

EMPLOYMENT POLICY

Best Practice – Quality Area 4

PURPOSE

This policy will provide guidelines for the employment of Eureka Community Kindergarten Association Inc staff, including:

- Process and procedure for the advertising of vacancies and appointment of positions
- Selection of appropriate staff for ECKA managed services, having regards to legislative and funding requirements, as well as the achievement of ECKA Vision and Mission
- Compliance with relevant legislation, certified agreements, and Awards that staff will be employed under

POLICY STATEMENT

1. VALUES

The Eureka Community Kindergarten Association Inc is committed to:

- Employing appropriately qualified staff
- Increased opportunities for existing ECKA staff
- Fair and open process
- Minimising disruption to services
- Employing the best possible person for the requirements of ECKA and the services it offers
- complying with current legislation in relation to the employment of staff, including the *Equal Opportunity Act 2010*, *Fair Work Act 2009* and the *Working with Children Act 2005*.

2. SCOPE

This policy applies to the Approved Provider, and all staff employed or engaged by the Eureka Community Kindergarten Association Inc.

3. BACKGROUND AND LEGISLATION

Background

Research has demonstrated that the employment of appropriately-qualified staff in early childhood services is a key contributor to the delivery of quality programs and better learning outcomes for children. “Those with higher qualification levels and standards of training are better equipped to provide improved learning environments and mentor educators in quality practices, leading to better outcomes for children” (*Guide to the Education and Care Services National Law and the Education and Care Services National Regulations 2011*). The Australian Government has acknowledged this by legislating minimum qualification requirements for all educators working in early childhood education and care services. Eligibility for services to receive funding also includes requirements for staff to hold specific qualifications (*Victorian kindergarten policy, procedures and funding criteria – refer to Sources*).

A current list of approved qualifications is available on the Australian Children’s Education and Care Quality Authority (ACECQA) website (refer to *Sources*). Applications can also be made to ACECQA to determine if other qualifications (such as those gained overseas) entitle the individual to work as an early childhood teacher, diploma-level educator or certificate III level educator. Application forms are available on the ACECQA website and a fee is required for processing an application.

It is essential that all educators and other adults engaged to work directly with children are provided with opportunities to learn and develop new skills in relation to supporting the learning and development of young children. Such opportunities can arise when more qualified and experienced

educators offer guidance and feedback to other educators. Opportunities for professional development are also crucial for all educators to ensure that their work practice remains current and relevant to the practices and principles of the national *Early Years Learning Framework* (EYLF) and the *Victorian Early Years Learning and Development Framework* (VEYLDF) (refer to *Sources*).

ECKA's Mission to deliver leading early childhood educational programs requires a highly skilled, collaborative workforce, committed to ensuring that every child has the opportunity to explore and realise their potential through access and engagement in quality early education. Recruitment and selection practices will support the building and support of dedicated and professional early childhood education teams.

This policy should be read in conjunction with the following service policies:

- *Staffing Policy*

Legislation and standards

Relevant legislation and standards include but are not limited to:

- *Education and Care Services National Law Act 2010*
- *Education and Care Services National Regulations 2011*
- *Equal Opportunity Act 2010* (Vic)
- *Fair Work Act 2009*
- *Information Privacy Act 2000* (Vic), as amended 2011
- *National Quality Standard*, Quality Area 4: Staffing Arrangements
 - Standard 4.1: Staffing arrangements enhance children's learning and development and ensure their safety and wellbeing
 - Element 4.1.1: Educator-to-child ratios and qualification requirements are maintained at all times
- *Privacy Act 1998* (Cth), as amended 2011
- *Working with Children Act 2005* (Vic)
- *Working with Children Regulations 2006* (Vic)

4. DEFINITIONS

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Regulatory Authority, National Law, National Regulations etc. refer to the *General Definitions* section of this manual.

Actively working towards: An educator who is enrolled in a course for a qualification, and provides the Approved Provider with documentary evidence of their commencement in the course, their satisfactory progress towards completion of the course and ongoing evidence that they are meeting all the requirements to maintain their enrolment. Educators who are 'actively working towards' an approved diploma-level qualification must also hold an approved certificate III level education and care qualification or have completed the mandatory units of study in an approved certificate III level education and care qualification as determined by the national authority (ACECQA).

Adequate supervision: (In relation to this policy) **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. 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 qualification: A list of approved first aid qualifications, anaphylaxis management and emergency asthma management training is published on the ACECQA website:

www.acecqa.gov.au

Certified Supervisor: An educator with a Supervisor Certificate (in accordance with the National Regulations) who may consent to being placed in day-to-day charge of the education and care service. The designation must be made by the Approved Provider or the Nominated Supervisor and accepted in writing by the Certified Supervisor. A Certified Supervisor placed in day-to-day charge of a service **does not** have the same responsibilities under the National Law as the Nominated Supervisor. Applications for Supervisor Certificates are assessed by the Regulatory Authority.

Criminal history record check: A full-disclosure, Australia-wide criminal history record check issued by Victoria Police (refer to *Sources*), or by a police force or other authority of a state or territory, or the Commonwealth. It may also be referred to as a National Police Certificate or Police Records Check.

Early childhood teacher: A person with an approved early childhood teaching qualification. Approved qualifications are listed on the ACECQA website: www.acecqa.gov.au

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 (Regulation 118). This person must have a thorough understanding of the *Early Years Learning Framework* (or other approved learning framework), be able to guide other educators in their planning and reflection, and mentor colleagues in the implementation of their practice.

Fit-and-proper assessment: In determining whether an applicant is fit and proper, a Regulatory Authority must have regard for the applicant's history of compliance, criminal history record check, and any bankruptcy or insolvency issues. The Regulatory Authority may reassess fitness and propriety at any time. Registered teachers and those who hold a current Working with Children Check are considered to be fit-and-proper persons.

Nominated Supervisor: A person who is a Certified Supervisor and has been nominated by the Approved Provider of the service under Part 3 of the Act to be the Nominated Supervisor of that service, and who has consented to that nomination. The Nominated Supervisor has day-to-day responsibility for the service in accordance with the National Regulations. All services must have a Nominated Supervisor.

Responsible Person: The Approved Provider (if that person is an individual, and in any other case the person with management or control of the service operated by the Approved Provider) or a Nominated Supervisor or Certified Supervisor who has been placed in day-to-day charge of the service in accordance with the National Regulations.

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 Working with Children Check (Regulations 146–149). A sample staff record is available on the ACECQA website: <http://acecqa.gov.au/storage/Staff%20record.pdf>

Supervisor Certificate: Allows a person to consent to be the Nominated Supervisor or Certified Supervisor, and be placed in day-to-day charge of an approved service. Applicants must be 18 years or older, be assessed as a fit-and-proper person (refer to *Definitions* above) and meet the minimum requirements for qualifications, experience and management capability required under the Regulations (Regulations 46–49). Applicants for a Supervisor Certificate are assessed by the Regulatory Authority.

Victorian Institute of Teaching (VIT): The statutory authority for the regulation and promotion of the teaching profession in Victoria, established as part of the Victorian Institute of Teaching Act 2001. All teachers in Victorian government schools, Catholic schools and independent schools are required to be registered with the VIT in order to practise in their profession.

Victorian kindergarten policy, procedures and funding criteria: Sets out the Department of Education and Early Childhood Development's (DEECD) operational requirements for early childhood services in receipt of state government funding for the provision of a four-year-old kindergarten program.

Working directly with children: For the purposes of the National Regulations, working directly with children is defined as being physically present with children and directly engaged in providing them with education and/or care.

Working with Children (WWC) Check: The check is a legal requirement for those undertaking paid or voluntary child-related work in Victoria and is a measure to help protect children from harm arising as a result of physical or sexual abuse. The Department of Justice assesses a person's suitability to work with children by examining relevant serious sexual, physical and drug offences in a person's national criminal history and, where appropriate, their professional history. A WWC Check card, notice or document (valid for five years), is granted to a person under working with children legislation if:

- they have been assessed as suitable to work with children
- there has been no information that, if the person worked with children, they would pose a risk to those children
- they are not prohibited from attempting to obtain, undertake or remain in child-related employment.

5. SOURCES AND RELATED POLICIES

Sources

- Australian Children's Education and Care Quality Authority (ACECQA): www.acecqa.gov.au
- National *Early Years Learning Framework*:
www.deewr.gov.au/earlychildhood/policy_agenda/quality/pages/earlyyearslearningframework.aspx
- *Victorian Early Years Learning and Development Framework*:
www.education.vic.gov.au/earlylearning/default.htm
- *Victorian kindergarten policy, procedures and funding criteria*:
www.education.vic.gov.au/ecprofessionals/kindergarten/
- Working with Children Check unit, Department of Justice – provides details of how to obtain a WWC Check: www.justice.vic.gov.au/workingwithchildren/
- Victoria Police – National Police Record Check:
www.police.vic.gov.au/content.asp?Document_ID=274

Service policies

- *Administration of First Aid Policy*
- *Anaphylaxis Policy*
- *Asthma Policy*
- *Child Safe Environment Policy*
- *Code of Conduct Policy*

- *Complaints and Grievances Policy*
- *Curriculum Development Policy*
- *Determining Responsible Person Policy*
- *Inclusion and Equity Policy*
- *Interactions with Children Policy*
- *Privacy and Confidentiality Policy*
- *Supervision of Children Policy*

Service Standard Operating procedures

- Recruitment procedures

PROCEDURES

The Approved Provider is Responsible for

- ensuring that all staffing meets the requirements of the National Law, National Regulations and the *Victorian kindergarten policy, procedures and funding criteria* (refer to *Sources*) at all times the service is in operation
- complying with current legislation relating to the employment of staff, including the *Equal Opportunity Act 2010*, *Fair Work Act 2009* and the *Working with Children Act 2005*
- employing the relevant number of appropriately-qualified educators (refer to *Definitions*). Qualifications must be approved by ACECQA (refer to *Background* and *Sources*) (Regulations 126, 361)
- employing additional staff, as required, to provide a quality early childhood education and care program
- ensuring that the procedures for the appointment of casual and relief staff are compliant with all regulatory and funding requirements.

Advertising:

- Ordinarily, staff vacancies will be initially advertised internally for a period of up to 10 business days.
- Internal advertisement will be via email to ECKA services, ECKA Relief staff list, and on the ECKA website
- ECKA reserves the right to advertise externally where it is determined that the number or type of vacancies may require consideration of external applicants

Selection:

- For appointment to the ECKA Relief List, the selection panel will consist of a minimum of one person, being either the CEO, Operations Manager or Early Education Advisor. See Attachment One – Recruitment Procedures
- For permanent positions the selection panel will normally consist of 2-3 persons, and will include at least two of the following; CEO, Operations Manager, Early Education Advisor. In some instance the Educational Leader of the service where the current vacancy is may be included in the interview panel.
- The panel will select a chair who will be responsible for the panel and write up the interview reports.

Appointment:

- Where a relief staff member has been employed in temporary position, ECKA may directly appoint the relief staff member to that position without advertising the position if this supports the achievement of the values of ECKA
- ECKA reserves the right not to accept an internal application and appoint from the wider selection process where this meets the values of this policy
- Successful applicants will be advised in writing of their appointment to the position.
- Unsuccessful applicants will be advised within 48 hours of the appointment to the position,

Probation:

- All staff appointed to permanent or fixed term positions will be placed on probation as outlined in the Award under which they are employed.
- ECKA will undertake at least one probation review meeting which will involve the employee, an Early Education Advisor (for teachers and educators), the CEO or Operations Manager (for Administration position), or a member of the ECKA Board (for the CEO position)
- ECKA will provide staff with a letter detailing the successful completion of probation where appropriate. Where not appropriate, that is where the staff member has not successfully completed the probation period, ECKA will use the options defined under the Award the staff member is employed under.

EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current relevant legislation and Awards
- revise the policy and procedures as part of the service's policy review cycle, or as required

ATTACHMENTS

Attachment One – Standard Operating Procedure Recruitment

AUTHORISATION

This policy was adopted by the Eureka Community Kindergarten Association Inc on 20/10/2009.

Last Reviewed: 25/10/2017

REVIEW DATE: 01/08/2020

ATTACHMENT ONE

Standard Operating Procedure – Recruitment Process

Name of Applicant:

Position Applied for:

Employee Application provided – must include completed work history or CV

Interview process

Relief – 1 interviewer, CEO/Operations Manager/Early Education Provider using Standard Interview Questions (Relief Staff Interview Questions)

Name of interviewer and Date:-
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Permanent – 2-3 interviewer, in person wherever possible. CEO/Operations Manager/Early Education Advisor (Early Childhood Educator Interview Questions)

Name of interviewer/s and Date
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Reference Check/s- Phone reference check with 2 referees, including current or most recent employer.

(Standard reference check questions)

Referee 1 (name and date)

Referee 2 (name and date)

References checked by:

Identity check – Sight Drivers licence, and Marriage certificate if qualifications are in different name to criminal history check or VIT registration details. Copies to be placed on personnel file

Criminal History Check – WWCC or ECT VIT registration to be provided, and status check conducted (and date of status check) Copies to be placed on personnel file

Progress reports

Relief Staff: Relief staff feedback forms for at least 3 placements.
Copies to be placed on personnel file

Permanent Staff: Probation Review within the probation period
Copies to be placed on personnel file