



STAFFING POLICY

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.

A current list of approved qualifications is available on the Australian Children's Education and Care Quality Authority (ACECQA) website. 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 (within the previous 3 years) 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. At Kensington Community Children's Cooperative, all educators 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).

Staff are required to actively supervise children at all times when children are in attendance at the service. 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 can be counted in the ratio.

All educators and staff are required by law to have a current Working With Children (WWC) Clearance or be registered with the Victorian Institute of Teaching (VIT). It is also recommended that the nominated supervisor and staff with financial responsibilities also have a criminal history record check.

Child Safe Standard organisations are required to have policies and procedures in place for the recruitment and pre-employment screening, supervision, appropriate induction, and ongoing supervision and people management is focused on child safety and wellbeing.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance children's learning and development.
4.1.1	Organisation of Educators	The organisation of educators across the service supports children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the Service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
4.2.2	Professional Standards	Professional standards guide practice, interactions and relationships.



EDUCATION AND CARE SERVICES NATIONAL LAW	
S. 56	Notice of addition of nominated supervisor
S. 56A	Notice of change of a nominated supervisor's name or contact details
S. 161	Offence to operate education and care service without nominated supervisor
S. 161A	Offence for nominated supervisor not to meet prescribed minimum requirements
S. 162	Offence to operate education and care service unless responsible person is present
S. 162A	Child protection training
S. 169	Offence relating to staffing arrangements
S. 172	Offence to fail to display prescribed information
S. 173	Offence to fail to notify certain circumstances to regulatory authority
S. 174	Offence to fail to notify certain information to regulatory authority
S. 175	Offence relating to requirement to keep enrolment and other documents
S. 188	Offence to engage person to whom prohibition notice applies

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
4 (1)	Definitions
10	Meaning of <i>actively working towards</i> a qualification
11	Meaning of <i>in attendance</i> at a centre-based service
13	Meaning of <i>working directly with children</i>
35	Notice of addition of new nominated supervisor
82	Environment to be free from tobacco, vaping devices, vaping substances, drugs and alcohol
83	Staff members and family day care educators not to be affected by alcohol or drugs
84	Awareness of child protection law
117A	Placing a person in day-to-day charge
117B	Minimum requirements for a person in day-to-day charge
117C	Minimum requirements for a nominated supervisor
120	Educators who are under 18 to be supervised
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
126A	Illness or absence of a qualified educator who is required to meet the relevant educator to child ratio
130	Requirement for early childhood teachers – 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
145	Staff Record

RELATED LEGISLATION

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 Standards
Privacy Act 1988 (Cth)
Privacy and Data Protection Act 2014 (Vic)
Worker Screening Act 2020
Worker Screening Regulations 2021 (Vic)

RELATED POLICIES

Administration of First Aid Policy Anaphylaxis and Allergic Reactions Policy Asthma Management Policy Child Safe Environment Policy Child Safety and Wellbeing Policy Code of Conduct 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
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Educational Program Policy (Curriculum Development)

Tobacco, E-Cigarettes, Vaping, Alcohol and Other Drugs Policy

PURPOSE

This policy will provide guidelines for engaging staff at Kensington Community Children's Cooperative:

- 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 Early Childhood Workforce Register, Working with Children (WWC) Check, Victorian Institute of Teaching (VIT) registration and meeting Child Safe Standards

SCOPE

This policy applies to the Kensington Community Children's Cooperative Limited as the Approved Provider, persons with management or control of a service (PMCs) including the Board of Directors nominated supervisors, management, persons in day-to-day charge, early childhood teachers, educators, staff, students, volunteers, parents/guardians, children and others attending the programs and activities of Kensington Community Children's Cooperative, including during offsite excursions and activities.

IMPLEMENTATION

THE APPROVED PROVIDER, PERSONS WITH MANAGEMENT OR CONTROL, NOMINATED SUPERVISORS, MANAGEMENT WILL:

- Ensure that obligations under the *Education and Care Services National Law and National Regulations* are met in relation to staffing arrangements
- Ensure that quality staffing practices are in place in line with the *National Quality Standard*, especially Quality Area 4 – Staffing arrangements
- Comply with the service's *Code of Conduct Policy* at all times
- Ensure that all educators, staff, volunteers and students are familiar with Early Childhood Australia's Code of Ethics
- Ensure that the environment is free from the use of tobacco, vaping, illicit drugs and alcohol, and the nominated supervisor, educators, staff, volunteers and students are not affected by alcohol or drugs (including prescription medication)
- Appoint nominated supervisors who are aged 18 years or older, fit and proper and have suitable skills, as required under the *National Law, Section 161 (Regulations 117C)*
- Ensure the nominated person completes and signs a Compliance history statement template and a Prohibition notice declaration template
- Ensure that there is a nominated supervisor or person in day-to-day charge on the premises at all times the service is in operation (*National Law: Section 162, Regulation 117A, 117B*)
- Ensure that the nominated supervisor and person in day-to-day charge are aware of the existence and application of current child protection law and their obligations under the law and have completed any jurisdictional requirements for child protection training
- Develop rosters in accordance with the availability of responsible persons, staff qualifications, hours of operation and the attendance patterns of children
- Ensure that the name of each nominated supervisor of the service is displayed and easily visible from the main entrance of the service (*National Law: Section 172, Regulation 173*)
- Notify the Department of Education (DE) in writing about a new nominated supervisor and if the details of the nominated supervisor change



- Ensure that children being educated and cared for by the service are adequately supervised at all times they are in the care of that service (*National Law: Section 165(1)*)
- Comply with the legislated educator-to-child ratios at all times (*National Law: Sections 169, National Regulations: Regulations 122, 123, 357*)
- Ensure that all staffing meets the requirements of *The Kindergarten Funding Guide* at all times the service is in operation
- Comply with relevant industrial agreement and 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 Worker Screening Act 2020*
- Follow the guidelines for the recruitment, selection and ongoing management of staff as outlined in the *Child Safe Environment Policy and Child Safety and Wellbeing Policy*
- Complete the Workforce Register in Arrival to capture information about all relevant employees at the service (including all current full time, part time and casual) who have direct contact with children as part of their usual duties.
- Employ the relevant number of appropriately qualified educators with ACECQA approved qualifications (*Regulations 126*)
- Employ additional staff, as required, to assist in the provision of a quality early childhood education and care program
- Ensure that early childhood teachers, educators and other staff undertake appropriate induction following their appointment to the service
- Maintain a record of early childhood teachers and educators working directly with children in accordance with *Regulation 151*
- Appoint an appropriately-qualified and experienced educator to be the educational leader, and ensure this is documented on the staff record (*Regulations 118, 148*)
- Ensure that educators and other staff are provided with a current position description that relates to their role at the service
- Ensure all early childhood teachers have a Victorian Institute of Teaching (VIT) certificate of registration.
- Maintain a staff record in accordance with *Regulation 145*, 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, *Working with Children Clearance* as set out in *Regulations 146–152*.
- Comply with the requirements of the *Worker Screening Act 2020*, and ensuring that the nominated supervisor, educators, staff, volunteers and students the service have a current WWC Clearance or a Victorian Institute of Teaching (VIT) certificate of registration (applicable to ECT only)
- Confirm the WWC Clearance or VIT registration (applicable to ECT only) of all staff prior to their being engaged or employed as a staff member at the service
- Confirm the WWC Clearance of all volunteers prior to their being permitted to be a volunteer at the service
- Ensure that a register of the WWC Clearance or VIT registrations is maintained, and the details kept on each staff record (*Regulations 145, 146, 147, 149*)
- Determine who will cover the costs of WWC Clearance or criminal history record checks
- Ensure that volunteers/students and parents/guardians and other family members 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
- Ensure educators who are under 18 years of age are not left to work alone, and are adequately supervised at the service (*Regulation 120*)
- Ensure that there is at least one educator with current (within the previous 3 years) approved first aid qualifications, anaphylaxis management training and emergency asthma management training 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 (*Regulations 136, 145*)



- Develop 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
- Ensure that staff records and a record of ECT and educators working directly with children are updated annually, as new information is provided or when rostered hours of work are changed (*Regulations 145–151*)
- Ensure that annual performance reviews of the nominated supervisor, early childhood teachers, educators and other staff are undertaken as per the *National Quality Framework 7.2.3*
- Review staff qualifications as required under current legislation and funding requirements on an annual basis
- Ensure 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 (*Regulation 83*)
- Ensure that nominated supervisor, early childhood teachers, educators meet their responsibilities relating to educational programs; supervision and safety of children; entry to and exit from premises; nutrition and food and beverages; administration of medication; sleep and rest; excursions and transportation; staffing ratios and qualifications
- Ensure that all early childhood teachers, educators and staff have opportunities to undertake professional development relevant to their role as per the National Quality Framework
- Ensure 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 (*Regulation 84*)
- Inform parents/guardians of the name/s of casual or relief staff where the regular educator is absent
- Develop and maintain a list of casual and relief staff to ensure consistency of service provision
- Ensure that the procedures for the appointment of casual and relief staff are compliant with all regulatory and funding requirements.

EARLY CHILDHOOD TEACHERS, EDUCATORS AND OTHER STAFF WILL:

- Comply with the service's *Code of Conduct Policy* at all times
- Ensure that they are familiar with Early Childhood Australia's Code of Ethics
- Ensure that the environment is free from the use of tobacco, vaping, illicit drugs and alcohol, and the nominated supervisor, educators, staff, volunteers and students are not affected by alcohol or drugs (including prescription medication).
- Ensure that they are aware of the existence and application of current child protection law and their obligations under the law and have completed any jurisdictional requirements for child protection training
- Ensure that children being educated and cared for by the service are adequately supervised at all times they are in the care of that service (*National Law: Section 165(1)*)
- Ensure they maintain their WWC or VIT currency and provide evidence for their file
- Ensure educators who are under 18 years of age are not left to work alone, and are adequately supervised at the service (*Regulation 120*)
- Ensure that nominated supervisor, early childhood teachers, educators meet their responsibilities relating to educational programs; supervision and safety of children; entry to and exit from premises; nutrition and food and beverages; administration of medication; sleep and rest; excursions and transportation; staffing ratios and qualifications

FAMILIES WILL:

- Comply with the service's *Code of Conduct Policy* at all times



- Respect and support the ethical principles that guide educators and staff, as outlined in Early Childhood Australia's Code of Ethics.

CONTRACTORS, VOLUNTEERS AND STUDENTS WILL:

- Comply with the service's *Code of Conduct Policy* at all times
- Be familiar with and act in accordance with Early Childhood Australia's Code of Ethics
- Ensure that the environment is free from the use of tobacco, vaping, illicit drugs and alcohol, and the nominated supervisor, educators, staff, volunteers and students are not affected by alcohol or drugs (including prescription medication).
- Ensure that they are aware of the existence and application of current child protection law and their obligations under the law and have completed any jurisdictional requirements for child protection training
- Ensure that they are not left to work alone with children without the presence of a qualified educator
- Hold and maintain a current WWC Clearance or VIT registration and provide documentation to the service for inclusion in the staff record register (*Regulations 145–149*).
- Ensure that any individuals in their employment or under their supervision who are under 18 years of age are not left to work alone, and are adequately supervised at the service (*Regulation 120*)
- Follow directions of the nominated supervisor, early childhood teachers, and educators to meet their responsibilities relating to educational programs; supervision and safety of children; entry to and exit from premises; nutrition and food and beverages; administration of medication; sleep and rest; excursions and transportation; staffing ratios and qualifications

DEFINITIONS

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.
Suitably Qualified Person – long-day care only	An individual who is 'actively working towards' (see Regulation 10 of the National Regulations) an approved early childhood teaching qualification AND has completed at least 50 per cent of the qualification or holds an approved early childhood education and care diploma OR An individual who is registered as a primary or secondary school teacher in Australia AND holds an ACECQA approved early childhood education and care diploma (or higher approved qualification)

CONTINUOUS IMPROVEMENT/REFLECTION

The *Staffing Policy* will be reviewed every 3 years, or earlier if required, in consultation with families, staff, educators and management.

ATTACHMENTS

- Nil

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
- ACECQA, Compliance history statement template and a Prohibition notice declaration template (acecqa.gov.au/resources/applications/sample-forms-and-templates)
- Department of Education, The Kindergarten Funding Guide: <https://www.vic.gov.au/kindergarten-funding-guide>
- Department of Education: [Early Childhood Workforce Register](http://www.vic.gov.au/early-childhood-workforce-register)
- 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, A Guide for Creating a Child Safe Organisation: <https://ccyp.vic.gov.au/resources/child-safe-standards/>
- 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

REVIEW

POLICY REVIEWED	NOVEMBER 2025	NEXT REVIEW DATE	NOVEMBER 2028
ENDORSED BY	KCCC Board	ENDORSEMENT DATE	03/11/2025
VERSION	V04.11.2025		
MODIFICATIONS	• general policy maintenance • sources checked and updated as required		