

Outside of School Hours Care Staffing Policy

PURPOSE

This policy outlines how Pomonal Primary Outside of School Hours Care (OSHC) will employ, recruit, select, engage, and support our OSHC Educators.

SCOPE

This policy applies to families, staff, educators, management, the approved provider, nominated supervisor, students, volunteers and visitors of the OSHC Service.

Pomonal Primary OSHC is committed to:

- Ensuring that the safety, health, and wellbeing of children attending our services 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
- Continuity of educators at the service
- The professional development of staff.

Pomonal Primary School Council is responsible for:

- Ensuring the Pomonal Primary OSHC Code of Conduct is in place at all times
- Ensuring all school council members have undertaken fit and proper checks on an annual basis and all records to be securely filed (refer to **Appendix 1: Governance and Management Policy**)
- Complying with the Pomonal Primary OSHC Determining Responsible Person Procedure at all times (see below)
- Ensuring that children being educated and cared for by the service are adequately supervised at all times they are in the care of that service
- Complying with the legislated educator-to-child ratios and minimum approved Australian Children's Education Care and Quality Authority (ACECQA) qualifications required at all times
- Complying 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
- Following the guidelines for the recruitment and selection of staff as outlined in the Department of Education and Training [Best Practice Guide: Recruitment and Selection](#)
- Following recruitment processes, pre-employment (fit and proper) checks as specified in Pomonal Primary OSHC Governance and Management Policy to comply with Family Assistance Law.
- Employing additional staff, as required, to assist in the provision of a quality early childhood education and care program and administration of Child Care Subsidy, Additional Child Care Subsidy and compliance with Family Assistance Law
- Appointing an appropriately qualified and experienced educator to be the Educational Leader, and ensuring this is documented on the staff record

- Maintaining a staff record in accordance with Regulation 145 of the Education and Care Services National Regulations 2011 (National Regulations), including information about the Responsible Person, Nominated Supervisor, the Educational Leader, other staff members. Details that must be recorded include qualifications, training, and either a Working with Children Check (Regulations 146–148) or VIT registration
- Complying with the Pomonal Primary OSHC Working with Children’s Check (WWCC) or Victorian Institute of Teaching (VIT) registration and National Criminal History Records Check procedure at all times. Provider to verify WWCC checks
- Developing and implementing an appropriate orientation and induction program for all staff/educators appointed to the service
- Developing rosters in accordance with the availability of Responsible Persons, availability of first aid qualified staff, hours of operation and the attendance patterns of children
- Ensuring that volunteers/students, and families and carers are adequately supervised at all times when participating at the service, and that the safety, health and wellbeing of children at the service is protected
- Ensuring that at least one educator is present who has current approved first aid qualifications and CPR training at all times. Details of qualifications and training must be kept on the staff record
- Ensuring at least one person on site hold a current qualification in assisting with emergency asthma management and anaphylaxis management training. Details of qualifications and training must be kept on the staff record
- Developing procedures to ensure that approved first aid qualifications, anaphylaxis management training and emergency asthma management training are evaluated regularly
- Ensuring that annual performance plan and reviews are completed for all staff
- Ensuring educators are encouraged to attend local network, mentor, and sector specific meetings
- Ensuring that all educators and staff have opportunities to undertake professional development and training relevant to their role, including Child Care Subsidy (CCS) System, CCS administration, software program training, updates and changes to legislation and processes
- Ensuring all staff remain informed and receive current updates to processes, procedures, and funding (staff to subscribe to updates)
- Ensuring that all staff are advised and aware of current child protection laws and any obligations that they may have under these laws
- Ensure the service staff have a current copy of the CCS Handbook, have read and understood responsibility and administration of the system for families, service and management obligations
- Developing and maintaining a list of casual and relief staff to ensure consistency of service provision, including where possible, staff with a first aid qualification
- Complying with processes if personnel check returns with an adverse result. Advice and guidance is sought from Department of Education and Training Employee Conduct Branch
- Ensuring that staff members are immediately placed on leave until matter is investigated, processes followed and resolved, including but not limited to, adverse results on checks, fraudulent, corrupt, dishonest behaviour, breaches of code of conduct.

The Nominated Supervisor is responsible for:

- Ensuring that the name and position of the Responsible Person in charge of the service is displayed and easily visible from the main entrance of the service (see below)
- Complying with the Pomonal Primary School Code of Conduct Policy at all times
- Ensuring adequate supervision of children at all times

- Ensuring the educator-to-child ratios are maintained at all times, that each educator at the service meets the qualification requirements relevant to their role, including the requirement for current approved first aid qualifications, anaphylaxis management training and emergency asthma management training (if applicable), and that the details of such training are kept on the staff record
- Developing rosters in accordance with the availability of Responsible Persons, staff qualifications, hours of operation and the attendance patterns of children
- Ensuring that educators and other staff undertake appropriate induction following their appointment to the service
- Ensuring that all educators and staff have opportunities to undertake professional development relevant to their role and keeping a spreadsheet of qualifications and expiry dates
- Ensuring WWCC or VIT are valid for all OSHC educators
- Participating in an annual performance review
- Undertaking professional development and training
- Ensuring that less experienced educators and others engaged to be working with children are adequately supervised, supported, and mentored
- Ensuring that educators 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 that educators are aware of current child protection laws and any obligations that they may have under these laws
- Informing families and carers of the name/s of casual or relief staff where the regular educator is absent
- Liaising with local government to partake in locally delivered networks, Communities of Practices and groups for OSHC/early childhood education and care/schools
- Liaising with [Victorian Inclusion Agency](#) and Community Child Care for best practice OSHC delivery and inclusion support.

Educators are Responsible for:

- Complying with the Pomonal Primary OSHC Code of Conduct at all times
- Complying with Early Childhood Australia's Code of Ethics principles
- Providing details of current WWCC or VIT registration, and (where applicable) Criminal Records Check for the staff record
- Undertaking the required induction program following appointment to the service
- Advising the WWCC Unit at the Department of Justice and Regulation, or VIT in the case of teacher registration, of any relevant change in circumstances, including change of name, address, contact details and change of employer organisation, including changes to the organisation's contact details
- Where the role involves working with children, providing adequate supervision at all times
- Maintaining educator-to-child ratios at all times
- Maintaining current approved qualifications relevant to their role, including first aid qualifications, anaphylaxis management training and emergency asthma management training (where applicable)
- Participating in an annual performance review
- Undertaking professional development relevant to their role to keep their knowledge and current expertise
- Ensuring that they are aware of current child protection laws and any obligations that they may have under these laws
- Ensuring that they are aware and compliant with the [Department Education and Training Information Security, InfoSafe guidelines](#)
- [Ensuring they have completed training, cyber information and know to report a cyber-crime.](#)

- [Complying with the Privacy Act 1988 \(Cth\)](#) and [Privacy and Data Protection Act 2014 \(Vic\)](#) at all times.

Families and Carers are responsible for:

- Respecting the human worth and dignity of Pomonal Primary OSHC staff, guardians, and participants
- Providing a safe work environment for Pomonal Primary OSHC staff and volunteers
- Engaging in positive communication with staff
- Following appropriate complaint procedures where required
- Understanding that any breaches of the Staffing Policy, or other Pomonal Primary OSHC and procedures, will result in action being taken, which may lead to limited access to the service.

Determining the Responsible Person in Charge Procedure

This procedure outlines the key requirements of the appointed responsible person, who must be present at all times in services educating and caring for children. Under the National Regulations, the responsible person must be either the Approved Provider, Nominated Supervisor or a Person in Day to Day Charge of the Service.

Pomonal Primary OSHC operates under the *Education and Care Services National Law Act 2010* (National Law) and the National Regulations and must ensure a responsible person is present whenever the service is educating and caring for children.

In compliance with section 162 (1) (a) to (c) of the National Law, a responsible person must be:

- The Principal, as the representative of the School Council, or
- A Nominated Supervisor of the service; or
- A Person in Day to Day Charge of the Service.

Pomonal Primary OSHC service will display the name and position of the responsible person in charge of the education and care service at any given time, in accordance with Regulation 173 (2) (c) of the National Regulations.

Pomonal Primary OSHC will ensure at all times this information is accurately recorded and available in all applicable educators Human Resources files at the approved premises of the service.

Roles and Responsibilities

Refer to **Appendix 1:** Pomonal Primary OSHC service: Human Resource definitions of roles.

Department/Role	Responsibility
Educators and Supervisors	Nominated supervisor/Education Leader and Person with Management or Control will oversee the implementation and service adherence to this policy

	All Educators are responsible for the daily implementation of the policy when directly supervising children.
School Council / Principal	Provider official sign off on the Policy

Policy Review

The Policy will be reviewed every 12 months. The ongoing monitoring and compliance to this policy will be overseen by Nominated Supervisor, Pomonal Primary OSHC and Person with Management or Control of the Service where practical. Feedback from Quality Assessment and Regulation Division (QARD), received through the assessment and rating process and/or compliance visits will inform this policy review. Feedback from stakeholders, e.g., families and carers, school community etc. will also inform policy updates and review.

Legislation, Standards, and Provisions

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations 2011](#)
- [A New Tax System \(Family Assistance\) \(Administration\) Act 1999](#)
- [A New Tax System \(Family Assistance\) Act 1999](#)
- [Family Law Act 1975](#)
- [Child Care Subsidy Secretary's Rules 2017 \(legislation.gov.au\)](#)
- [Child Safe Standards](#)
- [National Quality Standard \(Quality Area 7: Governance and Leadership\)](#)
- [National Quality Standards \(Quality Area 4: Staffing Arrangements\)](#)
- [Equal Opportunity Act 2010 \(Vic\)](#)
- [Fair Work Act 2009](#)
- [Privacy Act 1988 \(Cth\)](#)
- [Privacy and Data Protection Act 2014 \(Vic\)](#)
- [Worker Screening Act \(2020\)](#)
- [Working with Children Regulations 2006 \(Vic\)](#)

Supporting Documents

- [DET Quality Assessment and Rating Division \(QARD\)](#)
[Department of Education E-Newsletter subscription](#)
- [Department Education and Training \(DET\) - School Operations](#)
[Department Education and Training: Fraud and Corruption Control](#)
[Department Education and Training: Information Security, InfoSafe](#)
- [Department Education and Training \(DET\) - Human Resources](#)
[Department of Education and Training: Best Practice Guide: Recruitment and Selection](#)
[Department of Education and Training: Recruitment and Selection](#)
[Department of Education and Training: Employee Conduct Branch](#)
[Department Education and Training: Conflict of Interest](#)
[Department Education and Training: Report Fraud or Corruption](#)

- **Australian Children's Education and Care Quality Authority (ACECQA)**
[ACECQA National Quality Standard](#)
[National Quality Agenda IT System](#)
[ACECQA Sample forms and templates](#)
- **Australian Government Department Education, Skills and Employment (DESE)**
[Department Education, Skills and Employment E-Newsletter](#)
[Child Care Provider Handbook - Child Care Subsidy System 2019](#)
[Child Care Subsidy - Specified Personnel Roles](#)
[Child Care Subsidy - Fit and Proper Requirements Personnel](#)
[Child Care - Financial Integrity](#)
- **Early Childhood Australia**
[ECA's Code of Ethics principles - Early Childhood Australia](#)
- **Department of Justice – Working With Children Check**
[Status Checker | Working with Children](#)

Acknowledgement

I acknowledge:

- receiving the Pomonal Primary OSHC Staffing Policy;
- that I will comply with the policy; and that dependent on the seriousness of any breach there may be disciplinary consequences if I fail to comply, which may result in the termination of my employment

Your Name:	
Signed:	
Date:	
Pomonal Primary School OSHC sign off:	

REVIEW

POLICY REVIEWED BY	Belinda Wethers	Principal	24/11/24
POLICY REVIEWED	NOVEMBER 2024	NEXT REVIEW DATE	NOVEMBER 2025
VERSION NUMBER	V2.0		
MODIFICATIONS	• annual policy maintenance		

	• minor formatting changes	
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE
JULY 2021	• policy maintenance • Terminology section added • added section – Reporting and responding to general complaints • updated content to reflect NQF review and legislation changes re: child protection law; register for students/visitors • additional related policies added • sources reviewed and updated	NOVEMBER 2022

Appendix 1

Pomonal Primary OSHC service: Human Resource, definitions of roles

Staff Record: A record which the Pomonal Primary OSHC must keep containing information about all personnel working in our children's services

Approved Provider: The school council is the approved provider.

Person with Management or Control: Under National Law this refers to a representative of the school council (usually school principal) who has the responsibilities of an approved provider under the National Quality Framework.

Persons with Management or Control of the Provider: Under Family Assistance Law, any person who has, or will have, management or control of the Provider. Anyone who participates directly or indirectly in the decision making or management of the Provider (the legal entity) that operates the child care service/s. In the case of state government schools this is usually the school council.

Person Responsible for the Day-to-day Operation of the Service: Under Family Assistance Law, a person may be deemed responsible for day-to-day operation of the service. In respect to decision making, this person is required to seek advice from the OSHC Sub Committee and School Council.

Nominated Supervisor: Under the National Quality Framework, the Nominated Supervisor is a person delegated by the approved provider to have day to day responsibility for the management of the service.

Person in Day to Day Charge: Under the National Quality Framework, a person who may be a responsible person at a service in the absence of a person with management or control and nominated supervisor. This person must consent in writing to be considered as such.