



Staffing Policy

POLICY STATEMENT

The aim of this policy is that the agency and all educators/nannies are fit and suitable for their job along with the correct up to date qualifications. It is important to follow strict procedures to promote qualified care of each child using the service. The policy will cover the responsibilities of all staff educators, nannies and also parents at Annie's Nannys and Babysitting Agency. This policy applies to all staff educators, nannies within our agency.

Annie's Nannys and Babysitting Agency is committed to:

- Ensuring the health and safety of all children enrolled with the agency is protected at all time whilst at the same time promoting their learning and development.
- Fulfilling our duty of care to all children enrolled with the agency.
- Providing a responsible and reliable In Home Care service as well as Nanny service for all clients both regular and casual.
- Employing staff, educators and nannies with a range of relevant qualifications and experiences in order to provide quality educational care that meets the need of the children and families within the community.
- Employing suitably qualified, skilled and experienced educators and nannies and providing each employee with a comprehensive induction program into the agency according to policy and funding requirements
- Encourages and promotes applications from Aboriginal people and from people with culturally and/or linguistically diverse backgrounds.
- Complying with current legislation in relation to the employment of staff, including the *Equal Opportunity Act 2010*, *Fair Work Act 2009* and the *Working with Children Act 2005*.

It has been proven through research that employing of applicably qualified staff in early childhood services is a massive contribution to the delivery of high quality programs and improved learning outcomes for children.

"Those with higher qualification levels and standards of training are better equipped to provide improved learning environments and mentor educators in quality practices, leading to better outcomes for children" (*Guide to the Education and Care Services National Law and the Education and Care Services National Regulations 2011*).

The Australian Government has recognised this by legislating minimum qualification requirements for all educators working in early childhood education and care services. Eligibility for services to receive funding also includes requirements for educators to hold specific qualifications.

Current legislation also requires that all In-home educators hold a current approved first aid qualifications, anaphylaxis management training and emergency asthma management. These qualifications must be updated as required, and details of qualifications must be kept on an individual's staff record.

It is essential that all educators and nannies are provided with opportunities to learn and develop new skills in relation to supporting the learning and development of young children. Opportunities for professional development are also fundamental for all educators and nannies to ensure that their work practice remains current and relevant to the practices and principles of the national Early Years Learning Framework (EYLF).

Educators and nannies are required to actively supervise children at all times (refer to Supervision Policy). To ensure that children are protected from harm while under the care of the agency, all educators and nannies are required by law to have and maintain a Working with Children (WWC) Check or a criminal history record check. This also applies to volunteers and students unless they are working under the direct supervision of an educator who is over 18 years of age and holds, or is actively working towards, an approved diploma-level education and care qualification.

RELATED LEGISLATION

- *Education and Care Services National Law Act 2010*: Sections 12,13,14,161,162,165, 169
- *Education and Care Services National Regulations 2011*: Regulations 14, 15, 16, 46, 47, 48, 49, 83, 84, 118, 120, 121–123, 125–126, 129–135, 136, 137–143, 145–152, 355, 357, 358, 360–364
- Fair Work Act 2009
- *National Quality Standard, Quality Area 4: Staffing Arrangements*
- Privacy Act 1998 (Cth), as amended 2011

DEFINITIONS

Actively working towards:

An educator or nanny who is currently enrolled and studying a course for a qualification and has provided the agency director with documentary evidence of their commencement of the course, their satisfactory progress toward completion and ongoing evidence that they are meeting all requirements in order to maintain their enrolment. Educators and nannies who are 'actively working towards' an diploma-level qualification must have already completed a certificate III level education and care qualification.

Adequate supervision:

Adequate supervision refers to constant, active and diligent supervision of every child under the agency's care. This entails that educators are always in a position to observe the children, respond to individual needs, and immediately intervene if necessary.

Approved first aid qualification:

A list of approved first aid qualifications, anaphylaxis management and emergency asthma management training is published on the ACECQA website.

Criminal history record check:

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

Educator:

An individual with a certificate III or higher in Early Education and Care who provides education and care for children as part of an education and care service.

Fit-and-proper assessment:

In determining whether an applicant is fit and proper, the Regulatory Authority must take into account the applicant's history of involvement in education and care services, their compliance with current and prior law, criminal history record check, and any bankruptcy or liquidation issues. The Regulatory Authority may reassess fitness and appropriateness at any time. Applicants are required to complete the Declaration of Fitness and Propriety form on the ACECQA website and have this approved by the Regulatory Authority. This form must be completed by an individual provider applicant or, in the case of an entity provider applicant, each person with management or control of a service.

Nominated Supervisor:

A person who has been nominated by the Approved Provider of the service and who has consented to that nomination in writing can be the Nominated Supervisor. All services must have a Nominated Supervisor with

responsibility for the service in accordance with the National Regulations. The Approved Provider must take reasonable steps to ensure the Nominated Supervisor is a fit and proper person, with suitable skills, qualifications and experience. The Regulatory Authority must be notified if the Nominated Supervisor for the service changes or is no longer employed at the service.

Responsible Person:

The Approved Provider or a Nominated Supervisor or Certified Supervisor who has been placed in day-to-day charge of the service in accordance with the National Regulations.

Working with Children (WWC) Check:

The check is a legal requirement for those undertaking paid or voluntary child-related work and is a measure to help protect children from harm arising as a result of physical or sexual abuse. The Department of Justice assesses a person's suitability to work with children by examining relevant serious sexual, physical and drug offences in a person's national criminal history and, where appropriate, their professional history. A WWC Check card, notice or document (valid for five years), is granted to a person under working with children legislation if:

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

RESPONSIBILITIES

The Approved Provider (Annie's Nannys and Babysitting Agency) is responsible for:

- Ensuring all educators and nannies recruited and employed by Annie's Nannys and Babysitting Agency are suitably qualified, skilled and experienced and undertake a thorough recruitment and induction process
- Ensuring that the all staff nannies and educators comply with the *Code of Conduct Policy* at all times
- Ensuring that children being educated and cared for by the agency are adequately supervised at all times they are in the care (National Law: Section 165)
- Ensuring that all staffing meets the requirements of the National Law, National Regulations at all times the agency is in operation
- Complying with current legislation relating to the employment of staff, including the *Equal Opportunity Act 2010*, *Fair Work Act 2009*, *Occupational Health and Safety Act 2004* and the *Working with Children Act 2005*
- Employing the relevant number of appropriately-qualified educators and nannies.
- Employing additional staff, as required, to provide a quality early childhood education and care program
- Ensuring that educators and other staff are provided with a current position description that relates to their role at the agency
- Maintaining a staff file including all of their relevant qualification and education details.
- Complying with the requirements of the *Working with Children Act 2005*, and ensuring that all educators, nannies, volunteers and students on placement at the agency have a current Working with Children Check.
- Ensuring that the Working with Children Check have been sighted and the details kept on each staff file
- Determining who will cover the costs of Working with Children Checks or criminal history record checks
- Developing (and implementing, where relevant) an appropriate induction program for educators, nannies and all staff appointed to the agency
- Ensuring that all educators and nannies have a current approved first aid qualifications, anaphylaxis management training and emergency asthma management training Details of qualifications and training must be kept on the staff files
- Developing procedures to ensure that approved first aid qualifications, anaphylaxis management training and emergency asthma management training are evaluated regularly to ensure all staff are up dating their training where necessary.

- Ensuring that staff files and a record of educators and nannies are updated annually, as new information is provided.
- Reviewing staff qualifications as required under current legislation, funding requirements and as part of an annual staff performance appraisal.
- Ensuring that educators/nannies, volunteers and students on placement at the agency are not affected by alcohol or drugs (including prescription medication) that would impair their capacity to supervise or provide education and care to children.
- Ensuring all educators undertake a performance review annually with the agency director in which a professional development plan developed for each educator and nanny.
- Ensuring that all educators, nannies and staff have opportunities to undertake professional development relevant to their role and development plan to keep their knowledge and expertise current
- Ensuring that the educators/nannies are advised and aware of current child protection laws and any obligations that they may have under these laws
- Ensuring that stability of staff is maintained at each service including casual relief staff where possible.
- Informing parents/guardians of the name/s of casual or relief staff where the regular educator or nanny is absent
- Developing and maintaining a list of casual and relief staff to ensure consistency of service provision

Educators and nannies are responsible for:

- Meeting the qualifications, experience and management requirements.
- Complying with the service's *Code of Conduct Policy* at all times
- Ensuring that they are not affected by alcohol or drugs (including prescription medication) that would impair their capacity to supervise or provide education and care to children
- Providing details of their current Working with Children Check for the staff files
- Renewing their Working with Children Check assessment every five years
- Adequately supervising children at all times (refer to *Definitions* and *Supervision of Children Policy*)
- Supervising volunteers/students at all times to protect the health, safety and wellbeing of children at the service
- Maintaining current approved qualifications relevant to their role, including first aid qualifications, anaphylaxis management training and emergency asthma management training
- Participate in an annual performance review
- Undertake professional development relevant to their role to keep up to their knowledge and expertise current.
- Ensuring that they are aware of current child protection laws and any obligations that they may have under these laws