STAFFING ARRANGEMENTS POLICY – Part 2

Early Childhood Education & Care Specific

IMPLEMENTATION

The Langwarrin Community Centre is committed to the safety, wellbeing and support of all children and young people in all aspects of operation within our Service. Our Service will comply with the required educators to child ratios, taking into consideration qualification requirements and experience, implement the required staffing requirements, and ensure all staff adhere to our Code of Conduct.

All staff must adhere to our child safety policies including *Child Protection, Child Safe Environment and Safe Use of Digital Technologies and Online Environments Policies.* Our Service adheres to and aligns with legislative requirements related to taking images or videos of children. (See *Safe Use of Digital Technologies and Online Environments Policy*.)

STAFFING ARRANGEMENTS

Under the Education and Care Services National Regulations, the approved provider must ensure the Service meets minimum staffing arrangements including:

- nominating a responsible person to oversee the day-to-day operation of the Service
- employing staff who meet early childhood teaching, diploma and Certificate III qualifications, anaphylaxis and emergency asthma management training, first aid and child protection training
- adhering to educator to child ratios- minimum number of educators working directly with children
- ensuring an appropriately qualified and experienced educational leader is employed to lead the implementation of the educational program under the approved learning framework
- ensuring each staff member is considered fit and proper to work with children and hold a valid Working with Children Check (WWCC)
- ensuring any applications for staffing Service waivers meet National Law and National Regulation requirements, including all required documentation
- cooperating with the regulatory authority and complying with any directions or orders issued by the regulatory authority regarding a show cause, suspension or supervision notice provided to an employee, including removing the person from engagement with children immediately.

NOMINATED SUPERVISOR

The Nominated Supervisor is a suitable person appointed by the Approved Provider who is placed in day-to-day charge of an approved Service. The Approved Provider must provide sufficient evidence and information to demonstrate compliance to the Regulatory Authority of the suitability of this person. Nominated Supervisors have a range of responsibilities under the National Law and Regulations including, but not limited to, programming, supervision and safety of children, entry to and exit from the premises, food and beverage, administration of medication, excursions, staffing, sleep, and rest.

The Approved Provider will:

- ensure a nominated supervisor is nominated for the Service and display the name of the Nominated Supervisor in a place that is clearly visible to staff, educators, families and visitors.
- notify the regulatory authority at least seven days prior to the Nominated Supervisor starting or as soon as practicable (not more than 14 days) after the nominated supervisor has commenced employment in the position).
- The approved provider will ensure the regulatory authority is notified if the nominated supervisor ceases employment at the service, is removed from the role or withdraws consent to the nomination.

- ensure the nominated supervisors meets the following minimum requirements:
  - must be 18 years of older
  - holds a valid WWCC
  - have adequate knowledge and understanding of the provision of education and care to children and has the ability to effectively supervise and manage an education and care Service
  - have the ability to adequately supervise and manage an education and care service
  - have successfully completed a course in child protection approved by the regulatory authority and be aware of mandatory reporting obligations
  - have completed mandatory Child Safety training and be aware of reporting obligations
  - have a history of compliance with *Education and Care National Law* and other relevant laws (e.g., Family Law)
- ensure the nominated supervisor signs a Compliance History Statement and a Prohibition notice declaration
- remove the nominated supervisor from the role if a compliance action is determined against them or concerns are held regarding their suitability to meet the requirements of the role.

The nominated supervisor will:

- accept the role in writing, to ensure they have a clear understanding about their role and responsibilities
- ensure the Service program is reflective of the approved learning framework, incorporate the children's developmental needs, interests, and experiences, and consider the individual differences and needs of each child
- adhere to Service policies ensuring a safe and healthy environment is provided
- register with PRODA and complete required background checks, including WWCC/and criminal history record check.

RESPONSIBLE PERSON

A Responsible Person is required to be physically present at the Langwarrin Community Centre at all times that children are being educated and cared for. The Responsible Person can be the Approved Provider, a nominated supervisor or a person with management or control placed in day-to-day charge of the Service. The Langwarrin Community Centre will ensure there is always a Nominated Supervisor or Responsible Person on the premises when children are being educated and cared for.

The approved provider or nominated supervisor will:

- ensure any persons nominated as a responsible person placed in day-to-day charge are at least 18 years old and have adequate knowledge and understanding of the provision of education and care to children and an ability to effectively supervise and manage an education and care service (Reg. 117B)
- clearly communicate the Responsible Person on duty with families, educators, staff and visitors by displaying this information in the foyer or reception area.
- ensure the Responsible Person will adhere to the Langwarrin Community Centre's policies and procedures and maintain a safe and healthy environment for children.
- ensure the Responsible Person will always act with professionalism when dealing with children, educators, visitors, and families.
- ensure all Responsible Persons will accept the role in writing, to ensure they have a clear understanding about their role and responsibilities.
- ensure the Responsible Person has a history of compliance with Education and Care National Law and other relevant law (e.g., Family Law).

ensure the responsible person has successfully completed Child Protection training approved by the regulatory authority

QUALIFICATIONS

Our Service will comply with the Education and Care Services National Regulations (Reg. 126) and ensure that at least 50 % of educators required to meet the relevant educator to child ratios for centre-based Services must have or be actively working towards an approved diploma level education and care qualification (or higher). All other educators required to meet the educator to child ratios at our Service, must hold, or be actively working towards at least an approved certificate III level education and care qualification.

Qualification and ratio requirements apply as soon as children are present at the Service.

Under the NQF a person is considered a diploma qualified educator if they:

- hold an approved diploma level qualification, or
- hold a former approved diploma level qualification completed before January 2012, or
- hold a qualification that ACECQA has assessed as equivalent to an approved diploma level educator qualification

If an individual is 'actively working towards' an approved qualification, they may be counted as a diploma level educator if they meet the requirements determined by ACECQA.

- an individual who is 'actively working towards' an approved early childhood teaching qualification and has completed at least 50% of the qualification or
- an individual who holds an approved qualification as listed on the ACECQA website that is approved by the National Authority or
- an individual who holds a qualification as approved by the National Authority, or
- an individual who is registered (accredited in NSW) as a primary or secondary school teacher in Australia and holds an ACECQA approved early education and care diploma (or higher approved qualification).

'SUITABLY QUALIFIED PERSON' DEFINITION

ACECQA determines the following qualifications as requirements for a 'suitably qualified person':

an individual who holds an approved qualification as listed on the ACECQA website that is approved by the National Authority or an individual who holds a qualification as approved by the National Authority.

ACTIVELY WORKING TOWARDS DEFINITION- (Reg.10)

Educators can be counted towards meeting the listed qualification if they meet the following criteria:	
Certificate III level	• have commenced the course, and • are making satisfactory progress toward completing the course, and • are meeting the requirements for maintaining the enrolment.

Diploma level	• are enrolled in a course for an approved diploma level or early childhood qualification-ACECQA approved diploma level or higher qualification and, • provide documentary evidence to the approved provider that they: o have started the course and o are making satisfactory progress toward completing the course and o are meeting the requirements for maintaining enrolment, and o hold an approved certificate III level education and care qualification, or o have completed the percentage of total units of study required for completion of an approved early childhood teaching qualification, as determined by ACECQA
Taken to be an early childhood teacher (Reg. 242)	• are enrolled in a course for an approved early childhood qualification and, • provide documentary evidence such as a transcript or letter from the course provider that they: o have started the course, and o are making satisfactory progress towards completion of the course and, o are meeting the requirements for maintaining enrolment, and o hold an approved diploma level qualification, or o have completed at least 50% of the course.
[Reg. 242 does not apply in QLD or VIC, or in centre-based services in NSW caring for 30 or more preschool age or under]	

APPROVED FIRST AID QUALIFICATIONS

- The Approved Provider is required to ensure at least one staff member, or one Nominated Supervisor holds current qualifications for first aid (including cardio-pulmonary resuscitation), anaphylaxis management and emergency asthma management training.
- The Approved Provider must ensure at least one staff member, or one Nominated Supervisor be in attendance at any place children are being educated and cared for by the Service and be immediately available in an emergency and hold the mandatory qualifications for:
    - an ACECQA approved first aid qualification (including cardio-pulmonary resuscitation) and
    - anaphylaxis management training and
    - emergency asthma management training.

  (Approved qualifications are published on the ACECQA website)
- The Langwarrin Community Centre requires all permanent educators to have current approved qualifications (unless management approved exemption), and be immediately available in an emergency.
- It is the staff and educator's responsibility to ensure they maintain current First Aid, (including cardio-pulmonary resuscitation) Asthma, and Anaphylaxis Training qualifications and provide the Langwarrin Community Centre

with a copy of the certificate. Staff and educators must ensure they participate in training prior to the expiration date on their certificates.

- Approved first aid qualifications and ACECQA approved anaphylaxis and asthma management training every 3 years and renew cardio-pulmonary resuscitation every 12 months.

EDUCATOR TO CHILD RATIOS

- Our Service will meet the minimum child ratio requirements at all times as stated below (Reg. 123)

State	Age of children	Educator to child ratio
VIC	Birth to 24 months	1 :4
	Over 24 months and less than 36 months	1 :4
	Over 36 months of age or over (not including children over pre-school age)	1 :11

WORKING WITH CHILDREN CHECK

To comply with National Regulations for those undertaking paid or voluntary child-related work, all employees, volunteers and students of the Service will require a WWCC prior to beginning any role in the Service (including orientation, volunteering).

The approved provider will:

- keep and maintain accurate records of the status and expiry date of the WWCC for all staff, volunteers and students
- verify all WWCC before any staff, educators, students and volunteers are engaged or commences work in any capacity at the Service to ensure the children are protected at all times
- ensure any notifications or concerns regarding a person's fit and proper status, negative notice or WWCC are recorded and steps taken immediately to ensure the person is not working directly with children.
- require staff, volunteers and students to notify the approved provider, within 72 hours of the event, or within 24 hours of becoming aware of the event, of any changes to their WWCC status, changes to their teacher registration or fit and proper status (including show cause notice, suspension notice, supervision notice, disciplinary notices/orders or prohibition notices
- notify the regulatory authority within 24 hours of becoming aware of the event or becoming aware of changes to a staff/educator WWCC status including negative notices or changes to teacher accreditation or registration.

- ensure any visitor who has direct contact with children will be required to provide a WWCC for verification prior to coming into contact with children
- ensure a staff member, employee, volunteer, or contractor is not employed or engaged at the Service if the person is prohibited from working with children, including a prohibition notice in force provided under the National Law in any state or territory in Australia.
  [The National Continuous Checking Capability (NCCC) to monitor the criminal history of WWCC holders across Australia is scheduled to begin in 2026]

STAFF RECORD – see Staffing Arrangements Policy Part 1

SHORT-TERM RELIEF REPLACEMENT

If a certificate III or diploma level educator is absent due to short term illness, leave or resignation, the following persons can be taken to be qualified:

- a person who holds a primary teaching qualification

If an ECT, second ECT or SQP is absent, they may be replaced:

- by a person who holds an approved diploma level qualification or a qualification in primary teaching.

EMERGENCY SITUATIONS- ADDITIONAL CHILDREN

- Under Reg. 123, additional children may attend the education and care Service, for a maximum of 2 days, exceeding the required child to educator ratios in the event of an emergency where a child or 2 or more children from the same family require emergency care due to a child protection order or an urgent health care need of a parent that prevents them from caring for the child/ren. The approved provider will not permit an additional child or additional children to be educated and cared for at the Service unless the approved provider determines, on reasonable grounds, that accepting the child/ren will not adversely affect the health, safety or wellbeing of children already attending the Service.
- Any such decision will consider educator to child ratios, the qualifications and experience of educators on
- duty, the nature of the emergency, the needs and vulnerabilities of all children present and the Service's
- capacity to maintain compliance with all regulatory requirements. All decisions including the rationale and any risk assessment undertaken, will be documented and notification provided to the regulatory authority within 24 hours.

WORKING DIRECTLY WITH CHILDREN

National Regulations state that an educator cannot be included in calculating the educator to child ratio of a centre-based Service unless the educator is working directly with children. A record must be kept of educators working directly with children which includes the name of each educator and the hours each educator works directly with children being educated and cared for by the Langwarrin Community Centre.

- To ensure compliance with regulations, our service will only include educators in the educator to child ratio who are working directly with the children, and ensure a current roster and a sign on/sign off record are available to verify this.
- The approved provider must ensure that a record is kept indicating the period of time each suitably qualified person is working directly with children.

ROSTERS

- The Langwarrin Community Centre will ensure the roster and routine provides adequate supervision of children at all times.
- Rosters will be created to provide children with continuity of care to support children's development of secure relationships, and contribute to their wellbeing.
- Where possible, casual staff will be chosen from a pool of regular educators with whom the children are familiar to provide continuity of care.
- The staff roster will be planned in advance to ensure regulation requirements are met, including minimum staff qualifications and first aid qualification requirements.

STUDENTS, VOLUNTEERS AND VISITORS

The approved provider will ensure that students, volunteers and visitors meet any requirements for WWCCand record and verify each student, volunteer or visitors WWCC (where required). At no time will students, volunteers and/or visitors be left alone with a child or group of children. Students, volunteers and/or visitors will not be included in the educator to child ratio. Management will ensure the Service's *Student, Volunteer and Visitor Policy* is followed at all times. All volunteers and students will be inducted into the Service to ensure they adhere to the Service's policies and procedures including *Child Protection, Safe Use of Digital Technologies and Online Environments*, our Statement of Philosophy and Code of Conduct.

PRIVACY - see Staffing Arrangements Policy part 1

STAFF EMPLOYED UNDER 18 YEARS OF AGE - see Staffing Arrangements Policy part 1

STAFF RECRUITMENT - see Staffing Arrangements Policy part 1

CONTINUOUS IMPROVEMENT

Our *Staffing Arrangements Policy* will be evaluated and reviewed on a biennial basis or earlier if there are changes to legislation, ACECQA guidance or any incident related to our policy. Feedback will be requested from children, families, staff, educators and management and notification of any change to policies will be made to families within 14 days.

SOURCES

Australian Children's Education & Care Quality Authority. (2026). *Guide to the National Quality Framework*
Australian Children's Education & Care Quality Authority. (2025). *Educators Who are 'Working Towards a Qualification'.* Information Sheet.
Australian Children's Education & Care Quality Authority. (2021). Policy and procedure guidelines. *Staffing Guidelines*.
Australian Children's Education & Care Quality Authority. (2023). Short Term Relief of Educators at Centre-Based Services
Australian Children's Education & Care Quality Authority. (2024). *Taking Images and Video of Children While Providing Early Childhood Education and Care. Guidelines For the National Model Code*.
Department of the Officer of the Privacy Commissioner: www.privacy.gov.au
Children (Education and Care Services) National Law (NSW) (For NSW Services only)
Early Childhood Australia Code of Ethics. (2016).
Education and Care Services National Law Act 2010.
Education and Care Services National Regulations. (Amended 2025)
NSW Government. Office of the Children's Guardian: Working with children check
Western Australian Legislation Education and Care Services National Law (WA) Act 2012 (for WA Services only)
Western Australian Legislation Education and Care Services National Regulations (WA) Act 2012 (for WA Services only)

REVIEW

POLICY REVIEWED BY:	Carol Hopkins	CSO	April 2026
POLICY REVIEWED	April 2026	NEXT REVIEW DATE	April 2028
VERSION NUMBER	• V2 04.26		
MODIFICATIONS	• added information to strengthen child safety requirements • added information related to staff record • additional information added re: additional children-emergency situations • added information about National Educator Register • policy reviewed out of regular calendar review due to legislation changes for child safety- National Law amendments		

Signature _____ *Date_15__/_04__/_2026__*

	• added reference to new mandatory policy- *Safe Use of Digital Technologies and Online Environments Policy* • minor edits within policy • sources checked for currency and updated as required
APPROVED BY	Neil Kinsey

POLICY REVIEWED BY:	Carol Hopkins	CSO	April 2025
POLICY REVIEWED	April 2025	NEXT REVIEW DATE	April 2027
VERSION NUMBER	•		
MODIFICATIONS	• New Policy Format		
APPROVED BY			
POLICY REVIEWED	PREVIOUS MODIFICATIONS		REVIEW DATE