



Staffing

Authorised by: This policy was adopted by the Ripponlea Kindergarten Committee of Management at a committee meeting

Approved date: 1 May 2023

Review date: May 2026

Purpose

This policy will provide guidelines for engaging staff at Ripponlea Kindergarten, including:

- employing sufficient numbers of educators to meet legislative, policy and service standards
- employing educators with qualifications and experience that meet legislative, policy and service standards
- providing appropriate supervision and support to staff and other adults at the service
- complying with legislation relating to Working with Children (WWC) Check, Victorian Institute of Teaching (VIT) registration and meeting Child Safe Standards.

This policy should be read in conjunction with the following service policies:

- *Child Safe Environment Policy*
- *Code of Conduct Policy*
- *Determining Responsible Person Policy*
- *Participation of Volunteers and Students Policy*

Values

Ripponlea Kindergarten is committed to:

- the rights of all children to be safe and to feel safe at all times, including:
- promoting the cultural safety of Aboriginal children
- promoting the cultural safety of children from culturally and linguistically diverse backgrounds
- promoting the safety of children with a disability
- promoting the safety of trans and gender diverse children and their families in ECEC settings
- ensuring the LGBTQI+ children and their families feel included and safe
- ensuring that the health, safety and wellbeing of children at the service is protected at all times while also promoting their learning and development
- fulfilling a duty of care to all children attending the service
- providing accountable and effective staffing and management practices
- employing educators with a range of relevant qualifications and experience to provide a quality educational program that meets the needs of children and families in the community
- employing educators according to policy and funding requirements
- complying with relevant industrial agreements and current legislation in relation to the employment of staff, including the *Equal Opportunity Act 2010*, *Fair Work Act 2009* and the *Worker Screening Act 2020*

- continuity of educators at the service
- the further development of staff
- being guided by the ethos of our philosophy statement and Service policies.

Scope

This policy applies to the Approved Provider, Persons with Management or Control, Nominated Supervisor, Persons in day-to-day charge, educators, staff, students on placement, volunteers, parents/guardians, children, and others attending the programs and activities of Ripponlea Kindergarten.

Background and legislation

Background

High quality services with qualified, skilled, and supported educators have a long-term positive impact on the trajectory of children's lives. Minimum qualification requirements are specified in legislation for all educators working in early childhood education and care services. Eligibility for services to receive funding also includes requirements for staff to hold specific qualifications (*The Kindergarten Funding Guide* - refer to *Sources*).

A current list of approved qualifications is available on the [Australian Children's Education and Care Quality Authority \(ACECQA\)](#) website (refer to *Sources*). Applications can also be made to ACECQA to determine if other qualifications (such as those gained overseas) entitle the individual to work as an early childhood teacher, diploma-level educator, or certificate III level educator.

In addition, there are legislative requirements that there is at least one educator who holds current approved first aid qualifications, anaphylaxis management training and emergency asthma management training to be in attendance and immediately available at all times that children are being educated and cared for by the service. These qualifications must be updated as required, and a copy of the qualifications must be kept on an individual's staff record. As a demonstration of duty of care and best practice, all educators at Ripponlea Kindergarten have current approved first aid qualifications, anaphylaxis management training and emergency asthma management training.

Opportunities for professional development are crucial for all educators to ensure that their work practice remains current and aligned to the practices and principles of the national *Early Years Learning Framework* (EYLF) and the *Victorian Early Years Learning and Development Framework* (VEYLDF) (refer to *Sources*).

Staff are required to actively supervise children at all times when children are in attendance at the service (refer to *Supervision of Children Policy*). To facilitate this, services are required to comply with legislated educator-to-child ratios at all times, which are based on the qualifications of the educators, and the ages and number of children at the service. Only those educators working directly with children (refer to *Definitions*) can be counted in the ratio.

All educators and staff are required by law to have a current WWCC or be registered with the VIT (refer to *Definitions*). It is also recommended that the Nominated Supervisor and staff with financial responsibilities also have a criminal history record check (refer to *Definitions* and *Sources*).

Child Safe Standard 6 requires organisations to have policies and procedures in place for the recruitment, pre-employment screening, and appropriate induction of new staff members, and that ongoing supervision and people management is focused on child safety and wellbeing (refer to *Child Safe Environment and Wellbeing Policy*).

Legislation and standards

This policy is informed by the following legislation and standards:

- Child Safe Standards

- *Education and Care Services National Law Act 2010*
- *Education and Care Services National Regulations 2011*
- *Education and Training Reform Act 2006* (Vic) (amended in 2014)
- *Equal Opportunity Act 2010* (Vic)
- *Fair Work Act 2009*
- *National Quality Standard, Quality Area 4: Staffing Arrangements*
- *Privacy Act 1988* (Cth)
- *Privacy and Data Protection Act 2014* (Vic)
- *Worker Screening Act 2020*
- *Worker Screening Regulations 2021* (Vic)

The most current amendments to listed legislation can be found at:

- Victorian Legislation - Victorian Law Today: www.legislation.vic.gov.au
- Commonwealth Legislation - Federal Register of Legislation: www.legislation.gov.au

Sources and Related policies

Sources

- A sample staff record is available on the ACECQA website: www.acecqa.gov.au
- Australian Children's Education and Care Quality Authority (ACECQA): www.acecqa.gov.au
- Department of Education and Training , *The Kindergarten Funding Guide*: <https://www.education.vic.gov.au/childhood/providers/funding/Pages/kinderfundingcriteria.aspx>
- ELAA's *Early Childhood Management Manual* contains additional information and attachments relating to staffing, including sample position descriptions, sample letters of employment and interview questions. Available from: www.elaa.org.au
- ELAA's *Employee Management and Development Resource*: developed to support early learning services in the ongoing management and development of their employees at: <https://elaa.org.au/resources/free-resources/employee-management-development-resource/>
- The Commission for Children and Young People (2018), *A Guide for Creating a Child Safe Organisation*: <https://ccyp.vic.gov.au/assets/resources/New-CSS/A-guide-for-creating-a-Child-Safe-Organisation-190422.pdf>
- The Early Years Learning Framework for Australia: Belonging, Being, Becoming: www.acecqa.gov.au
- Victoria Police - National Police Record Check: www.police.vic.gov.au
- *Victorian Early Years Learning and Development Framework*: www.acecqa.gov.au
- Working with Children Check unit, Department of Justice and Regulation - provides details of how to obtain a WWC Check: www.workingwithchildren.vic.gov.au

Related Policies

- *Administration of First Aid Policy*
- *Anaphylaxis Policy*

- Asthma Policy
- Child Safe Environment Policy
- Code of Conduct Policy
- Compliments and Complaints Policy
- Curriculum Development Policy
- Delivery and Collection of Children Policy
- Determining Responsible Person Policy
- Inclusion and Equity Policy
- Interactions with Children Policy
- Participation of Volunteers and Students Policy
- Privacy and Confidentiality Policy
- Supervision of Children Policy

Procedures

RESPONSIBILITIES	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					
Ensuring that obligations under the <i>Education and Care Services National Law and National Regulations</i> are met in relation to staffing arrangements	R	R			
Ensuring that quality staffing practices are in place in line with the <i>National Quality Standard</i> , especially Quality Area 4 - Staffing arrangements	R	R			
Complying with the service's <i>Code of Conduct Policy</i> at all times	√	√	√	√	√
Appointing a nominated supervisor (<i>refer to Definitions</i>) who is aged 18 years or older, fit and proper and has suitable skills, as required under the <i>Education and Care Services National Law, Section 161 (refer to Determining Responsible Person Policy) (Regulations 117C)</i>	R	R			
Ensuring that there is a person in day-to-day charge (<i>refer to Definitions and Determining Responsible Person Policy</i>) on the premises at all times the service is in operation (<i>Education and Care Services National Law: Section 162, Regulation 117A,</i>	R	R			

117B)					
Developing rosters in accordance with the availability of responsible persons, staff qualifications, hours of operation and the attendance patterns of children	√	√			
Ensuring that the name of each nominated supervisor of the service is displayed and easily visible from the main entrance of the service (<i>Education and Care Services National Law: Section 172, Regulation 173</i>)	R	√			
Ensuring that children being educated and cared for by the service are adequately supervised (<i>refer to Definitions and Supervision of Children Policy</i>) at all times they are in the care of that service (<i>Education and Care Services National Law: Section 165(1)</i>)	R	R	√		√
Complying with the legislated educator-to-child ratios at all times (<i>Education and Care Services National Law: Sections 169, Education and Care Services National Regulations: Regulations 122, 123, 357</i>)	R	R			
Ensuring that all staffing meets the requirements of <i>The Kindergarten Funding Guide (refer to Sources)</i> at all times the service is in operation	R	√			
Complying with relevant industrial agreement and current legislation relating to the employment of staff, including the <i>Equal Opportunity Act 2010, Fair Work Act 2009, Occupational Health and Safety Act 2004 and the Worker Screening Act 2020</i>	R	√			
Following the guidelines for the recruitment, selection and ongoing management of staff as outlined in the <i>Child Safe Environment and Wellbeing Policy</i>	R	√			
Employing the relevant number of appropriately qualified educators (<i>refer to Definitions</i>) with ACECQA approved qualifications (<i>refer to Background and Sources</i>) (<i>Education and Care Services National Regulations: Regulations 126</i>)	R	√			
Employing additional staff, as required, to assist in the provision of a quality early childhood education and care program	R				
Ensuring that early childhood teachers, educators and other staff undertake appropriate induction following their appointment to the service	R	√			
Ensuring an early childhood teacher (<i>refer to Definitions</i>) is working with the service for the required period of time specified in the <i>Education and Care Services National Regulations: Regulations 130 - 135</i> , and that, where required, a record is kept of this work (<i>Education and Care Services National Regulations: Regulations 152, 363</i>)	R	√			
Maintaining a record of early childhood teachers and educators working directly with children in accordance with <i>Education and Care Services National Regulations: Regulation 151</i>	R	√			

Appointing an appropriately qualified and experienced educator to be the educational leader (<i>refer to Definitions</i>), and ensuring this is documented on the staff record (<i>Education and Care Services National Regulations: Regulations 118, 148</i>)	R	√			
Ensuring that educators and other staff are provided with a current position description that relates to their role at the service	√	√			
Ensuring all early childhood teachers have a Victorian Institute of Teaching (VIT) certificate of registration.	R				
Maintaining a staff record (<i>refer to Definitions and Sources</i>) in accordance with <i>Education and Care Services National Regulations: Regulation 145</i> , including information about the responsible person, nominated supervisor, the educational leader, other staff members, volunteers, and students. Details that must be recorded include qualifications, training, <i>Working with Children Check</i> as set out in <i>Education and Care Services National Regulations: Regulations 146-149</i> .	R	√			
Complying with the requirements of the <i>Worker Screening Act 2020</i> , and ensuring that the nominated supervisor, educators, staff, volunteers, and students at the service have a current WWCC (<i>refer to Definitions</i>) or a Victorian Institute of Teaching (VIT) certificate of registration (applicable to ECT only)	R	√			
Confirming the WWCC or confirming VIT registration (applicable to ECT only) of all staff prior to their being engaged or employed as a staff member at the service	R	√			
Confirming the WWCC of all volunteers prior to their being permitted to be a volunteer at the service	R	√			
Ensuring that a register of the WWCC or VIT registrations is maintained, and the details kept on each staff record (<i>Education and Care Services National Regulations: Regulations 145, 146, 147, 149</i>)	R	√	√		√
Determining who will cover the costs of WWCC or criminal history record checks (<i>refer to Definitions</i>)	√	√			
Ensuring that volunteers/students and parents/guardians are adequately supervised at all times when participating at the service, and that the health, safety and wellbeing of children at the service is protected (<i>refer to Participation of Volunteers and Students Policy</i>)	R	R			
Ensuring educators who are under 18 years of age are not left to work alone, and are adequately supervised at the service (<i>Education and Care Services National Regulations: Regulation 120</i>)	R	√	√		√

Ensuring that there is at least one educator with current approved first aid qualifications, anaphylaxis management training and emergency asthma management training (<i>refer to Definitions</i>) in attendance and immediately available at all times that children are being educated and cared for by the service. Details of qualifications and training must be kept on the staff record (<i>Education and Care Services National Regulations: Regulations 136, 145</i>). Note - all educators at Ripponlea Kindergarten have current approved first aid qualifications and anaphylaxis and emergency asthma management training.	R	√			
Developing procedures to ensure that approved first aid qualifications, anaphylaxis management training and emergency asthma management training are evaluated regularly, and that staff are provided with the opportunity to update their qualifications prior to expiry	√	√			
Ensuring that staff records (<i>refer to Definitions and Sources</i>) and a record of ECT and educators working directly with children (<i>refer to Definitions</i>) are updated annually, as new information is provided or when rostered hours of work are changed (<i>Education and Care Services National Regulations: Regulations 145-151</i>)	R	√			
Ensuring that annual performance reviews of the nominated supervisor, early childhood teachers, educators and other staff are undertaken as per the <i>National Quality Framework 7.2.3</i>	R	√			
Reviewing staff qualifications as required under current legislation and funding requirements on an annual basis	√	√			
Ensuring that the nominated supervisor, early childhood teachers, educators and other staff, volunteers and students are not affected by alcohol or drugs (including prescription medication) that would impair their capacity to supervise or provide education and care to children (<i>Education and Care Services National Regulations: Regulation 83</i>) (<i>refer to Tobacco, Alcohol and other Drugs Policy</i>)	R	R			
Ensuring that all early childhood teachers, educators, and staff have opportunities to undertake professional development relevant to their role as per the National Quality Framework	R	√			
Ensuring that the nominated supervisor, early childhood teachers and educators/staff are advised and aware of current child protection laws and any obligations that they may have under these laws (<i>Education and Care Services National Regulations: Regulation 84</i>) (<i>refer to the Child Safe Environment and Wellbeing Policy</i>)	R	√			
Informing parents/guardians of the name/s of casual or relief staff where the regular educator is absent	√	√			
Developing and maintaining a list of casual and relief staff to ensure consistency of service provision	√	√			
Ensuring that the procedures for the appointment of casual and relief staff are compliant with all regulatory and funding	√	√			

requirements.

Attachments

Nil

Definitions

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Regulatory Authority, National Law, National Regulations etc. refer to the *General Definitions* section on our 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.