

# Employee Policy

<b>Policy Number:</b>	7   SEVEN
<b>Purpose:</b>	To enable all employees to clearly understand their position and responsibilities.
<b>Scope:</b>	To provide all employees with information that will enable them to complete their job to the highest standard. To support employees to continue to develop and grow as Educators and to ensure best outcomes for children in their care.

## Relevant Legislation

### National Law

- 39 Death of approved provider
- 56 Notice of addition of nominated supervisor
- 56A Notice of change of a nominated supervisor's name or contact details
- 169 Offence relating to staffing arrangements
- 204 Power to require name and address
- 205 Power to require evidence of age, name and address of person

### National Regulations

- 35 Notice of addition of new nominated supervisor
- 44 Temporary waiver—prescribed elements
- 77 Health, hygiene and safe food practices
- 78 Food and beverages
- 79 Service providing food and beverages
- 82 Tobacco, drug and alcohol-free environment
- 83 Staff members and family day care educators not to be affected by alcohol or drugs
- 118 Educational leader
- 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
- 133 Requirement for early childhood teacher—centre-based services—60 to 80 children
- 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
- 152 Record of access to early childhood teachers

## National Quality Standard

- Element 2.2.3 – Child protection – Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
- Element 4.1.1 – Organisation of educators – The organisation of educators across the service supports children's learning and development.
- Element 4.1.2 – Continuity of staff – Every effort is made for children to experience continuity of educators at the service.
- Element 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.
- Element 4.2.2 – Professional standards – Professional standards guide practice, interactions and relationships.
- Element 5.1.1 – Positive educator to child interactions – Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
- Element 5.1.2 – Dignity and rights of the child – The dignity and rights of every child are maintained.
- Element 5.2.1 – Collaborative learning – Children are supported to collaborate, learn from and help each other.
- Element 5.2.2 – Self-regulation – Each child is supported to regulate their own behaviour, respond appropriately to the behaviour of others and communicate effectively to resolve conflicts.
- Element 7.1.1 – Service philosophy and purpose – A statement of philosophy guides all aspects of the service's operations.
- Element 7.1.3 – Roles and responsibilities – Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.
- Element 7.2.1 – Continuous improvement – There is an effective self-assessment and quality improvement process in place.
- Element 7.2.2 – Educational leadership – The educational leader is supported and leads the development and implementation of the educational program and assessment and planning cycle.
- Element 7.2.3 – Development of professionals – Educators, co-ordinators and staff members' performance is regularly evaluated and individual plans are in place to support learning and development.

## Supporting Documents / References:

- Revised National Quality Standard
- Education and Care services Regulations and laws
- Work Health Safety Queensland
- Fair Work Australia

## Related Policy or Documents:

- Programming Policy
- Safety Policy
- Interactions with Children Policy
- Workplace Health & Safety (WHS) Policy
- Governance Policy

<b>Attachment One:</b>	Staff Handbook	 staff handbook 2020.doc
<b>Attachment Two:</b>	Code of Conduct	 code of conduct satff.docx
<b>Attachment Three:</b>	Code of Conduct Social Media	 media code of conduct staff.docx

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## **Inductions**

### **Handbook**

An Employee handbook will be provided to all new Employees. New Employees will be able to use the information within the handbook to clarify their role, entitlements and expectations required of them. The handbook will also provide useful information that the employee can refer to for the day-to-day routines and practices. A copy of the handbook will be available in the staff room for use by all employees. The Employee handbook will be updated by management whenever there are changes to current practices.

### **Age Restrictions**

Any Employee under the age of 18 will not be left unsupervised during operational times. It is the responsibility of Management to ensure all underaged Employees are supervised, including all breaks. Employees supervising are responsible for ensuring the underage Employee is never left alone, even when 10-minute breaks are being taken.

### **Opening and Closing**

It is the responsibility of Management to ensure there are a minimum of two Employees rostered to open and close the centre. If there is only one Employee present at 7am, the Employee will contact the next Employee due to start work and ask them to come in early. The Centre will remain closed until there are a minimum of two Employees present. The Employee present will be required to explain the situation to Families and reensure Families that the Centre will be opening soon.

Management will reorganise the closing roster if only one person from the roster is available to close. If no Employee is available to close either the Director or 2IC will be required to remain and close the Centre with the rostered Employee.

### **Code of Conduct**

There will be two Code of Conducts for all Employees to read, understand and implement into their daily practices. The first will be the Code of Conduct that will establish a standard of behaviour to be followed by the employees at the service. This Code of Conduct defines how individuals should behave towards each other, towards the children, Families and towards other organisations and individuals in the community. The second Code of Conduct will cover social media, both as a centre or for personal use. The social media Code of Conduct will provide a framework in which all employees will use social media effectively both professionally and socially. It is the responsibility of the Director and 2IC to ensure all Employees have signed both the codes of conduct.

The signed Code of Conducts will be kept in the Employee's individual file. Both codes of conduct will be reviewed yearly, and any changes will require all Employees to read, understand, implement, and sign an updated edition.

## **Contracts**

Contracts will include all work conditions, including position title, hours of work, entitlements, probation, award rates and termination procedures. The contract will need to be signed by the employee before commencement. The contract will be kept in the individual employees file, with a copy provided to the employee on request. All Employees on signing their individual contract will be deemed to understand the terms of said contract and commit to comply with the contract.

## **Probation**

Probation will be a period of 6-months from the commencement of employment dictated on the employment contract. Management have the right to extend the probation period if the employee is not achieving required outcomes. Management also have the right to terminate employment during the 6-month probation period for any reason without notice or cause.

## **Confidentiality Agreement**

All Employees will be required to sign a confidentiality agreement. The agreement will need to be read, understood, and implemented by all Employees. The confidentiality agreement will ensure the confidentiality and professionalism of all stakeholders and the business. The confidentiality agreement will be kept in the Employee's individual file.

## **Role Descriptions**

Role descriptions will define an employee's position, qualifications, responsibilities, and abilities. Employees will be required to complete their job commitments in accordance to their appropriate role description. All employees have access to their relevant role description and can use the document to clarify their role more clearly. Management will ensure the most current role description for each position within the centre is available in the Staff room.

## **Nominated Supervisor**

The nominated supervisor will be selected for having the following skills decided by the Committee of Management.

- Qualifications – minimum of Diploma of ECEC.
- At least 3 years of experience in a leadership role.
- HR skills – keeping a team together and working for each other.
- The ability to balance finances and maintain a budget.
- Develop strong relationships with families and the community.
- Being able to promote the Centre and keep enrolments above 85%.
- Being knowledgeable of all legislation and always keeping the Centre compliant.
- Completing the day-to-day tasks efficiently and on time.
- Keeping the management committee informed of all aspects of the business.

The Committee of Management will secure any new Nominated Supervisor by ensuring the successful candidate has all required skills and is deemed to be able to work with the current Birralee team, met goals and work to continue growth of the Centre and stakeholders. The change to the Nominated Supervisor will be notified to the Regulatory Authority within the required timeframe as per law 173(2)(b) and regulation 174(2)(b).

### **Responsible Person**

In accordance with the regulations, a responsible person will be at the Centre whenever the Centre is open this person will be delegated as per governance policy – responsible person. The role will require the employee to take on the day to day running of the Centre while they are the responsible person, including but not limited to, directing other employees, recording information received for the Director or 2IC and maintaining a safe environment for the children. The responsible person will be selected following the hierarchy of the Centre.

- Director – nominated supervisor
- 2IC – person in charge when Director not present at Centre
- Lead Educators - person in charge when Director and 2IC not present at Centre

The descending table of persons in charge is used as all individuals currently hold senior roles and have management skills to ensure the Centre operates to the highest standard at all times.

### **Early Childhood Documentation**

All Educators will need to have knowledge and understanding of documentation that guides their practices. These include but are not limited to.

- Early childhood laws and regulations
- National Quality Standards
- Code of Ethics
- Child Safe Organisations principles
- Convention on the rights of children
- Child protection laws

Management will ensure all documentation is visible and available for employees to become familiar and understand their responsibilities.

### **Dress Code**

All permanent Employees will be required to purchase Birralee work shirts and jackets. These items form the official uniform of Birralee and are a requirement of employment. Casual Employees will be provided with a Birralee owned shirt that is to remain at the centre and washed at the centre after each use. Employees will receive one “fun Wednesday” t-shirt from Birralee, which will be worn only on Wednesdays, this shirt is not an official part of the uniform and the Employee can decide to wear the shirt or not. If another “fun Wednesday” shirt is required by an Employee, the Employee will be required to purchase the t-shirt. Employees may also purchase at their own cost indigenous shirts that can be worn only on Fridays and during NAIDOC week. Pants and shorts may be of any style that is respectful, modest, clean and in good order. Leggings of any kind are not permitted. Footwear

needs to be a closed in shoe and in good repair. Crocs can be worn only if they are the work extra tread type, normal crocs are not permitted. All items of clothing used as part of an Employee's work uniforms are to be washed after each use and replaced when damaged, faded, or stained. During festive celebrations, clothing appropriate to the celebration can be worn in place of the Birralee uniform, ensuring the same standards of respectful, modest, clean and in good order apply.

### **Induction Documentation**

All Employees are required to have an induction to ensure they have a full understanding of the running of the centre. The induction will be provided by the Director or the 2IC and all parties will need to acknowledge, with a signature, the process and areas covered. Documentation will be kept on the Employee's individual file and yearly refresher inductions will be held, documented, acknowledged with a signature from the Employee, and stored in the Employee's individual file.

### **Wages**

Wages will be paid weekly and all Employees will be required to provide a detailed timesheet, with all areas filled in accurately, to ensure payment of wages reflect time worked. Timesheets are to be completed by Tuesday morning of each week for payment on Wednesday. Employee's banking details will be required for direct debiting of weekly wages, all banking information provided will be stored and filed according to privacy policy requirements. All employees' hourly rates will be paid in accordance with the Children's Services Award unless an individual employee seeks and is provided with above award wages by the Committee of Management. Individual employees' hourly income and leave information will be protected according to the privacy policy requirements.

### **Annual / Long Service Leave**

All leave entitlements are in accordance with the Award and the National Employment Standards. Leave without pay is not an entitlement and may only be granted at the discretion of the Director and in exceptional circumstances.

Any unauthorised leave will be subject to disciplinary action.

For operational reasons, the following conditions apply to accessing leave entitlements:

- 2 weeks' notice will be required when taking Annual Leave
- 3 months' notice will be required when taking Long Service Leave.
- Applications for annual leave or long service leave will not be unreasonably refused, having regard to the service's operational needs.
- Employees may access leave to which they have accrued. Paid leave in advance may only be granted at the sole discretion of the Director and only in exceptional circumstances.
- No more than 3 employees can take Annual / Long Service Leave at the same time. Exception to this rule will be the Christmas school holidays and will depend on child enrolment numbers.
- When multiple forms for the same dates are received, lodgement dates will be used to determine leave approval.
- Employees are to complete a leave form and hand to management within the required time frame.

Employees who accumulate over eight weeks of annual leave, may be requested by Management, in writing, to take an amount of Annual Leave that does not extend past the Employee having six weeks of Annual Leave remaining. Management need to provide the Employee with eight weeks' notice that they are requesting Annual Leave to be taken.

Employees who have accumulated Long Service Leave can be requested by Management to take four weeks of their Long Service Leave. Management will provide Employees with three months' notice that they are requesting long service leave to be taken.

### **Annual leave loading**

Will be paid on all annual leave, in accordance with taxation and award rules, to compensate staff not being able to work overtime or time in lieu. In line with taxation laws superannuation guarantee is not calculated on leave loading.

### **Personal / Carers /Compassionate Leave**

All Employees are required to provide enough notice to management when taking Personal / Carer Leave.

- Wherever possible, medical, dental, or alternative therapy appointments are to be made outside your normal working hours.
- For all pre-arranged Personal / Carer's days, Employees are to complete a leave form and hand into management as soon as possible.

Notice of sick leave must be provided directly to the director or person in charge by 6.30am on the relevant day.

- Notice must not be given through a third party.
- Notice must be given verbally and not by email, text message, social media, or other method.
- Documentation, such as Medical Certificates, that will convince a reasonable person that the Employee was genuinely entitled to the leave, will be required each time Personal / Carer Leave is taken.
- For sick leave lasting longer than 5 days the documentation provided to explain the leave, will need to state the medical condition.
- It is your responsibility to ensure you and your medical practitioner are aware of your employment in the Children's Services industry and the relevant recommended exclusion periods that apply for infectious diseases and other illnesses.

All Employees are entitled to 2 days compassionate leave each time an immediate family or household member dies or suffers a life-threatening illness or injury.

- Documentation, such as Medical Certificates, that will convince a reasonable person that the Employee was genuinely entitled to the leave, will be required each time compassionate leave is taken
- Leave can be taken as a single continuous 2-day period or 2 separate periods of 1 day

## **Professional Development**

### **Educational Leader**

In accordance with legislation Birralee Childcare centre will appoint an Educational Leader. The appointment of the Educational Leader will be the responsibility of the Committee of Management. The Director and 2IC will provide all required information on candidates to ensure the person selected has the qualifications, experience, communication skills, to be able to work with the Director and 2IC on all programming requirements and visions, as well as a willingness to be the Educational Leader. The Employee who accepts the role of Educational Leader will provide signed documentation accepting the position, this will be kept on the Employee's individual file. The Educational Leader once appointed will be required to mentor, provide guidance, and collaborate with all Employees, enhancing and developing their competence in all areas of programming.

### **Continuity**

Maintaining Employees is the responsibility of the Director and 2IC. Hiring Employees that have the same vision and commitment to teamwork is a priority to ensure the balance within the team is maintained and nurtured. Employees have the responsibility to remain professional and treat each other with respect, Employees found to be disruptive and a negative force within the team will be provided with counselling and management plans. Extreme cases will result in disciplinary action, including termination of employment. To encourage continuity of Employees, management will ensure a roster above current Educator to child ratios created and take into consideration individual Employee's situations when creating the roster. Providing all Employees with a voice, encouraging professional development and providing mentoring. Within the environment Employee movement in rooms will only occur when it is to the benefit of the Employee or children.

### **Team Player**

All Employees will be expected to work together for the betterment of Birralee Childcare centre and the children they educate and care. As team players, Employees will listen, support, respect and maintain professionalism with all peers. Management will enforce disciplinary action on any Employee found to be violating team responsibilities.

### **Training**

All Employees will be encouraged to further their training. Designated time is provided on the roster specifically for study. Employees can use hours to enhance their pedagogy or further knowledge on topics of interest or to support current children. Management will seek training opportunities for employees and provide cover for employees to attend professional development days when possible. All Employees will be required to maintain their First Aid and CPR training. Management will organise First Aid and CPR training yearly for Employees. Any Employee not using the centre First Aid and CPR training will need to organise their own training. It is the responsibility of all Employees to have current First Aid and CPR certificate on their file.

## Required Education

Any person seeking employment will require to be at least actively working towards certificate 111 in Early childhood Education and Care. Persons with working towards certificate 111 in Early childhood Education and Care can be Employed as an Educator. Persons with certificate 111 in Early Childhood Education and Care or an ACECQA approved equivalent can be employed as an Educator or Lead Educator. Persons actively working towards Diploma in Early Childhood Education and Care can be employed as an Educator or Lead Educator. Persons with a Diploma in Early Childhood Education and Care or ACECQA approved equivalent can be employed as an Educator, Lead Educator, Educational Leader, 2IC or Director. Persons seeking employment as a Director or 2IC will also require a supervisor's certificate in food handling. Persons with a Bachelor of Early Childhood Education or ACECQA approved equivalent can be employed as the ECT or any other position within the Centre. The cook position will require a supervisor certificate in food handling and preferably at least a Certificate 111 in Early Childhood Education and Care. The Administration position will require a sound understanding of all areas of administration and preferably at least a Certificate 111 in Early Childhood Education and Care.

## Blue Card

All Employees are required to have a current paid Blue card and it is the responsibility of the employee to ensure they update the Blue card before the expiry date. As per legislation if a person does not have a current Blue card they cannot work, It is the responsibility of the Director or 2IC to ensure all blue cards are current and the Blue card register is updated to reflect current employees and committee members.

## Personal Situations

### Children of Employees

Employees are welcome to have their child attend the centre. Employees will receive a fee discount of 50% of the current set pricing for their child/ren. Employees will not be allowed to work in the room their child is attending unless exceptional circumstances provide no other option. Employees with children attending the Centre will always ensure children are treated equally. Any issues arising from their child/ren being present in the environment will be discussed with Management and strategies developed to ensure best outcomes for all children.

### Death of an Employee

In the tragic event of death of an Employee at the centre, Management will ensure the safety of the children and other Employees by immediately going into lockdown and removing all children and unnecessary Employees from the area. The ambulance, police, Committee of Management, and Families will be called, while first aid is being administered. After the ambulance has left the Centre, Management will secure the area and inform WHS and the Regularity Authority, using their required documentation. In the case of the death of the Nominated Supervisor the regulatory authority will need to be notified of the new Nominated Supervisor within 14 days. All Employees witnessing the event will be asked to write a detailed incident report. All documentation will be kept for 7 years. Management will offer counselling for all Employees and children effected by the death. If the

Centre remains open Management will provide the opportunity for as many Employees as possible to attend the funeral of a work colleague, while maintaining ratios.

### **Illness**

Illness in childcare settings is common and Employees, if ill, need to determine whether they can work, and their illness will not infect other Employees or children. The Employee will need to inform Management as soon as possible if they will not be reporting for their shift, following the personal / carers leave notification procedure. Communication will be via the work phone and only in an emergency will Employees contact the Director or 2IC on their personal phone. Employees will be required to provide documentation that will convince a reasonable person that the Employee was genuinely entitled to the leave when taking days off for illness. Employees who become ill at work, need to report to Management and may need to remain at work until a substitute Educator is available or Management can organise Employees to ensure correct ratios are maintained according to legislation.

### **Injury**

Employees who are injured need to provide a doctor's certificate stating they are fit for work before returning. If injured outside of work, the Employee will need to inform Management as soon as possible if they will not be reporting for their shift. Communication will be via the work phone and only in an emergency will Employees contact the Director or 2IC on their personal phone. Employees injured at work will receive appropriate First Aid and be required to complete an incident form. Any serious injury that occurs while working that results in medical treatment. The Employee will need to inform medical professionals immediately that the injury is a workplace injury, if they are going to make a work cover claim.

### **Incident**

Employees are required to report any incidents to Management and ensure the safety of all children and co-workers. Incidents occurring inside the grounds will be assessed by Employees and immediate action started to ensure the environment is safe, this may include sectioning off an area of the environment and removing children from the area. Incidents occurring outside of the environment may include Employees removing children from viewing the incident and seeking assistance from the emergency services, if required. Employees will communicate with children what is happening in a manner suited to the children's development. Management will offer counselling for Employees or children effected by serious incidents.

### **Immunisation**

Employees will be required to supply an up to date record of their immunisation or blood test results showing immunity to hepatitis A, measles-mumps-rubella (MMR), chickenpox and pertussis (whooping cough). All employees will need to be immunised before starting employment and Management will organise and fund required booster shots as required. Management will also organise and fund non-compulsory, influenza shots for individual Employees yearly. Employees who have not supplied Immunisation certificates will be excluded from work for the duration of hepatitis A, measles-mumps-rubella (MMR), chickenpox and pertussis

(whooping cough) outbreaks in the Centre. The exclusion will only be covered by the Employees current leave entitlements, if the Employee has no leave the exclusion will be without pay.

### Hygiene

Personal hygiene is paramount to the success of the individual Employee and the Centre. It is the responsibility of the Employee to maintain their personal hygiene. Employees are to arrive for their shift in a clean and tidy manner. Employees are to wash, use deodorant, clean their teeth, and maintain their hair on a regular basis. Employees found to be lacking in areas of their hygiene will be requested by Management to rectify the situation. Employees ignoring requests will be provided with counselling and management plans. Extreme cases will result in disciplinary action, including termination of employment.

### Outside employment

All Employees are entitled to seek secondary employment, as long as the secondary position does not interfere with their Birralee Childcare Centre commitments. If Employees are caring for children currently attending Birralee Childcare Centre, the Employees are to remain professional at all times. Employees are not permitted to transport children to and from the Centre unless the child is related to the Employee.

### Definitions:

Term	Definition	Source
Australian Children's Education and Care Quality Authority [ACECQA]	The Australian Children's Education and Care Quality Authority (ACECQA - pronounced a-see-kwa) is an independent national authority that assists governments in administering the <u>National Quality Framework</u> (NQF) for children's education and care.	<a href="http://www.acecqa.gov.au">www.acecqa.gov.au</a>
2IC	Second in command	<a href="https://acronyms.thefreedictionary.com/">https://acronyms.thefreedictionary.com/</a>
First Aid	help given to a sick or injured person until full medical treatment is available.	<a href="http://www.google/define">www.google/define</a>
Cardiopulmonary Resuscitation [CPR]	Cardiopulmonary Resuscitation (CPR) consists of mouth-to-mouth respiration and chest compression. CPR allows oxygenated blood to circulate to vital organs such as the brain and heart.	<a href="http://www.google/define">www.google/define</a>
Reasonable Person	a fictional person with an ordinary degree of reason, prudence, care, foresight, or intelligence whose conduct, conclusion, or expectation in relation to a particular circumstance or fact is used as an objective standard by which to measure or determine something (as the existence of negligence)	<a href="http://www.mirriam.com">www.mirriam.com</a>

**Policy Details:**

<b>Date Created</b>	<b>Date Due for Review</b>	<b>Date Revised</b>	<b>Date Authorised by Committee of management</b>
25/01/2021			14/5/2021
	15/07/2022	22/03/2023	26/03/2023
	15/07/2024	10/07/2024	17/07/2024
	15/07/2025	02/7/2025	10/07/2025
	10/07/2026	02/01/2026	07/01/2026
	10/07/2026		