

COONARA EARLY LEARNING CENTRE POLICY NO: 61

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

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

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152	Record of access to early childhood teachers
152A	Record of replacement of educator
152B	Record of replacement of early childhood teacher or suitably qualified person
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
173	Prescribed information to be displayed
174	Time to notify certain circumstances to Regulatory Authority
177	Prescribed enrolment and other documents to be kept by approved provider
239A	Centre-based services in remote and very remote areas—attendance of early childhood teachers
240	Centre-based services in remote and very remote areas – qualifications for educators
241	Persons taken to hold an approved early childhood teaching qualification
242	Persons taken to be early childhood teachers (exc. VIC/ QLD)
243	Persons taken to hold an approved diploma level education and care qualification
243A	Persons taken to hold an approved diploma level education and care qualification for regulation 128 (QLD)
244	Persons taken to hold an approved certificate III level education and care qualification
264	General qualifications for educators—centre-based services (ACT)
272	Early childhood teachers- children preschool age or under (NSW)
358	Working with children check to be read (VIC)
372	Educator to child ratio—pre-kindergarten program or kindergarten program provided by a school
373	Early childhood teachers—pre-kindergarten program or kindergarten program provided by a school
379	Educators required to be early childhood teachers

RELATED POLICIES

CCS Personnel Policy Code of Conduct Policy Child Protection Policy Child Safe Environment Policy Dealing with Complaints Policy Emergency and Evacuation Policy Excursion/Incursion Policy Governance Policy Incident, Injury, Trauma and Illness Policy	Performance Management Policy Privacy and Confidentiality Policy Professional Development Policy Record Keeping and Retention Policy Responsible Person Policy Recruitment Policy Safe Transportation Policy Sleep and Rest Policy Supervision Policy Student, Volunteer and Visitors Policy
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PURPOSE

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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 any state 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.

Our Service will comply with the National Quality Framework and ensure 50 percent of educators meet the relevant Diploma qualification requirement or be actively working towards an approved diploma level education and care qualification. All other educators are '*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 (Reg. 126)

'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:

An educator who is enrolled in a course for an approved Early Childhood qualification-[ACECQA approved diploma level or higher qualification](#).

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- The educator is required to provide documentary evidence of enrolment of the course, training plan and satisfactory progress towards completion of the course.
- Individuals actively working towards an approved qualification may be counted towards qualification requirements as ‘suitably qualified persons.’
- Our Service will communicate with the educator’s RTO to ensure the educator successfully completes their qualification.
- We will support the educator in completing their qualification through mentoring and assistance.
- Our Service will ensure records are kept detailing staff who are actively working towards an early childhood qualification, including evidence of satisfactory progress. (See: *Record-Actively working towards qualification*)
- Educators who are studying an Early Childhood Teacher qualification is ‘taken to be an early childhood teacher’ if they meet the following criteria:
 - is actively working towards an approved early childhood training qualification
 - have completed 50% of the course and provides evidence OR holds an approved Diploma level qualification
- Educators are ‘taken to hold an approved diploma level or certificate III level qualification’ if they meet the following criteria:
 - were recognised previously as a diploma level educator under former education and care services law AND employed or engaged in a declared approved service or
 - held a qualification as published under regulation 137(2)(a), former qualifications for diploma level qualifications or

EARLY CHILDHOOD TEACHER

An Early Childhood Teacher (ECT) is a person with an approved early childhood teaching qualification in accordance with ACECQA’s qualification list. A record must be kept containing the period the early childhood teacher is working directly with children.

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

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- Our Service (if educating and caring for fewer than 25 children per day) will 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)
- If an ECT is absent due to short term illness, leave or resignation, the following persons can be taken to be the Early Childhood Teacher:
 - a person who holds a primary teaching qualification
 - a person who holds an approved diploma level qualification
(This applied for up to 60 days in a 12-month period only)
- Our Service will keep a record when an Early Childhood Teacher is replaced by a person who holds an approved diploma level or primary teaching qualification, including details as outlined with regulation 152B (from July 1, 2023)
- Our Service will keep records regarding the period that an Early Childhood Teacher is in attendance at the service. (For services with fewer than 25 children records will document the period that an Early Childhood Teacher is working with service, working directly with children and not working directly with children (Reg. 152)

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)
- The Educational Leader will keep a record about how they mentor and guide educators of the Service to ensure continuous improvement
- The Educational Leader will guide educators to provide a compliant and rich program.
- The Educational Leader will accept the position, in writing
- The approved provider will 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).

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

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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.

The approved provider will 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.

The approved provider will ensure the nominated supervisors meets the following requirements:

- The nominated supervisor must be 18 years of older
- The nominated supervisor must have successfully completed Child Protection training and be aware of mandatory reporting obligations
- The nominated supervisor must have a history of compliance with Education and Care National Law and other relevant law (e.g., Family Law)
- The nominated supervisor has 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)
- The nominated supervisor is responsible for the day-to-day management of the Service, ensuring compliance with the National Law, National Regulations, National Quality Standards and Family Assistance Law
- The nominated supervisor will accept the role in writing, to ensure they have a clear understanding about their role and responsibilities
- The nominated supervisor will 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

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- The nominated supervisor will adhere to Service policies ensuring a safe and healthy environment is provided
- The nominated supervisor will register with PRODA and complete required background checks, including Working with Childcare Check and criminal history record check.

RESPONSIBLE PERSON

A responsible person is required to be physically present at the Service at all times that children are being educated and cared for. 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)
- Our Service will clearly communicate the responsible person on duty with families, educators, staff and visitors by displaying this information in the foyer or reception area
- The responsible person will adhere to Service policies and procedures and maintain a safe and healthy environment for children
- The responsible person will always act with professionalism when dealing with children, educators, visitors, and families
- All responsible persons will accept the role in writing, to ensure they have a clear understanding about their role and responsibilities (Reg.117A)
- The responsible person must have a history of compliance with Education and Care National Law and other relevant law (e.g., Family Law)
- The responsible person must have successfully completed Child Protection training and be aware of mandatory reporting obligations. (Reg. 84).

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

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- 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.

WORKING WITH CHILDREN CLEARANCE/CHECK OR VICTORIAN INSTITUTE OF TEACHING REGISTRATION (VIT)

A Working with Children Check (WWCC) is a requirement for people who work or volunteer in child-related work. It involves a National Police Check and a review of findings of reportable workplace misconduct. The result of a WWCC is either a clearance to work with children for five years or a bar against working with children. Cleared applicants are subject to ongoing monitoring and relevant new records may lead to the clearance being revoked.

- 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 *[or VIT Registration in the case of Early Childhood Teachers]*
- Management will keep a record of the expiry date of the Working with Children Check or VIT Registration for all staff, volunteers and students
- Management will verify all Working with Children Checks or VIT Registration before any staff, educators, students and volunteers are engaged at the Service, to ensure the children are protected at all times

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- Management will 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 Commission for Children and Young People (Vic)
- Any visitor who has direct contact with children will be required to provide a WWCC for verification prior to coming into contact with children
- The approved provider will 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 following records are kept in accordance with regulation 145 and our *Record Keeping and Retention Policy*:

- Details must include evidence of staff and educators working directly with children, their qualifications and training information and Working with Children Check verification number and expiry date or VIT Registration (Reg. 151)
- Details regarding staff PRODA registrations will be kept in each staff record, including RA number and evidence of fit and proper checks
- All staff, educators, students, volunteers, and visitors are required to sign in and out each day
- Immunisation status may be recorded as part of the staff record
- Details of staff including full name, address, date of birth, qualifications held, approved training completed (Reg. 147)
- Details of Teacher registration (if applicable)
- Details of the Educational Leader
- Details of responsible person
- Details of nominated supervisor

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- Details of staff who are actively working towards a qualification, including evidence of satisfactory progress (from July 1 2023)
- Details of an educator who has been replaced by a person who holds a primary teaching qualification (from July 1 2023)

SHORT-TERM RELIEF REPLACEMENT

From 1 July 2023, educators and Early Childhood Teachers 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 regulation 126. Early Childhood Teachers may be replaced for a maximum of 60 days in a 12-month period while the service continues to meet regulations 132, 133, 134.

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

- The name of the educator or ECT being replaced
- The qualifications of the educator or ECT being replaced
- The qualifications of the person replacing the educator or ECT
- The date when the educator or ECT was replaced
- The reason for the educator or ECTs absence

ADEQUATE SUPERVISION

Adequate supervision is a consideration for any part of the Service premises where children are educated and cared for and is part of every educator's Duty of Care. Supervision is an active practice to help protect children from harm or hazards. Educators are required to ensure that children are in sight and within hearing at all times, demonstrating that the best interest of children is being provided for. This includes toileting, sleep, rest, nappy changing, transition routines and whenever the service provides or arranges transport for children as part of the service.

- Our Service will comply with educator to child ratios outlined in National Legislation and National Quality Framework
- Educators are required to adhere to the Service's *Supervision Policy* and floor plan to maintain effective supervision

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- Educators will always be able to observe each child, respond to individual needs and attend to children as necessary
- Educators will adjust their level of supervision depending on the area of the Service and the skills, age, dynamics, and size of the group of children being supervised
- When supervising outdoors, educators will position themselves so as to be able to see as much of the play area as possible
- Outdoor play environments are planned and educators are positioned to ensure effective supervision is maintained whilst children are transitioning between indoor/outdoor learning environments and accessing toilets
- Where there are water activities or high-risk experiences, educators will ensure close supervision is maintained
- An educator will be in sight and hearing of a sleeping child at all times to provide continuous supervision
- Children will be supervised when hand washing and during toileting/nappy change times
- Educators will communicate with other staff and educators about their supervision points, offer advice and support to ensure children's safety is of the highest priority at all times.
- Supervising educators will give their complete attention to the children and not perform other duties or tasks
- Unless briefly discussing child or Service concerns, educators will not congregate together either inside or outside
- Educators will interact with children where pedagogically appropriate whilst supervising.

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.

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- The approved provider will ensure a record details the period an Early Childhood Teacher is working with the service (online or in person) or 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.

STUDENTS, VOLUNTEERS AND VISITORS

- The approved provider will ensure that students, volunteers and visitors meet any requirements for Working with Children Checks/Clearance and record and verify each student, volunteer or visitors Working with Children Check (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
- The *Student and Volunteer Application form* will document the name, address and date of birth of volunteers and students
- The *Student and Volunteer Application form* and *Visitor Sign In/Out Record* will document the date and hours the student/volunteer attended the service
- 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
- Induction will ensure volunteers and students are aware of how to manage medical conditions and to respond to a child in case of illness, injury or suffers trauma, awareness of privacy laws (including social media, photography) and behaviour guidance procedures
- Management will provide the student/volunteer with information about Child Protection Law and mandatory reporting obligations
- Our Service will ensure that no student, volunteer or visitor is affected by or under the influence of drugs or alcohol while on the service premises when children are being educated and cared for.

PRIVACY

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- 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 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 adequately supervised at all times 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 Working with Children Check (WWCC) or VIT Registration and appropriate qualifications. Valid first aid, asthma and anaphylaxis management training, immunisation status *may* also be required.

All new staff will undergo a probation period of three (3) 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, code of conduct, Child Safe

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Standards, child protection, Work Health and Safety guidelines, behaviour guidance, service routines, human resource documentation, physical environment, communication with family’s processes, 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
- performance reviews and improvements plans will be linked to policies and procedures

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
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

ADDITIONAL STATE REQUIREMENTS

VICTORIA
Regulations 357 and 358

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- Our Service will ensure ratios of 1 educator to 4 children is maintained for children aged more than 24 months but less than 36 months
- Our Service will ensure all staff, volunteers and students over the age of 18 years have a valid WWCC or VIT Registration read before the person is engaged at the service

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](#).
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 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).
 Revised National Quality Standard. (2018).

REVIEW

POLICY REVIEWED BY	Carol Czaplowski	Nominated Supervisor	
POLICY REVIEWED	JANUARY 2024	NEXT REVIEW DATE	JANUARY 2025
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