

Staffing Arrangements Policy

Quality Area 4

1. Purpose

The purpose of this policy is to provide clear guidelines for engaging and rostering staff and managing their compliance. This ensures that we meet, and at times exceed, legislative requirements and demonstrate our commitment to child safety in areas such as:

- employing sufficient numbers of service staff to meet legislative requirements and policy standards,
- ensuring that those staff have the required qualifications and experience,
- providing appropriate supervision and support to staff and other adults at the service,
- complying with legislation relating to Working With Children Check (WWCC) and Victorian Institute of Teaching (VIT) registration,
- meeting the Child Safe Standards, and
- maintaining appropriate management of documentation for all the above.

2. Scope

This policy applies to all individuals who interact with a MACSEYE service and our Central Support Office (CSO), including:

- Management
- The nominated supervisor
- Permanent, casual and fixed-term employees
- Agency and contract workers,
- The board and committee
- Volunteers
- Visitors of the service
- Any other representatives of MACSEYE

For the purpose of this document, 'staff' refers to all the above.

Additionally, the term 'service staff' is used to refer to those who work directly with children in services such as Outside School Hours Care sites, Kindergartens, and Hubs, including:

- Educators
- Assistant Coordinators
- Coordinators
- Early Childhood Teachers
- Hub Leads

3. Background

High-quality services with qualified, skilled and supported staff have a long-term positive impact on children's lives. Minimum qualification requirements for education and care staff are specified in legislation and by the Australian Children's Education and Care Quality Authority (ACECQA). Eligibility for services to receive funding also includes requirements for staff to hold specific qualifications.

Legal requirements include all staff holding a current Working With Children's Check (WWCC), and for teachers to be registered with the Victorian Institute of Teachers (VIT). Different roles within services and the Central Support Office (CSO) may require additional certifications and checks as per legislation, and/or MACSEYE policies and position descriptions.

In addition to legal requirements, all staff, regardless of where they work or who they interact with, must also hold a current National Criminal History Check (NCHC).

4. Principles

MACSEYE is committed to:

- Fair and equitable employment practices which are in accordance with relevant industrial agreements, policies and funding requirements.
- Employing staff with diverse skills and experience who can deliver high-quality educational programs that meets the needs of children and families.
- Providing accountable and effective staffing and management practices.
- Fulfilling a duty of care to all children attending the service, ensuring their health, safety and wellbeing.
- Supporting staff to enrich children's lives and nurture their development.

5. Policy

5.1. MACSEYE's commitment

Teams across the organisation will work together to ensure the below areas are fulfilled. As the approved provider, MACSEYE will:

5.1.1. Provide necessary information and support to staff

MACSEYE will:

- Ensure that all staff understand, sign and adhere to the Code of Conduct.
- Run a comprehensive induction for all staff. For service staff, including casuals, this must include ensuring they are aware of privacy laws and behaviour guidance, how to manage medical conditions and how to respond to a child in case of incident, injury, trauma or illness.
- Share information, including all policies and procedures, and any other information deemed necessary for new staff.
- For any staff studying towards a qualification as per ACECQA: provide guidance and support in completing their qualification and communicate with their Registered Training Organisation (RTO) to ensure they complete units of competency and qualification.
- Provide written reminders to staff for expiring documentation, giving them a reasonable opportunity to complete any required recertification and/or return updated documentation.
- In particular, Area Managers will;
 - encourage their staff to complete all mandatory certifications, and
 - ensure their staff understand the implications of letting any mandatory certifications lapse.

5.1.2. Make appropriate staffing arrangements

- Undertake a rigorous recruitment process to select the best staff possible based on skills, qualifications, experience and suitability for the position. This includes a thorough compliance process (including reference checks) before offering employment.
- Ensure that all staff and any others in contact with the service meet any requirements for WWC Checks.
- Comply with the required educator-to-child ratios, taking into consideration the ages of children, attendance of children, staff qualification requirements and experience.
- Comply with the National Law and Regulations requirements for qualified educators and teachers.
- Ensure 50% of service staff on shift meet the relevant Diploma qualification requirement (or be actively working towards an approved diploma level education and care qualification). All other service staff are considered by law to be 'suitably qualified persons' who are required to have at least an approved certificate III level education and care qualification or be actively working towards their qualification. *Note that this is the minimum shift requirement as per legislation, and MACSEYE may go above and beyond this in their recruitment and staff requirements.*
- Ensure at least one staff member is in attendance and immediately available at all times who (or the Nominated Supervisor) holds current qualifications for first aid, anaphylaxis management and emergency

asthma management training. *Note that this is the minimum shift requirement as per legislation, and MACSEYE may go above and beyond this in their recruitment and staff requirements.*

- Adhere to the requirements for access to an Early Childhood Teacher (ECT) with an approved early childhood teaching qualification where children are attending the service who are under school age:
 - If caring for fewer than 25 children per day, will ensure access to an ECT for at least 20% of the time the service provides education and care.
 - If caring for more than 25 children per day, will ensure at least one ECT is in attendance for at least six 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 absent due to a short-term illness, leave or resignation, a person holding a primary teaching qualification or a person holding an approved diploma level qualification can be taken to be the ECT (up to 60 days in 12 months).
Maintain records for when an ECT is in attendance at the service and when an ECT is replaced temporarily.
 - If caring for fewer than 25 children per day, document the period an ECT is working with the service, working directly with children and not working directly with children but in attendance.
- Nominate a qualified and experienced educator or teacher, in writing, to take on the role of Educational Leader.
- Appoint a Nominated Supervisor, in writing, who is at least 18 years of age, has completed Child Protection training, and does not have a history of non-compliance with the Education and Care National Law and other relevant laws.
- Notify the Regulatory Authority of the appointment of a Nominated Supervisor and provide evidence of their suitability at least 7 days prior to them commencing in the role.
- Ensure that there is always a Nominated Supervisor or Responsible Person identified and, on the premises, when children are being educated and cared for, and display this information in the reception area.
- Ensure that no volunteer or visitor is left alone with a child or a group of children or is included in the educator-to-child ratio.
- Ensure any staff member under 18 years of age does not work at the service alone and is adequately supervised by an educator who is over 18 years of age.
- Only include educators in the educator to child ratio who are working directly with the children and ensure a current roster with sign on/sign off records is available to verify this.
- Ensure that the Nominated Supervisor, ECTs, educators, staff and volunteers are not affected by alcohol, prescribed medication or drugs that would impair their capacity to provide education and care to children.
- Aim to develop and provide a roster of shifts to staff in advance of no less than 7 days, where practicable.
- Ensure any changes to shifts are communicated as soon as possible.
- Where possible, select casual staff from a pool of regular educators with whom the children are familiar with to provide continuity of care.
- Suspend without pay any staff whose mandatory certifications, as set by MACSEYE, lapse.

5.1.3. Maintain accurate records

- Securely keep confidential and up-to-date staff records.
- Record and verify all WWCC and NCHC Checks before any staff are engaged at the service.
 - Provide ongoing maintenance of records of WWCC for all staff, including expiry dates.
 - Ensure any notifications or concerns regarding a person's WWCC are recorded and steps taken immediately to ensure the person is not working directly with children.
- Keep records of all staff qualifications and details of those actively working towards a qualification, including evidence of satisfactory progress.
 - Review staff qualifications as appropriate to ensure they continue to meet current legislation and funding requirements.
- Keep records indicating the period of time an ECT and each suitably qualified person is working directly with the children.
- Maintain, monitor and review all documentation as necessary.

5.1.4. All staff requirements

All MACSEYE staff will:

- Obtain a WWCC and NCHC before undertaking paid child-related work.
- Provide and maintain their certifications as per their position description and direction of MACSEYE.
- Provide updated documentation in a timely manner, as requested.
- Understand that failure to meet their training or documentation requirements may result in them being stood down without pay, or disciplinary action as appropriate.

5.1.5. Service staff

In addition to all staff responsibilities, and any responsibilities as per their role/s, all service staff will:

- If actively working towards a qualification, provide documentary evidence of the course, training plan and progress towards completion of the course every 6 months, or as requested by MACSEYE.
- Maintain service-specific certifications as per their position description and direction of MACSEYE, including but not limited to first aid and additional medical management, ACECQA-approved qualifications as required, Food Safety and Mandatory Reporting.
- Provide MACSEYE with proof of these certifications and study, and ensure they participate in training prior to the expiration of their certification.
- Adhere to the service's Supervision Policy and directions on engagement to maintain effective supervision.

5.1.6. Nominated Supervisor

In addition to all staff responsibilities, and any responsibilities as per their role/s, the Nominated Supervisor will:

- Accept the role of Nominated Supervisor in writing.
- Be responsible for day-to-day management of the service, ensuring compliance with the National Law, National Regulations, National Quality Standards and Family Assistance Law.
- Ensure the service's program is reflective of the approved learning framework, incorporates the children's developmental needs, interests and experiences, and considers the individual differences of each child.
- Adhere to service policies, ensuring a safe and healthy environment is provided.
- Ensure that all persons undertaking work at the service are made aware of the service's Privacy Policy and privacy law during their induction.
- Ensure that less experienced ECTs, educators and others engaged to be working with children are adequately supervised.
- Make all staff aware of the Child Information Sharing Scheme and the Family Violence Information Sharing Scheme.
- Provide leadership and effective communication to all staff and volunteers.

5.1.7. Responsible Person

In addition to all staff responsibilities, and any responsibilities as per their role/s, the Responsible Person will:

- Accept the position of Responsible Person in writing.
- Always act with professionalism when dealing with children, educators, visitors and families, understanding their role as a key representative of the service.
- Understand the operational requirements of the Education and Care National Law, Child Protection and other relevant laws.
- Provide leadership, effective communication and guidance in the operation of the service in the absence of the Nominated Supervisor.

5.1.8. Educational Leader:

In addition to all staff responsibilities, and any responsibilities as per their role/s, the Educational Leader will:

- Accept the position of Educational Leader in writing.
- Collaborate with service staff in the development of clear goals to support the delivery of a high standard of education and care.
- Play an active role in the Assessment and Ratings process and provide evidence that supports a high-quality rating result.

- Guide educators to provide a compliant and rich program.
- Maintain records on mentoring and guidance provided to educators on program and practice strategies.

6. Roles and Responsibilities

Role	Responsibilities
Director, People Services	Ensuring implementation and compliance with this policy.
Recruitment Manager and team	Ensuring appropriate recruitment, compliance and onboarding processes (and documentation of such).
Workforce Coordinators	Ensuring appropriate temporary and agency rostering and compliance
Learning and Development Manager and team	Providing comprehensive and appropriate induction and ongoing training opportunities. Monitoring the expiration of relevant documents and sending reminders. Working with Area Managers and other people leaders to support compliance of their teams.
People Services Administrators and team	Monitoring the expiration of relevant documents and sending reminders. Ensuring accurate and confidential storage of documents.
Area Managers	Supporting service teams to comply with this policy. Encouraging their staff to complete all mandatory certifications, and Ensuring their staff understand the implications of letting any mandatory certifications lapse. Working closely with the Workforce Coordination team to remove any non-compliant staff from rosters.
Other people leaders.	Supporting their teams to comply with this policy. Encouraging their staff to complete all mandatory certifications, and Ensuring their staff understand the implications of letting any mandatory certifications lapse. Working closely with HR Business Partners to undertake any necessary action for non-compliant staff.
All staff	Adhering to this policy, in accordance with their role/s as listed above, and their position description.

7. Child Safety

MACSEYE policies and practices prioritise the safety and wellbeing of children, who are central to everything we do. This policy is integral to ensuring child safety through appropriate supervision and knowledge of service staff.

The Child Safe Standards particularly relevant to this policy are:

Child Safe Standards	
Standard 6	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.
Standard 8	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

8. Induction and ongoing training

This policy will be accessible to all staff via the intranet. Training will be provided to all relevant staff at implementation and as needed. All line managers are responsible for ensuring their staff are aware of and understand this policy and

attend the required induction and ongoing training. All staff are responsible for understanding and complying with this policy.

9. Monitoring, evaluation and review

Monitoring of compliance with this policy and the related procedure will be overseen by the policy owner. The review process for this policy will be facilitated by the Policy Officer, will begin eight (8) weeks prior to the scheduled review date and include a consultation period with management and staff.

All staff will receive communication about any changes in or review of the policy or procedure. Training will be provided where required to ensure an understanding of the changes. Staff will be notified of any changes prior to implementation. Breaches of this policy will be dealt with in line with the MACSEYE Code of Conduct.

10. Related documents

- Individual Position Descriptions
- Responsible Person Policy
- Record Keeping Policy
- Child Safety and Wellbeing Policy
- Confidentiality and Privacy Policy
- Code of Conduct Policy

11. Legislative requirements

- Equal Opportunity Act 2010 (Vic)
- Fair Work Act 2009 (Cth)
- Occupational Health and Safety Act 2004 (Vic)
- Privacy Act 1988 (Cth)
- Privacy and Data Protection Act 2014 (Vic)
- Worker Screening Act 2020 (Vic)

National Quality Standards (NQS)

- Quality Area 4 Staffing Arrangements

Education and Care Services Regulations 2011 (Cth)

Education and Care Services National Law Act 2010 (Cth)

- Regulation 56 Notice of addition of nominated supervisor
- Regulation 56A Notice of change of a nominated supervisor's name or contact details
- Regulation 161 Offence to operate education and care service without nominated supervisor
- Regulation 161A Offence for nominated supervisor not to meet prescribed minimum requirements
- Regulation 162 Offence to operate education and care service unless responsible person is present
- Regulation 162A Persons in day-to-day charge and nominated supervisors to have child protection training
- Regulation 169 Offence relating to staffing arrangements
- Regulation 172 Offence to fail to display prescribed information
- Regulation 56 Notice of addition of nominated supervisor
- Regulation 56A Notice of change of a nominated supervisor's name or contact details
- Regulation 161 Offence to operate education and care service without nominated supervisor
- Regulation 161A Offence for nominated supervisor not to meet prescribed minimum requirements
- Regulation 162 Offence to operate education and care service unless responsible person is present
- Regulation 162A Persons in day-to-day charge and nominated supervisors to have child protection training
- Regulation 169 Offence relating to staffing arrangements
- Regulation 172 Offence to fail to display prescribed information
- Regulation 173 Offence to fail to notify certain circumstances to Regulatory Authority

- Regulation 174 Offence to fail to notify certain information to Regulatory Authority
- Regulation 175 Offence relating to requirement to keep enrolment and other documents
- Regulation 188 Offence to engage person to whom prohibition notice applies
- Regulation 4 (1) Definitions
- Regulation 10 Meaning of actively working towards a qualification
- Regulation 11 Meaning of in attendance at a centre-based service
- Regulation 13 Meaning of working directly with children
- Regulation 35 Notice of addition of new nominated supervisor
- Regulation 83 Staff members and family day care educators not to be affected by alcohol or drugs
- Regulation 84 Awareness of child protection law
- Regulation 117A Placing a person in day-to-day charge
- Regulation 117B Minimum requirements for a person in day-to-day charge
- Regulation 117C Minimum requirements for a nominated supervisor
- Regulation 120 Educators who are under 18 to be supervised
- Regulation 122 Educators must be working directly with children to be included in ratios
- Regulation 123 Educator to child ratios – centre-based services
- Regulation 126 Centre-based services – general educator qualifications
- Regulation 126A Illness or absence of a qualified educator who is required to meet the relevant educator to child ratio
- Regulation 130 Requirement for early childhood teachers – centre-based services – fewer than 25 approved places
- Regulation 131 Requirement for early childhood teacher—centre-based services—25 or more approved places but fewer than 25 children
- Regulation 132 Requirement for early childhood teacher—centre-based services—25 to 59 children
- Regulation 133 Requirement for early childhood teacher—centre-based services—60 to 80 children
- Regulation 134 Requirement for early childhood teacher—centre-based services—more than 80 children
- Regulation 135 Early childhood teacher illness or absence
- Regulation 136 First Aid qualifications
- Regulation 145 Staff Record
- Regulation 146 Nominated Supervisor
- Regulation 147 Staff Members
- Regulation 148 Educational Leader
- Regulation 149 Volunteers and Students
- Regulation 150 Responsible Person
- Regulation 151 Record of Educators working directly with children
- Regulation 152 Record of access to early childhood teachers
- Regulation 152A Record of replacement of educator
- Regulation 152B Record of replacement of early childhood teacher or suitably qualified person
- Regulation 168 Education and care services must have policies and procedures

12. Definitions

Adequate supervision: entails all children (individuals and groups) in all areas of the service, being in sight and/or hearing of an educator at all times including during toileting, sleep, rest and transition routines (National Law 165). Services are required to comply with the legislative requirements for educator-to-child ratios at all times. Supervision contributes to protecting children from hazards that may emerge in play, including hazards created by the equipment used. Adequate supervision refers to constant, active and diligent supervision of every child at the service. Adequate supervision requires that educators are always in a position to observe each child, respond to individual needs, and immediately intervene if necessary. Variables affecting supervision levels include:

- number, age and abilities of children
- number and positioning of educators
- current activity of each child
- areas in which the children are engaged in an activity (visibility and accessibility)
- developmental profile of each child and of the group of children
- experience, knowledge and skill of each educator
- need for educators to move between areas (effective communication strategies).

Approved first aid qualifications: includes training in the matters set out below, that relates to and is appropriate to children and has been approved by ACECQA and published on the list of ACECQA's approved first aid qualifications

and training. Matters are likely to include: emergency life support and cardiopulmonary resuscitation; convulsions; poisoning; respiratory difficulties; management of severe bleeding; injury and basic wound care; and administration of an auto-immune adrenalin device.

Approved provider: a person who holds a provider approval (National Law). A provider approval authorises a person to apply for one or more service approvals and is valid in all jurisdictions.

Authorised Representative: permanent or temporary staff member employed by MACSEYE and appointed to a specific role or group of roles (e.g. Service Coordinators) that reports directly or indirectly to a Delegate and has been authorised by that Delegate to incur expenditure on their behalf in accordance with their delegated authority and this policy.

Educational program: a program that:

- is based on an approved learning framework; and
- is delivered in a manner that accords with the approved learning framework; and
- is based on the developmental needs, interests and experiences of each child; and
- is designed to take into account the individual differences of each child (National Law).

Educator: an individual who provides education and care for children as part of an education and care service.

Educational Leader: The Approved Provider of an education and care service must designate, in writing, a suitably qualified and experienced educator, co-ordinator or other individual to lead the development and implementation of educational programs at the service. This person must have a thorough understanding of the Early Years Learning Framework and the Victorian Early Years Learning and Developmental Framework, be able to guide other educators in their planning and reflection, and mentor colleagues in the implementation of their practice.

MACSEYE: Melbourne Archdiocese Catholic Schools Early Years Educations Ltd.

MACSEYE service: an early childhood education and/or care service which is owned, operated and governed by MACSEYE.

National Criminal history check (NCHC): a full-disclosure, Australia-wide criminal history record check issued by Victoria Police, 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.

National Law: unless otherwise specified, the Education and Care Services National Law Act 2010 or, in Western Australia, the Education and Care Services National Law (WA) Act 2012. This applied law system sets a national standard for children's education and care across Australia. See the ACECQA website for the Application Act or legislation that applies in each jurisdiction.

National Regulations: the Education and Care National Regulations. The National Regulations support the National Law by providing detail on a range of operational requirements for an education and care service.

Nominated supervisor: a person who:

- is nominated by the approved provider of the service under Part 3 to be a nominated supervisor of that service; and
- unless the individual is the approved provider, has provided written consent to that nomination (National Law).

Person in day-to-day charge: a person is in day-to-day charge of an education and care service if:

- the person is placed in day-to-day charge by the approved provider or a nominated supervisor of the service; and
- the person consents to the placement in writing (National Regulations).

There are minimum requirements for the person in day-to-day charge.

Person with management or control: in relation to an education and care service, means:

- if the provider or intended provider of the service is a body corporate, an officer of the body corporate within the meaning of the Corporations Act 2001 of the Commonwealth who is responsible for managing the delivery of the education and care service; or

- if the provider of the service is an eligible association, each member of the executive committee of the association who has the responsibility, alone or with others, for managing the delivery of the education and care service; or
- if the provider of the service is a partnership, each partner who has the responsibility, alone or with others, for managing the delivery of the education and care service; or
- in any other case, a person who has the responsibility, alone or with others, for managing the delivery of the education and care service (National Law).

Responsible Person: is considered to be:

- the approved provider or a person with management or control
- a nominated supervisor
- a person in day-to-day charge of the service.
- In a family day care (FDC) service, the responsible person must be available to provide support to FDC educators.

The approved provider is responsible for assessing a person's suitability as responsible person.

Staff record: a record which the Approved Provider of a centre-based service must keep containing information about the Nominated Supervisor, the Educational Leader, staff, volunteers, students and the Responsible Person at a service. Details that must be recorded include qualifications, training and the WWC Check. A sample staff record is available on the ACECQA website: www.acecqa.gov.au

Working with Children Check (WWCC): a notice, certificate or other document granted to, or with respect to, a person under a working with children law to the effect that: a. the person has been assessed as suitable to work with children; or b. there has been no information that if the person worked with children the person would pose a risk to the children; or c. the person is not prohibited from attempting to obtain, undertake or remain in child-related employment.

13. Policy information

Policy information			
Policy title:	Staffing Arrangements Policy		Version: 2.0
Authorised Executive:	Director, People Services	Responsible Manager:	Director, People Services
Approving authority:	Managing Director	Approval date:	6/09/2024
Effective date:	06/09/2024	Review date:	11/09/2025
Review approval date:	12/11/2025	Next review date:	12/11/2026

Version control		
Version	Date	Changes
1.0	6/9/2024	Policy developed
1.1	11/9/2025	<p>The policy has been reviewed and updated, with the following key changes:</p> <ul style="list-style-type: none"> • Scope Expanded: The scope now explicitly includes all relevant personnel. • Improved Structure: Content has been reorganised under detailed subheadings to make the policy easier to read and apply. • Certification Compliance: Clear guidance has been added on MACSEYE's hard-line stance regarding expired or missing certifications. Service staff will not be rostered if any required certifications are expired or outstanding.

		<ul style="list-style-type: none"> • Enhanced Clarity: Language has been reworded to improve comprehension, ensuring the policy is easily understood and implemented by both CSO and service staff, and terminology has been refined to reflect MACSEYE's context. • Updated Certification References: The names of required certifications have been updated to align with current requirements.
2.0	12/11/2025	Policy approved by Managing Director