



# STAFFING ARRANGEMENTS POLICY

Our Service aims to engage educators, staff and nominated supervisors who have the qualifications and experience to develop warm, nurturing, and respectful relationships with children. We are committed to ensuring that children’s health, safety, and wellbeing is protected at all times through providing appropriate and effective supervision according to legislated ratios and best practice. Our educators, in collaboration with our Educational Leader, design and implement programs that support children’s participation and engagement, interests, learning, and development.

## 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 AND NATIONAL REGULATIONS

S.56	Notice of addition of nominated supervisor (Notice of change to nominated supervisor (WA Services))
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 (Persons in day-to-day charge and nominated supervisors to have child protection training -WA Services)
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
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373	Early childhood teachers—pre-kindergarten program or kindergarten program provided by a school
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## **PURPOSE**

Under the Education and Care Services National Regulations, the approved provider must ensure that policies and procedures are in place in relation to staffing arrangements (regulation 168) and take reasonable steps to ensure those policies and procedures are followed. (ACEQA 2021). To ensure our Service adheres to the Education and Care Service National Regulation we employ educators and staff in compliance with WA specific qualifications and experience and adhere to regulated educator and child ratios whenever children are educated and care for.

## **SCOPE**

This policy applies to staff, educators, approved provider, nominated supervisor, management, students, and volunteers at the Service.

## **IMPLEMENTATION**

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.

## **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 WWCC.

## **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 National 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)
- 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/clearance
  - 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 (Reg. 117C)
  - have the ability to adequately supervise and manage an education and care service
  - have successfully completed Child Protection training and be aware of mandatory 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 Working with Childcare Check and criminal history record check.

## RESPONSIBLE PERSON

The responsible person can be the approved provider, or a person with management or control placed in day-to-day charge of the Service. Our Service 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 adheres to Service policies and procedures and maintain a safe and healthy environment for children
- ensure the responsible person always acts with professionalism when dealing with children, educators, visitors, and families
- ensure all responsible persons accepts the role in writing, to ensure they have a clear understanding about their role and responsibilities (Reg.117A)
- ensure the responsible person has a history of compliance with *Education and Care National Law* and other relevant laws (e.g., Family Assistance Law)
- ensure the responsible person signs a Compliance history statement template and a Prohibition notice declaration.
- ensure the responsible person has successfully completed Child Protection training and be aware of mandatory reporting obligations. (Reg. 84).

## 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.

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



	<ul style="list-style-type: none"> <li>• are making satisfactory progress toward completing the course, and</li> <li>• are meeting the requirements for maintaining the enrolment.</li> </ul>
Diploma level	<ul style="list-style-type: none"> <li>• are enrolled in a course for an approved diploma level or early childhood qualification-<a href="#">ACECQA approved diploma level or higher qualification</a> and,</li> <li>• provide documentary evidence to the approved provider that they:             <ul style="list-style-type: none"> <li>○ have started the course and</li> <li>○ are making satisfactory progress toward completing the course and</li> <li>○ are meeting the requirements for maintaining enrolment, and</li> <li>○ hold an approved certificate III level education and care qualification, or</li> <li>○ have completed the percentage of total units of study required for completion of an approved early childhood teaching qualification, as determined by ACECQA</li> </ul> </li> </ul>
Taken to be an early childhood teacher (Reg. 242)	<ul style="list-style-type: none"> <li>• are enrolled in a course for an approved early childhood qualification and,</li> <li>• provide documentary evidence such as a transcript or letter from the course provider that they:             <ul style="list-style-type: none"> <li>○ have started the course, and</li> <li>○ are making satisfactory progress towards completion of the course and,</li> <li>○ are meeting the requirements for maintaining enrolment, and</li> <li>○ hold an approved diploma level qualification, or</li> <li>○ have completed at least 50% of the course.</li> </ul> </li> </ul>
[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/ANAPHYLAXIS AND EMERGENCY ASTHMA MANAGEMENT TRAINING

- 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 renewed every 12 months) and
  - anaphylaxis management training and
  - emergency asthma management training.
 (Approved qualifications are published on the ACECQA website)

- Services must have staff with current approved qualifications on duty at all times and be immediately available in an emergency
- It is the staff and educator’s responsibility to ensure they maintain first aid (including cardio-pulmonary resuscitation), anaphylaxis management and emergency asthma management training qualifications and provide the Service 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 as stated below (Reg. 123):

State	Age of children	Educator to child ratio
NSW, WA	Birth to 24 months	1: 4
	Over 24 months and less than 36 months	1: 5
	Over 36 months of age or over (not including children over pre-school age)	1: 10

### EARLY CHILDHOOD TEACHER

An early childhood teacher (ECT) is an individual who:

- holds an approved early childhood teaching qualification, or
- holds a former approved early childhood teaching qualification that commenced before 1 January 2012, or
- holds a qualification in accordance with ACECQA’s qualification list, or
- holds a qualification that ACECQA has assessed as equivalent to an approved early childhood teaching qualification.

Our Service will:

- engage and have access to an ECT based on the number and age of children attending the Service
- ensure the ECT or suitably qualified person is physically present at the Service or is considered in attendance in accordance with National Regulations

- fewer than 25 children per day - ensure access to an ECT for at least 20 per cent of the time the service provides education and care (this access can be remote via information communication technology) (Reg.130)

#### 25-59 children in attendance per day:

- employ at least one ECT for at least 6 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. (Reg.132)

#### 60-80 children in attendance each day:

- employ a full-time or full time equivalent ECT for at least 6 hours per day, when operating for 50 hours or more per week; OR 60% of the time, when operating for less than 50 hours per week
- AND employ a second ECT or alternatively 'suitable qualified person' for at least 3 hours on that day, if the Service operates for 50 or more hours a week; OR for 30% of the operating hours of the service on that day, if the service operates for less than 50 hours per week (Reg.133)

#### More than 80 children in attendance each day:

- employ a full-time or full time equivalent ECT for at least 6 hours per day when operating for 50 hours or more per week; OR 60% of the time when operating for less than 50 hours per week
- AND employ a second ECT or suitably qualified person at least 6 hours a day on any given day if the service operates for 50 or more hours per 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. (Reg.135)
- keep a record when an ECT is replaced by a person who holds an approved diploma level or primary teaching qualification, including details as outlined with Reg. 152B
- keep records regarding the period that an ECT is in attendance at the Service. For Services with fewer than 25 children, records will document the period that an ECT is working with Service, working directly with children and not working directly with children (Reg. 152)

Transitional workplace provisions- Reg. 239A extended to 31 Dec 2026. ONLY applies for Services operating in remote or very remote areas in NSW/NT/SA/TAS/WA

Our Service will:

- ensure when the Service operates with 25-59 children per day, the Service has access to an ECT at least 20% of operating hours [Reg. 239A (2)]
- ensure when the Service operates with 60-79 children per day, the Service has access to an ECT at least 40% of operating hours OR 1 ECT is employed at the service for at least 20% of operating hours

AND a second ECT or suitably qualified person is employed for at least 20% of operating hours [Reg. 239A(2A)]

- ensure ECT qualifications meet requirements as prescribed in ACECQA and the National Regulations (Reg.241/242)
- provide access to an ECT under these regulations which may be facilitated via information communication technology.

### EDUCATIONAL LEADER

The educational leader has an influential role in inspiring, motivating, affirming, and challenging or extending the practice and pedagogy of educators. It is a joint endeavour involving inquiry and reflection, which can significantly impact on the important work educators do with children and families.

The approved provider will:

- nominate a qualified and experienced educator to take on the educational leader role and responsibilities (Reg.118)
- ensure the name of the educational leader is displayed at the Service in a place that is clearly visible to staff, educators, families and visitors (Reg.173)
- support the educational leader to fulfill their responsibilities by ensuring opportunities for professional development to support continuous improvement

The educational leader will:

- accept the position, in writing
- keep a record about how they mentor and guide educators of the Service to ensure continuous improvement
- guide educators to provide a compliant and rich program
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### WORKING WITH CHILDREN CHECK/CLEARANCE

To comply with National Regulations for those undertaking paid or voluntary child-related work, all employees, volunteers and students of the Service will acquire a Working with Children Check

The approved provider will:

- keep a record of the expiry date of the Working with Children Check (WWCC) for all staff, volunteers and students

- verify all WWCC before any staff, educators, students and volunteers are engaged at the Service to ensure the children are protected at all times
- check the [NQAITs portal](#) during the recruitment process for any prohibition notices issued to a potential employee
- ensure any notifications or concerns regarding a person's Working with Children Check/Clearance are recorded and steps taken immediately to ensure the person is not working directly with children in accordance with directions from the relevant authorities
- 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.

## STAFF RECORD

Approved Services must keep information about the nominated supervisor, responsible person, educational leader, staff, volunteers, and students at the Service including name, address, date of birth, evidence of qualifications (including evidence of working towards qualifications), evidence of approved training (including Child Protection).

Our Service will ensure the records are kept in accordance with Reg.145 and our *Record Keeping and Retention Policy*.

## SHORT-TERM RELIEF REPLACEMENT

From 1 July 2023, certificate III or diploma level educators and early childhood teachers (ECT) are able to be replaced when absent for a short period of time due to short-term illness, leave, resignation, or because they are attending supervised professional experience placements for an approved qualification. Educator and diploma qualified staff may be replaced for a maximum of 30 days in a 12-month period while the service continues to meet Reg.126A. ECT or suitably qualified person (SQP) may be replaced for a maximum of 60 days in a 12-month period while the Service continues to meet Reg. 132, 133, 134.

Our Service will ensure a record is kept documenting the following:

- the name of the educator, ECT or SQP being replaced

- the qualifications of the educator, ECT or SQP being replaced
- the qualifications of the person replacing the educator, ECT or SQP
- the date when the educator, ECT or SQP was replaced
- the reason for the educator, ECT or SQP's absence

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.

## ADEQUATE SUPERVISION

Our Service adheres to the educator-to-child ratios outlined in the National Legislation and National Quality Framework and requires educators to comply with our *Supervision Policy* and designated floor plans to ensure effective supervision. Educators will actively monitor children at all times, adjusting supervision to suit group needs, maintaining visibility and accessibility, and work together to ensure safety and well-being during all activities, including transitions, rest, toileting, and transportation.

## 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 Service.

- 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 an early childhood teacher and each suitably qualified person is working directly with children.

## ROSTERS

- Our Service 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 staff qualification and first aid qualification requirements.

## STUDENTS, VOLUNTEERS AND VISITORS

The approved provider will ensure that students, volunteers and visitors meet any requirements for WWCC/Clearance and 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 or 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, Statement of Philosophy and Code of Conduct.

## PRIVACY

- Staff and educators will adhere to the Service’s *Privacy and Confidentiality Policy* and Privacy Law in relation to children and their families, or matters relating to the Service and will at no time take part in inappropriate or unlawful conversations or discussions
- The nominated supervisor will ensure that students and volunteers are made aware of the Service’s *Privacy and Confidentiality Policy* and Privacy Law during their initial induction
- All staff, educators, volunteers and students are provided with information about the ECA Code of Ethics
- All staff and educators will be made aware of Child Information Sharing Schemes (CISS) and Family Violence Information Sharing Schemes (FVSS)

## STAFF EMPLOYED UNDER 18 YEARS OF AGE

Our Service will ensure any staff member under 18 years of age does not work at the service alone and is always supported by an educator who is over 18 years of age.

## STAFF RECRUITMENT

- Our Service will ensure a rigorous recruitment process is followed to select the best staff possible based on skills, qualifications, experience and suitability for the position available
- Each role will refer to the appropriate position description during recruitment and the probation period to ensure applicants are suitable for the role and position.
- All potential staff will participate in robust interviews and have reference checks completed before an offer of employment is presented. Reference checks will take into consideration the suitability of the applicant for the role, previous experience and their commitment to child safe practices.
- All potential staff are subject to maintenance of a valid WWCC/Clearance and appropriate qualifications. Valid first aid, asthma and anaphylaxis management training, immunisation status or food safety qualification *may* also be required.
- All new staff will undergo a probation period of six (6) months, during this time they will participate in an induction and orientation program and hold regular discussions regarding their performance with an appointed mentor.
- Staff induction includes provision of the Service's policies and procedures, National Principles for Child Safe Organisations, Code of Conduct, child protection, Work Health and Safety guidelines, behaviour guidance, service routines, human resource documentation, physical environment, communication with families' processes, Family Assistance Law and Child Care Subsidy, Child Information Sharing Schemes and introduction to senior staff members and/or mentor.

## POLICIES AND PROCEDURES

Our Service will ensure a copy of the policies and procedures are available to all staff at all times, either electronically or in hard copy. The approved provider will ensure steps are taken to ensure staff follow policies and procedures through the following practices:

- new staff members are to read and acknowledge key policies and procedures during the induction process
- policy review is to be conducted during staff meetings to support staff understanding and adherence
- staff meeting minutes will record evidence of policies and procedures reviewed with staff
- policy review will be systematic and occur on a regular basis to support regular review and maintenance of policies and procedures
- staff are requested to provide feedback following policy reviews
- policy review will be conducted following updates to legislation or regulation amendments or following an incident or complaint

- the *Policy Acknowledgement Form* is completed for each staff member
- performance reviews and improvements plans will be linked to policies and procedures
- checklists and audits will be used to identify any practices inconsistent with policies and procedures
- the *Performance Management Policy* outlines procedures for dealing with non-compliance of policies
- performance improvement plans reflect expectations of behaviours required from staff linked to policies and procedures

## CONTINUOUS IMPROVEMENT

Our *Staffing Arrangements Policy* will be updated and reviewed annually in consultation with families, staff, educators and management.

## SOURCES

Australian Children’s Education & Care Quality Authority. (2014).

Australian Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).

Australian Children’s Education & Care Quality Authority. (2023). [Educators Who are ‘Working Towards a Qualification’](#). Information Sheet.

ACECQA. (2021). Policy and procedure guidelines. [Staffing Guidelines](#).

Department of the Officer of the Privacy Commissioner: [www.privacy.gov.au](http://www.privacy.gov.au)

Early Childhood Australia Code of Ethics. (2016).

Education and Care Services National Law Act 2010. (Amended 2023).

[Education and Care Services National Regulations](#). (Amended 2023).

NSW Government. Office of the Children’s Guardian: <https://ocg.nsw.gov.au/working-children-check>

QLD Government. Department of Education. Early Childhood Education and Care. [Ensuring staff follow policies and procedures](#)

Revised National Quality Standard. (2018).

[Western Australian Education and Care Services National Regulations](#)

## REVIEW

POLICY REVIEWED BY	Kylie Showman	DIRECTOR	APRIL 2025
POLICY REVIEWED		NEXT REVIEW DATE	September 2026
VERSION NUMBER	V1		
MODIFICATIONS	•		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
	•		