Handling Policy (policy 10.8).

The disclosure of confidential information may be required to those persons who have a legitimate ‘need to know’. Typically this will be only to those persons who have a responsibility for ensuring the employees’ safety and performance. Disclosure will be limited to the information necessary to address the situation. The Approved Provider/OSHC Nominated Supervisor will inform the employee as to:

- The reason or need for disclosure;
- To whom the disclosure will or has been made; and
- The extent of information that will or has been disclosed.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td>5.8.13</td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.18 Staff Pregnancy Policy

The Service has the responsibility to ensure a healthy working environment for all employees and should be aware of the risks to pregnant women and new mothers.

An employee must tell the employer:

(a) If the employee knows the employee has a medical condition that may be adversely affected by exposure to lead – has the medical condition; or
(b) If the employee knows the employee is pregnant; or
(c) Is breast feeding.

 Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:


 Procedures

The Service and the Management are aware that if an employee becomes pregnant or is a new mother, the following risks and risk control measures may need to be considered and implemented.

A number of risks are outlined and risk control measures for reducing the likelihood of accident or incident.

<table>
<thead>
<tr>
<th>Risk</th>
<th>Risk Control Measure</th>
</tr>
</thead>
</table>
| • Postural changes may lead to discomfort from prolonged standing or sitting; may affect balance – thereby affecting their ability to hold loads close to the body | • Limit manual handling tasks and periods of prolonged standing  
• Regular rest breaks  
• Well-designed/ergonomic seating available |
| • Hormonal changes may be responsible for the body being more prone to injury, and for morning sickness | • Limit manual handling  
• Reduce early shifts during the first trimester |
| • Fatigue may affect work performance     | • Reduce hours of work  
• Avoid working in temperature extremes where possible |
| • Heat – lower tolerance while pregnant   | • Drinking water readily available  
• Avoid working in temperature extremes where possible |
| • Infection                               | • The importance of personal hygiene, the use of personal protective equipment (PPE), gloves when changing nappies, a thorough hand-washing routine, up to date immunisation and an awareness of their rubella and CMB status is emphasised at OSHC at all times.  
• Women at risk to be notified immediately of any reported outbreak of rubella associated with the Service. |

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td></td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.19 **Staff Dress Code**

All employees in an educational institution (including Outside School Hours Care) need to present a professional image.

### Relevant Laws and other Provisions

- *Work Health and Safety Act 2011*
- *Policies: 4.8 – Sun Safety*

### Procedures

The Service employees are required to wear a uniform shirt and jumper as provided by the Service. This enables a particular standard of dress to be modeled to the children. In all cases, when employees are outdoors bucket hats provided by the Service must be in accordance with the employee guidelines and Sun Protection Policy.

- Dress should be at all times neat, clean and modest.
- Appropriate footwear will be worn – no thongs, scuffs, sandals, Ugg boots or bare feet. Toes must be covered.
- Tracksuits and pants are suitable, although they must be in good condition.
- Name badges should always be worn.
- Particular attention should be paid to dress on formal occasions.
- When dealing with food, hair must be tied back.
- Staff must be aware of their body odour and breath and must use deodorant and mouth wash if necessary.
- The Nominated Supervisor may ask employees to cover excessive tattooing and piercings.
- During Vacation Care the Nominated Supervisor may give employees permission to wear sun-safe free dress while working at the centre (not on excursions).

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.2.12</td>
<td></td>
<td>22.2.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.20 Employee Dismissal Policy

The service management seeks to ensure that all employee’s are treated in accordance with the Children’s Services Award 2006.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- The Children’s Services Award 2006
- The Fair Work Act 2009

Procedures

An employment relationship can end for a number of reasons including when:

- an employee resigns
- a position becomes redundant
- an employee is dismissed for poor performance or misconduct
- an employee is dismissed on-the-spot for extremely serious misconduct, which is referred to as a summary dismissal.

Resignation

Casual employees should notify the employer in writing of their intention to resign. 24 hours notice must be given. Permanent part time and full time employees must give notice in accordance to the Children’s Services Award 2006 and/or their employment agreement.

Redundant Position

Shifts may lessen due to a drop in enrolments and/or bookings. Casual employees will be notified by letter or email that there are no hours to offer them and therefore their employment may be terminated with a minimum of 48 hours notice. If a permanent part time, part time or full time position becomes redundant the employer will give notice according to the Children’s Services Award 2006.

Dismissal

If the Employer has a valid reason for dismissing an Employee, the reason must be based on:

- Poor performance
- Misconduct
- Extremely serious misconduct, resulting in on-the-spot termination (summary dismissal).

Dismissal for poor performance and misconduct

If the employee is being dismissed because of poor performance, their work history must justify the action. The employer must ensure the employee understands why they are not happy with their performance or behaviour. Employees should also be given the opportunity to respond and improve their performance. It is important that the final written warning to the employee indicates that they could lose their job if their performance or attitude does not improve.

If a breach of company policy can lead to dismissal, it must be clear to employees. You also need to ensure that each employee reads and understands the policy.

Three warnings do not have to be given (written or otherwise). However, the employee should be given opportunities to improve their performance through written appraisals with the Nominated Supervisor and/or authorized nominee.

If an employee is being dismissed for misconduct, Community Management Solutions (CMS) should be contacted for legal advice. Ensure that the employee understands the reasons for termination.

Summary Dismissal

Summary dismissal is instant or on-the-spot termination, usually reserved for extremely serious misconduct by an employee.

When considering summary dismissal, the Employer will consider the following questions:
1. was the employee aware that their actions or behaviour would lead to instant dismissal?
2. has the employee been given a chance to explain what happened?
3. did the employer act promptly when the incident occurred?
4. would an impartial person, that is someone not involved, agree that the employee’s conduct was seriously improper?
5. has the employer followed proper policy and procedure and verified that the alleged misconduct actually took place and by this person?

The Employer should not proceed with a summary dismissal if they have answered ‘no’ to any of these questions. In a summary dismissal the Employer has the right to dismiss an employee without notice, or payment in lieu of notice.

Unfair dismissal

The Fair Work Act 2009 allows an employee to apply for unfair dismissal if they believe their employment has been unfairly terminated. A dismissal is unfair when it is harsh, unjust or unreasonable. In dealing with a claim, Fair Work Australia may take into account whether:

- a valid reason for dismissal was given
- the applicant was given an opportunity to respond
- the employer unreasonably refused to allow the applicant to have had a support person present
- the applicant was given any prior warnings
- the size of the business or lack of HR expertise impacted on the processes followed by the employer.

Unlawful Dismissal

Unlawful dismissal occurs when an employee is dismissed for any of the following reasons:

- temporary absence from work because of illness or injury;
- trade union membership or participation in trade union activities outside working hours or with the employer’s consent, during working hours;
- non-membership of a trade union;
- seeking office as, acting or having acted as a representative of employees;
- filing a complaint or participating in proceedings against an employer involving alleged violation of laws, regulations or recourse to competent administrative authorities;
- race, colour, sex, sexual preference, age, physical or mental disability, marital status, family or carer’s responsibilities, pregnancy, religion, political opinion, national extraction or social origin;
- absence from work during maternity leave or other parental leave;
- reasonable temporary absence from work for the purpose of engaging in a voluntary emergency management activity, e.g. working as a registered volunteer for the State Emergency Service (SES)

For further information please contact the Fair Work Infoline on 13 13 94.

General Protections

Employees who believe their workplace rights have been threatened by their employer, or who believe they have been treated unfairly by their employer, can ask Fair Work Australia to intervene. For more information about workplace rights and general protections, please contact the Fair Work Infoline on 13 13 94 or go to www.fairwork.gov.au.

The Children’s Services Award 2006:

Termination of employment

4.11.1 Statement of employment

An employer shall, in the event of termination of employment, provide upon request to the employee who has been terminated a written statement specifying the period of employment and the classification or type of work performed by the employee.

4.11.2 Termination by employer (a) An employer may dismiss an employee only if the employee has been given the following notice:

Period of Continuous Service :

Not more than 1 year = 1 week notice
More than 1 year but not more than 3 years: 2 weeks notice
More than 3 years but not more than 5 years: 3 weeks notice
More than 5 years: 4 weeks notice

(b) In addition to the notice in (a) above, employees 45 years old or over and who have completed at least 2 years' continuous service with the employer shall be entitled to an additional week's notice.

(c) Payment in lieu of notice shall be made if the appropriate notice is not given: Provided that employment may be terminated by part of the period of notice specified and part payment in lieu thereof.

(d) In calculating any payment in lieu of notice the minimum compensation payable to an employee will be at least the total of the amounts the employer would have been liable to pay the employee if the employee's employment had continued until the end of the required notice period. The total must be worked out on the basis of:

(i) the ordinary working hours to be worked by the employee; and

(ii) the amounts payable to the employee for the hours including for example allowances, loadings and penalties; and

(iii) any other amounts payable under the employee's employment contract.

(e) The period of notice in this clause shall not apply in the case of dismissal for misconduct or other grounds that justify instant dismissal, or in the case of a casual employee, or an employee engaged by the hour or day, or an employee engaged for a specific period or tasks.

4.11.3 Notice of termination by employee The notice of termination required to be given by an employee shall be one week.

If an employee fails to give notice, the employer shall have the right to withhold monies due to the employee with a maximum amount equal to one week.

4.11.4 Annual leave or part thereof cannot be counted as notice of termination by either party.

4.11.5 The notice periods prescribed in clauses 4.11.2 and 4.11.3 may be altered by mutual agreement between the employer and employee.

4.11.6 Time off during notice period

During the period of notice of termination given by the employer, an employee shall be allowed up to one day's time off without loss of pay for the purpose of seeking other employment. This time off shall be taken at times that are convenient to the employee after consultation with the employer.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>13.7.12</td>
<td></td>
<td>31.7.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.21 Babysitting Policy

Patricks Road OSHC exercises precautions in employing staff as set out in our recruitment policy to ensure to the best of our abilities that Educators and Volunteers are suitable to be employed to work with children. However, we are unable to provide assurances to parents and carers as to a staff member’s suitability to look after their child unsupervised in a babysitting situation. Parents and guardians must also be aware that any volunteers at the centre under 18 years of age do not carry Blue Cards, do not have first aid training or any other training or professional development that is associated with caring for children as do our employed Educators.

 Procedures

If an Educator or volunteer is going to babysit a child who attends Patricks Road OSHC we require the Educator or volunteer and the parent or carer to sign an agreement regarding the arrangement. This acknowledges that the arrangement is wholly personal and that they understand that insurance etc. which applies to Patricks Road OSHC does not extend to any personal arrangements. This must be signed before the babysitting is to take place and filed in the child’s file, a copy will also be placed on the Educator’s/ volunteer’s file.

If an Educator/ volunteer is to collect the child from the service to take them home to babysit the parent or guardian must notify the Nominated Supervisor in writing of this in advance using the Authorisation to Collect form. This must be done on each occasion except where this would be a regular arrangement (e.g. every Wednesday) where the parent or guardian may write one letter authorising this pattern.

Confidentiality deeds signed by OSHC employees and volunteers will apply to them at all times.

Educators and volunteers who fail to comply with these requirements will be in breach of their terms and conditions of employment. This may result in disciplinary action under the grievance and disciplinary policy.

Babysitting Agreement

I ______________________ (parent or carer’s name) wish for ______________________ (staff member’s name) to babysit my child. I acknowledge that this is a personal arrangement and in no way related to Patrick’s Road State School Outside School Hours Care/ P&C. I have undertaken my own checks and am satisfied with this person’s suitability to look after my child unsupervised and appreciate that the insurance etc for PRSS OSHC do not apply to this arrangement.

Signed by Parent/Carer: ________________________________

Print Name: ________________________________ Date: __________________________

Signed by Staff Member/Volunteer: ________________________________

Print Name ________________________________ Date: __________________________

Copy placed on child’s file __________

Copy placed on staff member’s/volunteer’s file __________

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>25.7.12</td>
<td></td>
<td>31.7.12</td>
<td>1.2.14</td>
</tr>
</tbody>
</table>
8.22 Educator Code of Ethics

In this Code of Ethics the protection and wellbeing of children is paramount, and therefore speaking out or taking action in the presence of unethical practice is an essential professional responsibility.

Relevant Laws and other Provisions

- National Quality Standards

Procedures

I. In relation to children, I will:

1. Act in the best interests of all children.
3. Recognise children as active citizens participating in different communities such as family, children’s services and schools.
4. Work with children to help them understand that they are global citizens with shared responsibilities to the environment and humanity.
5. Respect the special relationship between children and their families and incorporate this perspective in all my interactions with children.
6. Create and maintain safe, healthy environments, spaces and places, which enhance children’s learning, development, engagement, initiative, self-worth, dignity and show respect for their contributions.
7. Work to ensure children and families with additional needs can exercise their rights.
8. Acknowledge the uniqueness and potential of all children, in recognition that enjoying their childhood without undue pressure is important.
9. Acknowledge the holistic nature of children’s learning and the significance of children’s cultural and linguistic identities.
10. Work to ensure children are not discriminated against on the basis of gender, age, ability, economic status, family structure, lifestyle, ethnicity, religion, language, culture, or national origin.
11. Acknowledge children as competent learners, and build active communities of engagement and inquiry.
12. Honour children’s right to play, as both a process and context for learning

II. In relation to families, I will:

1. Listen to and learn from families, in order to acknowledge and build upon their strengths and competencies, and support them in their role of nurturing children.
2. Assist each family to develop a sense of belonging and inclusion.
3. Develop positive relationships based on mutual trust and open communication.
4. Develop partnerships with families and engage in shared decision making where appropriate.
5. Acknowledge the rights of families to make decisions about their children.
6. Respect the uniqueness of each family and strive to learn about their culture, structure, lifestyle, customs, language, beliefs and kinship systems.
7. Develop shared planning, monitoring and assessment practices for children’s learning and communicate this in ways that families understand.
8. Acknowledge that each family is affected by the community contexts in which they engage.
9. Be sensitive to the vulnerabilities of children and families and respond in ways that empower and maintain the dignity of all children and families.
10. Maintain confidentiality and respect the right of the family to privacy.

III. In relation to colleagues, I will:

1. Encourage my colleagues to adopt and act in accordance with this Code, and take action in the presence of unethical behaviours.
2. Build collaborative relationships based on trust, respect and honesty.
3. Acknowledge and support the personal strengths, professional experience and diversity which my colleagues bring to their work.
4. Make every effort to use constructive methods to manage differences of opinion in the spirit of collegiality.
5. Share and build knowledge, experiences and resources with my colleagues.
6. Collaborate with my colleagues to generate a culture of continual reflection and renewal of high-quality practices in early childhood.
IV. In relation to communities, I will:

1. Learn about the communities that I work within and enact curriculum programs which are responsive to those contexts and community priorities.
2. Connect with people, services and agencies within the communities that support children and families.
3. Promote shared aspirations amongst communities in order to enhance children’s health and wellbeing.
4. Advocate for the development and implementation of laws and policies that promote child-friendly communities and work to change those that work against child and family wellbeing.
5. Utilise knowledge and research to advocate for universal access to a range of high-quality early childhood programs for all children.
6. Work to promote community understanding of how children learn, in order that appropriate systems of assessment and reporting are used to benefit children.

V. In relation to students, I will:

1. Afford professional opportunities and resources for students to demonstrate their competencies.
2. Acknowledge and support the personal strengths, professional knowledge, diversity and experience which students bring to the learning environment.
3. Model high-quality professional practices.
4. Know the requirements of the students’ individual institutions and communicate openly with the representatives of that institution.
5. Provide ongoing constructive feedback and assessment that is fair and equitable.
6. Implement strategies that will empower students to make positive contributions to the workplace.
7. Maintain confidentiality in relation to students.

VI. In relation to my employer, I will:

1. Support workplace policies, standards and practices that are fair, non-discriminatory and are in the best interests of children and families.
2. Promote and support ongoing professional development within my work team.
3. Adhere to lawful policies and procedures and, when there is conflict, attempt to effect change through constructive action within the organisation or seek change through appropriate procedures.

VII. In relation to myself as a professional, I will:

1. Base my work on contemporary perspectives on research, theory, content knowledge, high-quality early childhood practices and my understandings of the children and families with whom I work.
2. Regard myself as a learner who undertakes reflection, critical self-study, continuing professional development and engages with contemporary theory and practice.
3. Seek and build collaborative professional relationships.
4. Acknowledge the power dimensions within professional relationships.
5. Act in ways that advance the interests and standing of my profession.
6. Work within the limits of my professional role and avoid misrepresentation of my professional competence and qualifications.
7. Mentor other early childhood professionals and students.
8. Advocate in relation to issues that impact on my profession and on young children and their families.
9. Encourage qualities and practices of leadership within the early childhood profession.

The Early Childhood Australia Code of Ethics (2006) was developed by a national working party consisting of Lennie Barblett (Convenor), John Buckell, Sandra Cheeseman, Margaret Clyde, Lyn Fasoli, Catharine Hydon, Anne Kennedy, Elizabeth Dau, Linda Newman, Lois Pollnitz, Gillian Styles, Louise Thomas, Laura Eiszele and Christine Woodrow.

This working party acknowledges the work of the original Code of Ethics working party and thanks them for their outstanding contribution to the early childhood profession. Mackay, H. (2004). Right & wrong: How to decide for yourself. Sydney: Hodder. Reprinted 2009


<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.7.12</td>
<td>31.7.12</td>
<td>1.2.14</td>
<td></td>
</tr>
</tbody>
</table>
8.23 Determining the Responsible Person Policy

The Education and Care Services National Law determines that a responsible person must be in day-to-day charge and contactable at all times that an Approved service operates.

Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Duty of Care
- NQS Area: 1,4,7

Procedures

A responsible person will be in charge of the education and care services and the details of the responsible person at any time will be clearly displayed for educators, staff and families.

The process for determining the responsible person will be clear to all educators and staff, and followed at all times.

Details of the person responsible are documented and displayed above the parent’s table for all users of the service.

The service will always have a responsible person available when it is operating.

The nominated supervisor is responsible for the day-to-day charge of the centre. The Certified Supervisor is responsible for the day-to-day charge when the nominated supervisor is not on duty.

Both the nominated supervisor and Certified Supervisors must:

- Be 18 years of age
- Meet the minimum requirements for qualifications, experiences and management capability
- Satisfy the Regulatory Authority that they are a fit and proper person to be the supervisor of the centre.

The minimum requirements for qualifications, experience and management are:

- Sufficient skills to be placed in the day to day charge of the centre and

At least one of the following:

- At least three years experience working as an educator in an education and care service or school
- An approved diploma level education and care qualification
- An approved early childhood teacher qualification.

A responsible person can be:

1. The APPROVED PROVIDER – Greg Walters, Patricks Road State School P&C Committee President.

2. The NOMINATED SUPERVISOR – this is a person with a Supervisor’s Certificate designated by the service as the Nominated Supervisor. Kelly Chapman, the Nominated Supervisor of the centre is the Nominated Supervisor.

3. A CERTIFIED SUPERVISOR who has been placed in day-to-day charge of the service. The Certified Supervisors of the service are:

- Kelly Chapman (Coordinator)
- Leanne Daly (Assistant Coordinator)
- Rebecca McCracken
- Carla Hender
- Jason Wilson
- Chelsea Harkness
- David Cooke

The Approved Provider will:

- Ensure Nominated Supervisors and Certified Supervisors have a clear understanding of the role of the Responsible person;
- Ensure the responsible person is appropriately skilled and qualified;
- Ensure a responsible person is contactable at all times. A substitute for the responsible person will be in present where a Waiver is in place.
The Nominated Supervisor or delegated authority will:

- Arrange for the keeping of a “responsible person record”. This record will document
- the current responsible person.
- The name of the responsible person will be displayed in the main entrance at the
- service.
- Develop rosters in accordance with the availability of responsible persons.

A responsible person is physically in day-to-day charge at all times and this is documented and displayed.

<table>
<thead>
<tr>
<th>Date of Development</th>
<th>Date of amendment</th>
<th>Date Ratified</th>
<th>Date of Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>25.7.12</td>
<td>5.8.13</td>
<td></td>
<td>1.2.14</td>
</tr>
</tbody>
</table>