

## Staffing Arrangements Policy

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### NQS

QA4	4.1.1	Educator-to-child ratios and qualification requirements are maintained at all times.
QA7	7.1.1	Appropriate Governance arrangements are in place to manage the service.

### National Regulations

#### Regulations numbered 240 and higher are state or transitional regulations

Reg	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
	135	Early childhood teacher illness or absence <b>Applies to services with less than 30 children</b>
	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
	240	Qualifications for educators—centre-based service applies until 31.12.15 <b>Applies to reg 126</b>
	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 1.1.16 <b>Applies to regs 130-134</b>
	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 approved first aid qualification. Applies until 31.12.12 or qualification expires.
	271	Educator to child ratios—children aged 36 months or more but less than 6 years <b>Applies to reg 123</b>
	272	Early childhood teachers—children preschool age or under <b>Applies to regs 131-135 for services with 30 or more children</b>
	273	Course in child protection
	275	Educator to child ratio—centre-based service—children aged over 24 months and less than 36 months <b>Applies to reg 123 until 31.12.15</b>
	277	Qualifications for educators—centre-based services <b>Applies to reg 126 from 1.1.14</b>
	278	Qualifications for primary contact educators
	279	Early childhood teacher—centre-based service—fewer than 30 children <b>Applies to regs 130 to 132 from 1.1.14</b>



	283	Early childhood teacher interim policy approval <b>Applies to reg 272</b> until 1.1.13 or expiry of approval
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## Aim

To ensure that The Yellow Cottage 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

The Yellow Cottage will maintain compliance to the following:

- The Yellow Cottage 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.
- The Yellow Cottage 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.

The Yellow Cottage 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.
- Students and volunteers will never be left alone with a child or a group of 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.
- In any situation where adequate supervision of children is threatened, any educators on a meal-break must be prepared to return to duty to supply adequate supervision.
- 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 Service, 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.
- 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.
- The Yellow Cottage will, when possible and to the best of our ability, make use of a regular pool of relief educators.

### Supervision of Services

The Yellow Cottage 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. This will also be highlighted in the staff sign in book, so it is clearly visible of the responsible person signs out who the relief responsible person for that day is.



The Yellow Cottage has more than one “responsible person”, we use the staff sign in book and highlight who the relief responsible person for the day is. Only a staff member with a Certified Supervisor Certificate can be a “responsible person”.

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.

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.

### **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.

- For children aged over 36 months and less than 6 years the educator to child ratio will be 1 educator to 10 children.

- When an early childhood teacher (ECT) is required to be in attendance at the service as per the licensed places of The Yellow Cottage, that teacher will be 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.
- If the service is a preschool program in a school in a class or classes where a full-time education program is also being delivered, educator ratio and qualification requirements do not apply.
- At all times we will consider the needs of the children and provide adequate supervision.

### **Qualifications**

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

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 January 2012, they were recognised under the former education and care services law of any participating jurisdiction as a Diploma level educator and employed or engaged in a declared approved service.

### **Approved Certificate III Qualification**

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

- they hold an approved qualification or former qualification as published on <http://www.acecqa.gov.au/qualifications/> or
- immediately before 1 January 2012, they were recognised under the former education and care services law of any participating jurisdiction as certificate III level educator and employed or engaged in a declared approved service.
- was employed in a service at any time from 1 January 2010 to 1 January 2012 and met the requirements of Regulation 52 (2) of the Children's Services Regulation 2004 which required primary contact staff members caring for children under 2 to have a Child Care Certificate, a Certificate of Child Care Studies, an Associate Diploma of Social Science (Child Studies) from



Tafe, a Diploma of Community Services (Children's Services) from a registered training organisation or another approved qualification.

Until 31 December 2015, educators who have been continuously employed as an educator in an education and care service or a children's service for a period of at least 15 years immediately before 1 January 2012 and continue to be employed by the same Approved Provider as they were immediately before 1 January 2012 can be taken to hold a Certificate III qualification. This provision applies until 1 January 2018 for services located in remote and very remote areas. Remote and very remote areas are classified this way in the Australian Statistical Geography Standard: Volume 5 Remoteness Structure, Australian Bureau of Statistics Cat No 1270.0.55.005

### **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.

The Yellow Cottage will always employ a qualified early childhood teacher (ECT) as per the following minimum requirements:

- One ECT must be in attendance at all times when the service is educating and caring for between 30 to 39 children preschool aged or under.
- Two ECTs must be in attendance at all times that the service is educating and caring for 40 to 59 children preschool aged or under.
- Three ECTs must be in attendance at all times the service is educating and caring for 60 to 79 children preschool aged or under.
- Four ECTs must be in attendance at all times the service is educating and caring for 80 or more children preschool aged or under.
- If the approved number of places for children at the service is fewer than 25, the service must have access to an ECT working with the service for at least 20% of the time that the service provides education and care. This may be done using information communication technology such as videoconferencing, phone or Skype and may be calculated on a quarterly basis. These requirements also apply if the approved number of places for children preschool age or under is 25 or more but the service is caring for fewer than 25 children.
- If the service is caring for between 25 to 29 children, an ECT must be 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 operating hours of the service on that day if the service operates for less than 50 hours per week.

If an ECT is sick or absent, services can cover the absence with a person who holds:

- an approved Diploma level education and care service qualification or
- a qualification in primary teaching.

If the period is over 12 weeks, the service will engage another ECT.

### **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 January 2012, the educator was recognised as an ECT because they were enrolled in a course for a qualification that is published on <http://www.acecqa.gov.au/qualifications/> in the list of former qualifications approved as early childhood teacher qualifications, the educator is taken to hold an approved ECT qualification when they complete the course.
- If immediately before 1 January 2012, the recognition, registration, accreditation or qualification as an ECT as written above was subject to any restrictions imposed by or under an education law of a participating jurisdiction, 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](http://www.acecqa.gov.au/qualifications).
- From 1 January 2014 to 1 January 2018, for services with less than 30 children, 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.

#### **Qualifications for Educators:**

##### **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.
- The service's Nominated Supervisor and Certified Supervisors will have successfully completed a course in child protection that is approved by the NSW Regulatory Authority.

##### **Working with Children Check**

- The Approved Provider or nominated supervisor of an education and care service must ensure a Working With Children Check (WWCC) is completed for all educators, staff, volunteers and students whose duties will involve direct contact with children. Some exemptions apply eg WWCC are not required for children under 18 or in most circumstances where the volunteer is a parent or close relative. Further information is available from the following website <http://www.kids.nsw.gov.au/Working-with-children/New-Working-with-Children-Check>
- (Under new WWCC provisions which commenced 15 June 2013, new employees must apply for a WWCC. Current employees do not need to apply for a new WWCC until 2017.)

##### **First Aid Qualifications**

- The approved provider must ensure that at least one educator attending 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/>

## Sources

**Education and Care Services National Regulations 2011**  
**National Quality Standard**  
**NSW Office of the Children's Guardian**

## Review

The policy will be reviewed annually.

Review will be conducted by:

- Management
- Employees
- Families
- Interested Parties

**Reviewed: 1/12/2014**

**Date for next review: 1/12/2015**