

Staffing Arrangements Policy

NQS

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

National Regulations

Regulations numbered 240 and higher are state or transitional regulations

Reg	10	Meaning of actively working towards qualification
	122	Educators must be working directly with children to be included in ratios
	123	Educator to child ratios—centre-based services
	126	Centre-based services—general educator qualifications
	129	Requirements for educators who are early childhood teachers
	130	Requirement for early childhood teacher—centre-based services—fewer than 25 approved places
	131	Requirement for early childhood teacher—centre-based services—25 or more approved places but fewer than 25 children
	132	Requirement for early childhood teacher—centre-based services—25 to 59 children
	133	Requirement for early childhood teacher—centre-based services—60 to 80 children
	134	Requirement for early childhood teacher—centre-based services—more than 80 children
	135	Early childhood teacher illness or absence
	136	First aid qualifications
	150	Staff record must include name of responsible person at service each time children being educated and cared for by the service.
	173(2)(c)	Offence not to clearly display name of responsible person in the main entrance
	241	Persons taken to hold an approved early childhood teaching qualification
	242	Persons taken to be early childhood teachers applies from 1.1.14 to 1.1.18 Applies to regs 130-134
	243	Persons taken to hold an approved diploma level education and care qualification
	244	Persons taken to hold an approved certificate III level education and care Qualification
	245	Person taken to hold a approved first aid qualification. Applies until 31.7.13 or qualification expires.
	372	Educator to child ratio—pre-kindergarten programme or kindergarten programme provided by a school Applies to 123(1)(c) from 1.1.16
	373	Early childhood teachers—pre-kindergarten programme or kindergarten programme provided by a school Regs 130-134 do not apply
	379	Educators required to be early childhood teachers Applies to Div 5 Part 4 and Regs 133 and 134.

Aim

To ensure that our education and care service is at all times compliant in relation to staff/child ratios and qualified educators.

Related Policies

Excursion Policy
Transportation policy
Child Protection Policy
Continuity of Education and Care Policy
Educator and Management Policy
National Quality Framework Policy

Who is affected by this policy?

Children
Families
Educators
Management

Implementation

Our service will maintain compliance to the following:

- Our service will nominate a qualified and experienced educator, co-ordinator or other individual as the service's Educational Leader. This person is responsible to lead the development and implementation of the service's educational programs.
- Our service will ensure that any educator that is under eighteen years of age does not work alone at the service and is supervised at all times by an educator who is over eighteen.
- We will only include educators in the educators to child ratio who are working directly with the children.

Our service will maintain compliance to the following in relation to the everyday practicalities of service's operations:

- Educators' rostering and routines will at all times make sure enough educators are available for the adequate supervision of children.
- Supervising educators give their attention to the children and not to any other duties.
- At no time will students or volunteers be included in the ratio of adults supervising children.
- A nominated supervisor or certified supervisor will be on the premises at all times when children are being educated or cared for.
- There will be more than one educator present when children are in attendance. No child will at any time be in the care of a sole educator.
- Students and volunteers will never be left alone with a child or a group of children.
- In any emergency situation where adequate supervision of children is threatened, any educators on a meal-break in the Service must be prepared to return to duty to supply adequate supervision. The Approved Provider will employ relief staff to cover meal breaks if educators begin to be regularly recalled
- The Approved Provider or Nominated Supervisor will ensure that regulations in relation to the supervision of children are adhered to.
- Educators supervising outdoors, should position themselves to see as much of the play area as possible.

- One educator should be positioned close to the climbing frame as often as possible.
- Any water activity should be closely supervised by one educator at all times.
- Except for necessary discussions or concerns regarding children or matters relating to the Centre, educators will not congregate together outside.
- When children are resting or sleeping they will be supervised.
- During hand washing and/or toilet times children will be supervised in the bathroom area.
- Toddlers and children undergoing toilet training will not be left unsupervised in the bathroom.
- No child is to be left unattended at the table when eating.
- Rosters will be designed and implemented to ensure that children receive continuity of care.
- Our service will, when possible and to the best of our ability, make use of a regular pool of relief educators.

Supervision of Services

Our service will have at least one **“responsible person”** present at all times when caring for and educating children. A responsible person is:

- an approved provider
- a nominated supervisor
- a certified supervisor who is in charge of the daily running of the service.

The name of the responsible person will be clearly displayed in the main entrance of the Service.

If the responsible person needs to change (for example the current person needs to leave the Service), he or she will “hand over” responsibility for the role to another eligible person at the Service. Both the old and new responsible person will communicate directly and ensure the name of the responsible person displayed at the Service correctly reflects who currently holds the position.

If more than one person at our service is a “responsible person”, we may develop a roster to rotate the role.

All educators and staff members will ensure that children are adequately supervised at all times, and that they can respond immediately to any child that is distressed, in need of assistance or support or in a dangerous situation. This includes during transition periods throughout the day when children may, for example, be changing rooms or groups, moving between outdoor and indoor environments, arriving or leaving the service, moving from service vehicles to the service premises, leaving or returning from excursions, moving to meal areas, washing their hands, or using the toilet or nappy change facilities. To achieve this outcome educators will be alert, aware and in sight and sound of all children for whom they are responsible. They will also actively engage with children and not stand back and watch.

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

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

Issues affecting the adequacy of supervision include:

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

Educators will ensure team members know when they leave the room or area, or finish their shift, and are aware of any particular issues that may require additional oversight of children. They will do this verbally and there must be acknowledgement by the other educator prior to leaving the environment. The register of educators working with children will be completed if the educator is leaving for any length of time.

Relevant Definitions

Kindergarten Programme

- An educational programme the content and implementation of which are designed for children in the first year of their pre-compulsory education period.

Pre-Kindergarten Programme

- An education programme provided by a school for children aged 36 months and over before the pre-compulsory education period within the meaning of the School Education Act 1999 of Western Australian.

Educator to Child Ratios

Our educator to child ratios will always meet the minimum requirements as stated below. Note the numbers of children referred to in this section does not include children being cared for in an emergency for no more than two consecutive days the service operates. An emergency means a serious and unexpected short term care emergency that requires a child to be provided with immediate education and care.

For all **other centre-based services** for children preschool age or under:

- For children aged from birth to 24 months, 1 educator to 4 children.
- For children aged over 24 months but less than 36 months, 1 educator to 5 children.
- For children aged over 36 months or over, 1 educator to 10 children.

The Approved Provider or Nominated Supervisor may approve a child being treated up to 6 months older or 6 months younger than the child's actual age if satisfied on reasonable grounds that this is developmentally appropriate for the child and the parent has agreed and signed a record of the decision.

If children being educated and cared for at the service are of mixed ages the minimum number of educators for the children must meet the requirements above at all times. This can be done after considering the total number of children being cared for at the service and the educator to child ratio required for each age range. If the number of children being cared for in a particular age range is less than that allowed in the educator to child ratio, that educator has the capacity to work directly with another child in an older age bracket. For example if the service is only caring for 3 children under 24 months, but 6 children in the next age bracket, one of the 6 children can be allocated to the educator caring for the younger children. This leaves 5 children for the educator in the older age bracket to care for, and this meets the ratio requirements. Ratio requirements must always be met for younger children before allocating educators to older age brackets.

- When an early childhood teacher (ECT) is required to be in attendance at the service as per the licensed places of our service, the ECT is counted as an educator at the service for the purposes of this regulation.
 - If the service is required to have access to an ECT for a period of time as per the licensed places, the ECT must be added to the minimum number of educators required for that service for that period.

Educator to child ratios during short absences

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

- is absent for 30 minutes or less in total per day and
- is at the premises and immediately available to provide education and care for children during each absence.

Rostering

The Approved Provider and Nominated Supervisor will comply with award requirements in relation to rostering. The Centre Manager will:

- post or display a staff roster where it can be easily accessed by all employees
- discuss any potential changes to the roster with affected staff members first, and consider their views about the impact of changes
- only change an employee's rostered hours if:
 - the employee agrees to the change or
 - they give the employee seven days notice

This does not apply in an emergency where there is an imminent or severe risk to people at the service or the service premises need to be locked down. An emergency does not include a parent being late to collect a child.

The Nominated Supervisor will adhere to the Service's Code of Conduct at all times while negotiating roster changes with staff.

Where the employee's roster is changed without seven days notice, they will be paid overtime on the changed hours until seven days have passed from the date notice of the changed roster was given.

The Nominated Supervisor and the employee may agree to waive or shorten the seven day notice period. This agreement must be recorded in writing and form part of the time and wages records.

An employee may be transferred from one location to another within their rostered hours, and will be paid for the time taken to travel from one location to the other. Where an employee is required to permanently transfer to another location (other than by mutual agreement), they must be given seven days notice of the change or paid at the overtime rate until seven days have passed from the date notice was given.

Educator Qualifications

- At least 50% of the educators who are required to meet the relevant educator to child ratios for the service must have or be actively working towards at least an approved diploma level education and care qualification.
- All other educators required to meet the relevant educator to child ratios for the service must have or be actively working towards at least an approved certificate III level education and care qualification. However, the following exception applies:
 - The Certificate III qualification requirements don't apply to an educator who has been employed on probation for up to 3 months at one or more centres operated by the Approved Provider.

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

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

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

If an ECT is required to be in attendance at the service, the ECT (including an ECT covering the position because of illness or leave) is counted as meeting the Diploma qualification.

Approved Diploma Qualification

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

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

Approved Certificate III Qualification

A person is taken to hold an approved Certificate III level education and care qualification if immediately before 1 August 2012:

- Was recognised under the former education and care services law of any participating jurisdiction as certificate III level educator and employed or engaged in a declared approved service or

- Held an otherwise approved qualification or former as published on <http://www.acecqa.gov.au/qualifications/>

Early Childhood Teacher (ECT)

Note the numbers of children referred to in this section does not include children being cared for in an emergency for no more than two consecutive days the service operates. See “Educator to Child Ratios” heading for definition of emergency.

Centre based services other than pre-kindergarten programmes or a kindergarten programme provided by a school:

For services licensed for **fewer than 25 approved places**:

- The service must have an ECT working with the service for at least 20% of the time the service provides education and care.
- In order to comply with this, the ECT may be working with the service by means of information communication technology such as videoconferencing, phone or skype
- This can be calculated on a quarterly basis.

For **service licensed for 25 or more children but caring for fewer than 25 children**, the service must meet the above during any period that it is educating fewer than 25 children. In line with this, any period that an ECT is in attendance at the service may be counted towards the 20% timing of the period of access for under 25 children.

For services licensed for **25 or more children but fewer than 60 children** on any given day The service must have an ECT in attendance:

- for at least 6 hours on that day if the service operates 50 or more hours a week or
- for at least 60% of the time that the service is open on that day if the service operates for under 50 hours per week.

For services licensed for **60 or more children but not more than 80 children** on any given day the service must have an ECT in attendance:

- for at least 6 hours on that day if the service operates for 50 or more hours a week or
- for 60% of the time that the service is open on that day if the service operates for under 50 hours per week and
- **by 1 January 2020** the service must have a second ECT in attendance:
 - for at least 3 hours on that day if the service operates for 50 hours or more a week or
 - for 30% of the time that the service is open on that day if the service operates under 50 hours a week.

For services licensed for **more than 80 children** on any given day the service must have an ECT in attendance:

- for at least 6 hours on that day if the service operates 50 or more hours a week or
- for 60% of the time that the service is open on that day if the service operates for under 50 hours per week and
- **By 1 January 2020**, the service must have a second ECT in attendance:
 - for at least 6 hours on that day if the service operates 50 or more hours a week or

- for 60% of the time that the service is open on that day if the service operates for under 50 hours per week.

If an ECT is absent because of short-term illness or leave, we may cover their absence with a person who holds an approved Diploma level qualification or a qualification in primary teaching if the period of absence does not exceed 60 days in any 12 month period.

Approved ECT qualifications:

- an approved qualification that is published on <http://www.acecqa.gov.au/qualifications/>
- the educator holds a qualification that is published in the list of former qualifications on <http://www.acecqa.gov.au/qualifications/> - the educator was recognised as an ECT under the former law of any participating jurisdiction, or for the purposes of a preschool funding program and was employed or engaged in a declared approved service as an ECT.
- the educator was registered as an ECT in accordance with the requirements of another jurisdiction. This does not apply if the educator was working towards an ECT qualification.
- If immediately before 1 August 2012, the educator was recognised as an ECT because they were enrolled in a course published on <http://www.acecqa.gov.au/qualifications/> in the list of former qualifications, the educator is taken to hold an approved ECT qualification when they complete the course.
- If immediately before 1 August 2012, the recognition, registration, accreditation or qualification as an ECT was subject to any restrictions, the person is taken to be an ECT with the same restrictions.
- In some cases, educators who were registered as teachers in other States or jurisdictions hold an approved qualification. These are listed in regulation 241 and on the national regulator's website www.acecqa.gov.au/qualifications.
- From 1 January 2014 to 1 January 2020, an educator who has completed at least 50% of a relevant qualification that would enable them to be qualified as an ECT and is actively working towards the completion of the qualification or holds an approved diploma level education and care qualification can be counted as an ECT.

Other Educators Qualifications:

First Aid Qualifications

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

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

An educator is taken to hold an approved first aid qualification or training if:

- the educator holds an approved qualification or training as published on <http://www.acecqa.gov.au/qualifications/>

Child Protection

- The Approved Provider of an education and care service must ensure that the nominated supervisor, educators and other staff members who work with children are advised of the current child protection law and any obligations they may have under the law.

Working With Children Check

- The approved provider or nominated supervisor of an education and care service ensure a Working With Children check(WWC) is undertaken for all is undertaken for all educators, staff, volunteers and students whose duties will involve direct contact with children. Some exemptions apply including:
 - Students/volunteers on unpaid placements under 18 years of age
 - Parents volunteering in many activities where their child is involved.
- If the WWC Check is satisfactory, an applicant will be issued with a WWC Card. Further information is available from the following website
<http://www.checkwwc.wa.gov.au/checkwwc/WWC+Check/>

Sources

Education and Care Services National Regulations 2012

National Quality Standard

School Education Regulations 2000

Working with Children Screening Unit WA

Working with Children (Criminal Record Checking) Act 2004

Working With Children (Criminal Record Checking) Regulations 2005

Review

The policy will be reviewed annually by:

- Management
- Employees
- Families
- Interested Parties
- **Reviewed: February 2018**

Date for next review: February 2019