

4.01 Code of Conduct Policy

INTRODUCTION

We believe in maintaining an inclusive and welcoming environment and workplace that motivates and facilitates personal growth and development for staff and educators. The values that underpin our work ethic include equality, respect, integrity, and responsibility.

PURPOSE

Cubby OOSH aims to establish a common understanding of work place standards and ethics expected of all employees of the Service. We aim to ensure positive working relationships are formed between all educators and management, promoting dignity and respect by avoiding behaviour which is or may be perceived as harassing, bullying or intimidating. Educators and management will at all times conduct themselves in an ethical manner and strive to ensure that all interactions are positive and respectful and are in accordance with the Service's philosophy.

SCOPE

The Approved Provider, Nominated Supervisor, Educators and Staff, Volunteers, and Students will adhere to the Early Childhood Australian Code of Ethics, National Regulations and Quality Standard, and Service policies and procedures at all times, promoting positive interactions both within the Service and the local community.

Respect for People and the Service

- Employees and Management are committed to the Service philosophy and values, inclusive of best practice in early childhood education and building positive partnership with children, families and staff.
- Effective, open, and respectful reciprocal communication and feedback between employees, children, families, and management is conveyed.
- It is important to treat colleagues, children, and families with respect. Bullying or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening, or derogatory language or intimidation towards other employees, children, visitors, or families is unacceptable and will not be tolerated.
- Employees are committed to valuing and promoting the safety, health, and wellbeing of employees, volunteers, children, and families.
- Employees are committed to an Equal Opportunity workplace and culture which values the knowledge, experience, and professionalism of all employees, team members, and managers, and the diverse heritage of our families and children.

IMPLEMENTATION

Expectations of Employees:

Employees Will:

- Ensure their work is carried out proficiently, harmoniously, and effectively. They will act in a professional and respectful manner at all times whilst at work, giving their full attention to their responsibilities and adhering to all Service policies, procedures, laws, regulations, and National Quality Standard.
- Act honestly and exercise attentiveness in all Service operations. They will carry out all lawful directions, retaining the right to question any direction which they consider to be unethical. If uncertain they can seek advice from the Nominated Supervisor, Approved Provider or the Ombudsman.
- Have a solid understanding of the Service's policies and procedures; if uncertain about the content of any policy or procedure with which they must comply employees should seek clarification from the Nominated Supervisor or Approved Provider.

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- Be courteous and responsive when dealing with colleagues, students, visitors, children and families.
- Work collaboratively with colleagues.
- Be mindful of their duty of care towards themselves and others.
- Be positive role models for children at all times.
- Respect the rights of all children.
- Respect the confidential nature of information gained about each child participating in the program.

Expectations of Leaders and Management

In addition to the above responsibilities, leaders and management are expected to:

- Promote a collaborative and interconnected workplace by developing a positive working environment where all employees can contribute to the ongoing continuous improvement of the Service.
- Promote leadership by working with employees and providing opportunities for professional development and growth.
- Provide ongoing support and feedback to employees.
- Keep employees informed about essential information and changes and make documents readily accessible to them.
- Model professional behaviour at all times whilst at the Service.
- Implement supportive and effective communication systems, consulting employees in appropriate decision making.
- Take appropriate action if a breach of the code of conduct occurs.
- Share skills and knowledge with employees.
- Give encouragement and constructive feedback to employees, respecting the value of different professional approaches.

Reporting a breach in the code of conduct:

- All employees are required by law to undergo a Working with Children Check, which is verified by the employer.
- If employees become aware of a serious crime committed by another employee, they are required to report it to management.
- All employees must report possible risk of harm to children or young persons to management.
- Employees will report any concerns they may have about inappropriate actions of any other employee that involves children or young people to management.

Managing conflict in the workplace:

- Management will remain objective and impartial when managing conflict in the workplace.
- Management have a responsibility to address a possible breach of the code of conduct by any employee as soon as they are aware of the breach.
- Allegations will be investigated and can result in remedial action, or disciplinary action ranging from a caution to dismissal.
- Management will consider all relevant facts and make decisions or take actions fairly, ethically, consistently, and with transparency. If they are uncertain about the appropriateness of a decision or action they will consider:
 - whether the decision or conduct is lawful,
 - whether the decision or conduct is consistent with Service policies and objectives,
 - whether there will be an actual, potential, or perceived conflict of interest involving obligations that could influence the business relationship or conflict with business duties.

Adhering to service confidentiality:

- Unless authorised to do so by legislation, employees must not disclose or use any confidential information without appropriate approval.
- All employees are to ensure that confidential information is not accessed by unauthorised people.

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- Employees will adhere to the Service's *Privacy and Confidentiality Policy*.

Record keeping:

- Employees and Management will maintain full, accurate, and honest records as required by national regulations.
- Managers have a responsibility to ensure that employees comply with their record keeping obligation outlined in the *Record Keeping and Retention Policy*.

Duty of care:

- Management and employees have a responsibility to take reasonable care for the health and safety of themselves and others at the workplace to enable compliance with the work health and safety legislation.
- Duty of Care relates to both physical and psychological wellbeing of individuals.
- Management and employees must take reasonable care for the safety and welfare of children and young people in their care. This includes taking all reasonable action to protect children and young people from risk of harm that can be reasonably predicted.

Social media:

- The Administrator controls the content on the page and ensures that the postings are relevant and respectful of the Service, the children, the staff, families, and greater community.
- Staff members that have a personal Facebook account are not permitted to post any negative comments relating to the Service, children, colleagues, or families. If they choose to 'like' the Service's page they have a responsibility to ensure that their profile picture is an appropriate representation of an early childhood Educator. If it is not, we request that they do not 'like' the page.
- Staff members are to use their own personal discretion when adding a family of the Service as a 'friend' on Facebook. The Service does not recommend staff to add families of the Service as they will be seen still as a representative of the Service and held to the Service's Code of Conduct on all posts on their private 'wall' if families have access.
- Families are asked in our Social Media policy to respect that staff may have a personal policy on adding families due to their professional philosophy and that the Service does not recommend staff to have families as friends on their private account.
- Staff members are not permitted to request the 'friendship' of families from the Service.

Use of alcohol, drugs, and tobacco

- Smoking is NOT permitted in or on surrounding areas of the Service.
- It is expected that the odour of cigarette smoke will not be detected on an employee's clothing. If an employee is found smoking on the premises, that employee may be terminated. Our Service supports the Smoke Free Environment Act 2000. The company and its employees will follow all conditions outlined in this act.
- Our Service is bound by the Education and Care National Regulations. As such, alcohol, drugs, or other substance abuse by employees can have serious adverse effects on their own health and the safety of others. As such, all employees must not:
 - Consume alcohol nor be under the influence of alcohol while working,
 - use or possess illegal drugs at any workplace,
 - drive a vehicle, having consumed alcohol or suffering from the effects of illegal substances, or
 - bring alcohol or any illegal drugs onto the premises.
- If a co-worker suspects a colleague to be affected by drugs or alcohol, they must inform the Nominated Supervisor immediately. No employee will be allowed to work under the influence of drugs or alcohol.
- Employees undergoing prescribed medical treatment with a controlled substance that may affect the safe performance of their duties are required to report this to the Nominated Supervisor.
- All issues pertaining to these matters shall be kept strictly confidential. A breach of this policy may initiate appropriate action including the termination of employment.

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Dress code:

- All employees must adhere to our uniform/dress code supplied during induction.
- Enclosed shoes must be worn at all times (strictly no high heels, thongs, or wedges).
- Clothes must be suitable for free movement, active play, and messy play.
- No offensive logos or political statements are to be displayed on clothing.
- Jewellery – one (1) earring per ear (small studs).

Personal Hygiene

All employees are to adhere to the following standards:

- Long hair is to be clean and neatly tied back: Ensure hair does not hang in your eyes.
- Makeup is to be light and natural.
- Fingernails are to be clean and well groomed.
- Employees will follow appropriate oral hygiene practices.
- An appropriate deodorant/antiperspirant will be worn.
- Strong perfumes will not be worn as they may cause allergic reactions in children.

Personal phone calls/mobile phones

- Employees are not authorised to use the Service’s phones for personal reasons unless in the case of an emergency.

No personal mobile phones are to be used or carried during working hours. *(OOSH Educators only- some centres due to high numbers carry their personal phone in their pocket (approved by NS) to contact each other for ratio. i.e. when a group of childcare and educators are outside - they may text children numbers to NS i.e. (Must be approved by NS or area manager for work reasons)*

- No personal mail or deliveries should be directed to the Service unless prior approval has been granted by the Nominated Supervisor/management.
- Educators and staff are not to contact families or children of the Service for personal reasons.

Service email

- Email is to be used only for company usage, not for private communications.
- Passwords and access privileges are strictly confidential and to be used only by the Educator issued with that access, or persons delegated to know and use that access in the normal course of operation.
- It is the responsibility of the authorised user to take fair and reasonable steps to ensure the passwords and other forms of access are held safe.
- Employees are to be aware that their Service email account may be accessed by Management at any time.

Dismissal

All staff members are made fully aware that the following breaches of the Code of Conduct and role responsibilities may lead to termination of employment:

- Reporting to work under the influence of alcohol or drugs.
- Refusal to complete required additional training.
- Possessing or selling drugs at the Service.
- Immoral, immature, or indecent conduct while at the Service.
- Inappropriate use of company equipment and/or resources.
- Possessing a dangerous weapon whilst at the Service.
- Bringing disrepute to the Service.
- Causing disruption or discontent in the relationship between a family and the Service.
- Disclosure of confidential information.
- Falsifying documentation.
- Associating with families without disclosing this information with management.
- Taking, abusing, defacing, or destroying company property.

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- Interfering with work schedules.
- Falsification of reports, documents, or wages information.
- Failure to report for work without notice.
- Walking off the job.
- Failure to follow policies and procedures.
- Vulgarity or disrespectful conduct to families, management or colleagues.
- Making or publishing false, vicious, or malicious statements about any employee of the Service, or the Service itself.
- Failure to hand in lost property (this is regarded as stealing): Lost property is to be handed to the Nominated Supervisor.

Disciplinary Action

All staff members are made fully aware that continued abuse of the following may result in disciplinary action. These include, but are not limited to the following:

- Unauthorised absence.
- Consistent or ongoing late arrivals and/or unauthorised extended breaks.
- Having personal visitors whilst on shift.
- using personal mobile phone or device to access social media such as Facebook, Instagram, Twitter, TikTok etc.
- Using a personal mobile phone or device to take photographs of the children.
- Unauthorised distribution of Service resources or materials.
- Consistent or ongoing poor work standard.
- Carelessness in the performance of duties.
- Consistent or ongoing low level of enthusiasm.
- Lack of personal cleanliness and hygiene.
- Failure to report health, fire, or safety hazards.

CODE OF CONDUCT AGREEMENT

I have read and understood the Services Code of Conduct and agree to abide by the provisions set out in the Code of Conduct at all times. Failure to do so may lead to disciplinary action or dismal.			
NAME		SIGNATURE	
POSITION		DATE	

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations 2011](#)
 - Regulation 168 Education and care services must have policies and procedures
- [National Quality Standards](#)
 - Standard 4.2 Professionalism
 - Standard 7.2 Leadership
- [Australia's Anti-discrimination Law](#)

SOURCES

- [ACECQA](#)
- [Early Childhood Australia Code of Ethics](#)
- [Australian Government: Department of Education](#)

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4.02 Responsible Person Policy

INTRODUCTION

A Responsible Person must be physically in attendance at an Early Education service at all times that the Service is educating and caring for children/operating.

Approved providers are responsible for appointing a Responsible Person who is aged 18 years or older, has adequate knowledge and understanding of the provision of education and care to children, and has an ability to effectively supervise and manage an education and care service (ACECQA, 2017)

PURPOSE

Cubby OOSH is committed to meeting our duty of care obligations under the National Law and Regulations to ensure a Responsible Person is on the premises at all times to ensure the health, safety, wellbeing, learning, and development of all children at the service is maintained at all times.

SCOPE

A Responsible Person will be on the premises at all times, and the details of the Responsible Person will be readily available to families and visitors.

If the Responsible Person leaves the premises, they will 'hand over' obligations for the role to another duly appointed person at the Service. It is vital that all hand-overs to a designated Responsible Person are documented when commencing this position throughout the day. The process for determining the Responsible Person will be clear to all educators and staff, and procedures will be followed at all times. Both the outgoing and incoming Responsible Persons will ensure the displayed name of the current Responsible Person at the Service correctly reflects who presently holds the position.

Our Service will have one Responsible Person present at all times when caring for and educating children.

A responsible person is:

- An Approved Provider,
- A Nominated Supervisor, *or*
- A duly appointed person, 18 years or older, fit and proper, and have suitable skills.

IMPLEMENTATION

Management will ensure:

- A Responsible Person is appointed.
- The Responsible Person is over the age of 18 years.
- The Responsible Person meets the minimum requirements for qualification, experiences and management capabilities.
- The Responsible Person has a clear understanding of the role.
- The Responsible Person is a fit and proper person.
- The Responsible Person has a minimum of 3 years' experience working as an educator in an Education and Care Service
- A Responsible Person is on duty from the time the Service opens each day until the time the Service closes.

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- The Responsible Person interchanges with the Nominated Supervisor in their absence.
- Responsible Persons are aware that they have to sign off when they have finished their duty and will ensure the Nominated Supervisor or appointed Responsible Person will sign on and take on the role.
- Written consent of the Nominated Supervisor role has been accepted.
- The staff record has the name of the Responsible Person at the service for each time that children are being educated and cared for by the Service.
- The Nominated Supervisor/ Responsible Person signs their name and hours of responsibility on the Responsible Service Record.

A nominated Supervisor/ appointed Responsible Person will:

- Sign their name and hours of responsibility on the Responsible Service Register.
- Provide written consent to accept the role of Responsible Person
- Ensure that the identity of the Responsible Person on duty is displayed and available to families and visitors.
- Inform the Director in a timely manner in the event of absence from the Service due to leave or illness so they can be replaced by another Responsible Person.
- Ensure they have a sound understanding of the role of Responsible Person.
- Abide by any conditions placed on the Responsible Person.
- Understand that a Responsible Person placed in day-to-day charge of the Service does not have the same responsibilities under the National Law as the Nominated Supervisor.
- Notify the Regulatory Authority within 7 days of any changes to their personal situation, including a change in mailing address, circumstances that affect their status as fit and proper (such as the suspension or cancellation of a Working with Children Check card or teacher registration), or if they are subject to disciplinary proceedings.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations 2011](#)
 - Regulation 150 Responsible person
 - Regulation 168 Policies and Procedures
 - Regulation 173 Prescribed information to be displayed
 - Regulation 177 Prescribed Records
- [National Quality Standards](#)
 - Standard 4.1 Staffing Arrangements
 - Standard 7.1 Governance
 - Standard 7.2 Leadership

SOURCES

- [The Early Years Learning Framework](#)
- [My Time Our Place Framework](#)
- [Victorian Early Years Learning and Development Framework](#)
- [ACECQA](#)

[ACECQA. \(2017\). Responsible Person Requirements for Approved Providers](#)

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4.03 Educational Leader Policy

INTRODUCTION

The Educational Leader has an influential role in inspiring, motivating, affirming and also 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.

PURPOSE

Cubby OOSH services will appoint an Educational Leader within their service to guide the program and mentor the team.

SCOPE

The Approved Provider of the Educational and Care Service will appoint an Educational Leader for each Cubby OOSH Service in writing, who is a suitably qualified and experienced educator, coordinator or other individual, to lead the development and implementation of the educational programs in the Service. This designation needs to be included in the staff records, and appointment needs to be in writing.

The Educational Leader should have a thorough understanding of the Early Years Learning Framework, the Victorian Early Years Learning and Development Framework, My Time our Place Framework, and the National Quality Standards to be able to guide other educators in their planning, reflection and implementation practices.

The Educational Leader should consider what strategies might be needed to improve the educational program in the Service. It will be their responsibility to meet with each team leader on a fortnightly basis to discuss their way they plan for children's learning opportunities and to give guidance when needed.

IMPLEMENTATION

- Service to appoint an Education leader for the service, with the candidate for the role having sound knowledge and passion to aid the curriculum, and guide the team to further quality improvements.
- Educational Leader to read, understand and sign their role description.
- Educational Leader to be involved and immersed in any trainings, forums, webinars to further their skills and expand their capabilities within the role and supporting the service.
- Educational Leader to have input into the Quality Improvement Plan, outlining the service's exceeding strengths in particular for quality Area One: Educational Program and Practise, and goals for the service to achieve.
- Educational Leader to create an Educational Leader folder consisting of:
 - Signed position description
 - Educational Leader personal philosophy
 - Cubby OOSH centre philosophy
 - Goals the Educational Leader will set to achieve
 - Educational Leader Programming Log
 - Curriculum checks / Audits
 - Communications had with team members, and support provided

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- Resources to support the team
- Team meeting agenda / Minutes outlining the Educational Leaders input and collaboration with the team
- Educational Leader Critical reflections within the role, with reflections for further improvements.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
 - Regulation 118 Educational Leader
 - Regulation 145 Staff record
 - Regulation 148 Educational Leader
 - Regulation 173 Prescribed information to be displayed
- [National Quality Standards](#)
 - Standard 1.1 Program
 - Standard 1.2 Practise
 - Standard 1.3 Assessment and Planning
 - Standard 4.1 Staffing Arrangements
 - Standard 7.1 Governance
 - Standard 7.2 Leadership

SOURCES

- [The Early Years Learning Framework](#)
- [My Time Our Place Framework](#)
- [Victorian Early Years Learning and Development Framework](#)
- [ACECQA](#)
- [ACECQA – Educational Leadership](#)

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4.04 Team Member Induction Policy

INTRODUCTION

Induction is considered to be an important process to ensure that all new team members are fully equipped to carry out their duties in the best possible way. The induction process provides new team members with a clear understanding of the service and its operations and what is expected of them within the Centre.

PURPOSE

Cubby OOSH endeavours to ensure new team members have a clear understanding of Centre policies, practices and procedures before the commencement of employment. This allows all team members to have the appropriate knowledge to carry out their duties.

SCOPE

New Team Member Induction consists of two elements:

1. Online Induction Training
2. Onsite Induction Training

Through the detailed and extensive training, New Team members will feel empowered to be able to perform their role with ample information, and high level of support.

IMPLEMENTATION

Before the new team member's commencement, they will have 48 hours to complete an on-line induction. This induction includes a range of questions and information gathered from Cubby OOSH policies and procedures, the Team Member Handbook, the National Regulations and videos.

On the new team members first day of commencement, the Centre Director or Assistant Director of the service will conduct an on-site induction. Included in this induction is:

- Centre operation and hours,
- The service's philosophy and policies,
- The Centre's code of conduct,
- Introductions to existing educators and Management;
- A guided tour of the Centre;
- Being shown where all relevant records are kept;
- Discussion about working arrangements and expectations, including professional code of conduct and duty of care;
- Information about the review and appraisal system;
- The opportunity to ask any questions regarding the Centre or expectations of staff.

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All new team members are provided with the following information:

- A job description,
- Emergency procedures and related duties,
- Terms and conditions of employment,
- Superannuation information and forms,
- Taxation forms,
- Probation period, review and appraisal procedures,
- Fair work information.

During the on-site induction, the new team member will be provided with a Mentor who will take them through a 4-week mentor program, who will guide, support, provide feedback and develop the goal-setting and critical reflection of their mentee. The Cubby OOSH Mentor Program has been designed to create a learning relationship that supports, strengthens and develops professional practice.

Inductions are completed annually to ensure all team members are aware and up-to-date will Cubby OOSH policies & procedures.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
- Regulation 168 Education and care service must have policies and procedures
- [National Quality Standards](#)
 - Standard 4.1 Staffing Arrangements
 - Standard 7.1 Governance
 - Standard 7.2 Leadership

SOURCES

- [The Early Years Learning Framework](#)
- [My Time Our Place Framework](#)
- [Victorian Early Years Learning and Development Framework](#)
- [ACECQA](#)
- Rapid Global (Induction Software)
- New Team Member Kit / Contract

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4.05 Educator Roster & Routines Policy

INTRODUCTION

“Every effort is made for children to experience continuity of educators at the service.” National Quality Standard 4.1.2. To facilitate consistency and continuity of care, Early Childhood Education services attempt to maintain a stable Educational team with minimal change. Through the maintenance of a consistent roster and routines, children can develop trusting relationships with all team members.

PURPOSE

Cubby OOSH services to create a roster/routine, meeting the needs and demands of each individual service.

SCOPE

- To create a “Family” atmosphere where children can relate consistently to particular team members.
- To arrange the team roster to provide the greatest possible continuity of care.
- To allow team members to build warm, positive relationships with children.
- To create familiar routines for children

IMPLEMENTATION

- Wherever possible, team members are employed on a permanent full-time or permanent part-time basis to facilitate continuity.
- When casual team members are required, they are drawn, wherever possible, from a discrete group of workers that has familiarity with the Centre, families and children.
- Regular team members familiarise themselves with children’s needs and build understanding and sensitive relationships with children in their care.
- When casual team members must be utilised, permanent team members and the Director provide guidance in relating to children in the most sensitive way.
- Program books, children’s checklists and observations are available to the Centre Director at all times.
- All programs, routines and other helpful information are displayed prominently to aid casual team members and families. Cubby OOSH Educators and Centre Director will induct “Casual” team members before the commencement of their shift.
- All individual records are to be kept up to date and relevant information passed on.
- Educators must sign on and off each day – sign the exact time.
- Educators must follow the correct break times and return on the floor at that time.
- If team members are going to be away from the service due to unexpected sick leave, Team members must ring the Nominated Supervisor as soon as possible. Please remember to notify the Lead Educator of any team member changes (and the Nominated Supervisor only when all arrangements have been finalised). Please refer to “TEAM MEMBERS HANDBOOK” for procedures.
- Phone calls may be made during breaks only using the centre phone in emergency situation.

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Statutory Legislation & Considerations

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
- Regulation 168 Education and care service must have policies and procedures

- [National Quality Standards](#)
- Standard 4.1 Staffing Arrangements
- Standard 7.1 Governance
- Standard 7.2 Leadership

Sources

- [The Early Years Learning Framework](#)
- [My Time Our Place Framework](#)
- [Victorian Early Years Learning and Development Framework](#)
- [ACECQA](#)
- [ACECQA – Staffing Arrangements](#)

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4.06 Learning & Development Policy

INTRODUCTION

Team members require skills in decision-making, team-building, communication and technology as well as appropriate skills and abilities as child-carers. The ability to provide a professional service to the Centre’s customers (parents/guardians) is essential. Team meetings and formal training and development must be an integral part of the Centre’s operation.

PURPOSE

Cubby OOSH endeavours to provide Team members with ongoing Learning and Development opportunity, with all Team members being allocated funding to assist in building skills, capabilities and expansion of knowledge on our sector.

SCOPE

Learning and Development is vital for:

- Ensuring the ongoing professional development of team members.
- Targeting areas of need for team member development.
- Providing general guidance and training to team members through regular team meetings.

IMPLEMENTATION

- Team members are encouraged to take advantage of any developmental opportunities to them throughout the year.
- In-services courses are chosen according to areas of work that may need improving, together with team members areas of interest. Team members who have attended courses report back to other team members during monthly team Meetings where they can discuss the course content and distribute copies of any accompanying written information.
- On average, team members must attend two workshops each year. The cost is paid by the service however the team member will attend at their own cost. Any additional in-services are at the employees’ expense.
- First-aid certification must be up-dated at each team members expense and is the responsibility of the team member to arrange their own training.
- Team members are expected to attend the after-hours Centre team meeting once a month.
- The agenda may include:
 - Administrative issues
 - Quality Improvement Plan / Regulatory Meetings
 - Team member routines
 - Discussions regarding resourcing, the premises, etc.
 - Children’s activities, care, behaviour
- Part of each monthly team meeting involves team members providing training for their peers in specific educational, administrative and legislative matters. (Especially when a significant change has occurred.)
- Each team meeting has an agenda and minutes are taken and kept.

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- The agenda is set by the Centre Director, and all team members are encouraged to add the agenda prior to the meeting.
- The minutes are recorded by a volunteer scribe and made available after the meeting.
- As the contents of the team member handbook are updated, all team members will receive notification of the changes.
- At all team meetings and seminars, confidentiality must be maintained when discussing families, children or team members. (Only children’s first names are used in discussions.)

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
- [National Quality Standards](#)
 - Standard 1.1 Program
 - Standard 1.2 Practise
 - Standard 1.3 Assessment and Planning
 - Standard 4.1 Staffing Arrangements
 - Standard 7.2 Leadership

SOURCES

- [The Early Years Learning Framework](#)
- [My Time Our Place Framework](#)
- [Victorian Early Years Learning and Development Framework](#)
- [ACECQA](#)
- [ACECQA, We Hear You Blog – Professional Development Planning](#)

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4.07 Team Member Interaction Policy

INTRODUCTION

The way in which Educators and other team members relate to each other within an Education and Care Service has a major influence over the atmosphere created in the Service. It is important that both children and families feel secure in the Education and Care Service environment. This feeling of security and trust comes not only from positive Educator and family communication, but also from positive communication amongst team members.

PURPOSE

Cubby OOSH promotes effective, appropriate and positive relationships between all Team members in establishing strong communication for best outcomes for the service and one another.

SCOPE

Team member interactions consist of:

- Interactions within the work place
- Interactions outside of the workplace that may have a negative effect on the service and or other Team members
- Interactions between Team members
- Interactions between Team members and Management
- Interactions between Team members and any external agency that endures a working relationship

IMPLEMENTATION

All Educators and all other team members will maintain positive relationships of trust and co-operation with co-workers by:

- Showing respect for all Educators and other team members.
- Accepting differences in all team members.
- Showing appreciation of each Educators and all other Staff's unique background, skills and Contributions to the Service's environment.
- Look for strengths in Educators and other Staff members.
- Team members will share resources and information with each other to promote learning and development.
- Educators and other team members will offer each other support in meeting their professional needs and professional development.
- Respect will be shown for all members of the team, and consideration given to their feelings, values, and opinions.
- Information about and observations of all children will be shared.
- Information relating to families which affects individual children will be shared.
- Educators and all other team members will treat each other with empathy and respect.

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- Educators and all other team members will develop positive working relationships, which will model positive social skills to the children.
- Regular team member meetings will provide a forum for group discussions on all matters relating to team triumphs, suggestions and concerns.
- Educators and all other team members will consider each other and work as a team in order to share the workload in decisions concerning children and programs; team members shall appropriately utilise the training, experiences and expertise of each other.
- Honesty and openness between team members will be used to resolve differences of opinion or personal conflicts. Personal conflicts will be discussed outside of work hours and are to be kept separate of the workplace.
- Team members will follow the grievance policy about any grievances they may have with another team member. Under no circumstances are they to complain or discuss the grievance with to other team members or families. If this occurs immediate dismissal will be imposed.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations 2011](#)
- [Equal opportunity Act 2010](#)
- [National Quality Standards](#)
 - Standard 4.1 Staffing arrangements
 - Standard 4.2 Professionalism
 - Standard 7.2 Leadership

SOURCES

- [The Early Years Learning Framework](#)
- [My Time Our Place Framework](#)
- [Victorian Early Years Learning and Development Framework](#)
- [ACECQA](#)

[Early Childhood Australia Code of Ethics](#)

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4.08 New Team Member Selection Policy

INTRODUCTION

Quality Team members is the most valuable asset for effectiveness and high standards in early education and care. The efficient operation of the Centre is dependent upon the quality, fitness and propriety of educators. Cubby OOSH aims to employ the best possible educators for each position through fair advertising and selection processes.

PURPOSE

Cubby OOSH aims to ensure the recruitment and selection process is of high quality, to ensure we endure and sustain an effective team and culture within our services.

SCOPE

- To implement an advertising and selection process which identifies the most suitable applicants for the positions advertised.
- To define the roles of team members and their position requirements.
- To adhere to the Equal Employment Opportunities (EEO) guidelines.

IMPLEMENTATION

Minimum Position Requirements/qualifications (Diploma or Cert 4 in OOSH qualifications preferred.)

Supervisor

- As outlined in any mandatory requirements of National Child Care Standards;
- Desirably, has had a minimum 2 years' experience in a relevant field and demonstrated ability to work with children and educators;
- Holds a current First-Aid Certificate or is willing to undergo training to obtain one;
- Has good character references and can be entrusted with the provision of quality care for the welfare of the children;
- Has an interest and desire to work with children;
- Possesses a demonstrated ability to communicate well with adults, children and management;
- Can demonstrate an ability to supervise and support educators;
- Is willing to undertake training to further skills and knowledge.

Assistant

- Has had relevant training as above and/or relevant experience to successfully fulfil the position;
- Holds a current First-Aid Certificate or is willing to undergo training to obtain one;
- Has good character references and can be entrusted with providing appropriate care for the welfare of the children;
- Has an interest and desire to work with children;
- Has a demonstrated ability to communicate with adults and children;
- Is willing to undertake training if required;

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- Is a minimum of 18 years of age.

Recruitment - Selection Panel

When a position becomes available, the centre director will perform the following:

- Approves the job description and selects criteria for the position;
- Determines the method and placement of advertising and places the advertisements, including notification of the “Working with Children Check”;
- Short-lists the applicants with reference to the position criteria;
- Arranges interview questions, dates and time;
- Contacts the short-listed applicants for phone screen and schedule an interview;
- Conduct the interviews;
- Request “Working with Children Check” (WWCC) from applicant;
- Ensures that the person selected is approved under WWCC;
- Reference checks are to be conducted following the interview in order to be a child safe organisation - refer to the reference criteria listed below.
- Puts forward the name of the preferred applicant to Management for final approval;
- Offers the position to the successful applicant and contacts unsuccessful applicants after the position has been accepted;
- Sets a date for the commencement of employment and orientation of the new educator's member;
- Prepares a letter of employment and contract.

Advertisements

Advertisements include:

- Job title;
- Specific employment information, including hours of work and Award Rate;
- That a Working with Children Check is required;
- The closing date and postal address for applications;
- Contact name(s) and number(s) where the applicant can obtain more information.

Applications in writing should include:

- Contact telephone numbers and full contact details;
- Resume;
- A minimum of (2) referees from a previous place of employment, one of which must be a Centre Director. In order to be a sufficient referee, Centre Directors must be contactable at an early childhood education facility. The Nominated Supervisors’ duty to provide a child safe environment, requires them to confirm the centre’s number with the centre’s website and ensure the contact number provided is in line with the contact number listed on the centre’s webpage. Failure to meet these requirements will automatically result in an unsuccessful application.

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The Interview

- The centre director asks the applicant a range of interview questions which relate to all aspects of the position and ensure Equal Employment Opportunity (EEO) guidelines are followed. All answers are documented to review the suitability of the applicant to the position.
- Each applicant is asked the same questions, and a rating scale is used to evaluate each applicant's answers.
- The centre director will discuss the applicant's suitability with the operations manager for a second opinion.
- The centre director will decide on the best applicant for the job according to the selection criteria. The preferred applicant's referees are contacted to confirm the applicant's suitability and checked.
- If the preferred applicant declines the position, the centre director will either make a second choice from the other candidates or, if none are suitable, the position is re-advertised.

Notification

- Applicants are informed of the estimated timeframe after interviews they will be notified of the success of their application.
- The centre director notifies the unsuccessful and successful applications and negotiates a starting date.
- Written confirmation of the employment offer is sent to the successful applicant, also requesting acceptance in writing.
- After the appointment has been made and accepted the unsuccessful applicants are notified that the position has been filled.

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

- All educator positions are advertised according to Equal Opportunity Legislation.
- No person is discriminated against based on his or her cultural background, religion, sex, disability, marital status or income.
- All applicants and referees are asked the same questions.
- All applicants are selected according to equal opportunity guidelines.
- Selection and suitability for the position are based solely on the selection criteria drawn up by the panel

Criteria include:

- Qualifications and experience
- Appropriate knowledge to meet the children's needs
- Good communication skills
- Demonstration of being a fit and proper person for the job (See Policy 7.13 Child Care Subsidy Policy)
- Clearance through the Working with Children Check
- Written references
- The quality and appropriateness of answers to the interview questions
- Appropriate verbal responses from referees

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Employee Documents Review Process

- All educator documents such as Working with Children’s Checks, Police Checks (where applicable), Child Protection and First Aid Qualifications are entered into Easy employer in the Abilities section with a reminder date for review based on the expiry date of the relevant document.
- The Centre Director reviews the documents and requests new documents as required.
- The HR Manager also has access to the documents and can request updated documents in the absence of a Centre Manager.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations 2011](#)
 - Regulation 126 Centre-based services—general educator qualifications
 - Regulation 145 Staff record
 - Regulation 147 Staff members

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4.09 Uniform & Personal Appearance Policy

INTRODUCTION

There are many benefits behind wearing a company uniform, other than just being unified. There are even psychological benefits.

1. Creates brand awareness
2. Creates a professional company image
3. Promotes company commitment, pride and loyalty
4. Promotes employee security and stability.
5. Promotes unity, team building and team dynamic success.

In Early Education it is important that Children have a sense of security and belonging with their Educators, and understand the uniform represents familiarity to the environment at the service.

PURPOSE

Cubby OOSH maintains high standards that all regular team members are to wear the uniform supplied by the Centre. The Centre's uniform conveys a unified image and allows all team members to dress at the appropriate standard.

SCOPE

- To ensure that all regular employees wear the Centre's uniform when on duty.
- To facilitate an appropriate, professional standard of dress for all team members.
- To allow children and parents/guardians to easily recognise Centre team members.
- To ensure that team members present as professional and well-groomed.

IMPLEMENTATION

The uniform is worn by permanent full-time, permanent part-time and by casual team members and volunteers whenever possible.

UNIFORM DESCRIPTION: Shirts

- A blue shirt is supplied by the centre. The collar must be cleanly pressed, stiff and buttoned down at the front.
- All buttons (from the second button down) are to be fastened at all times.
- Shirts worn must be company issue with the Centre logo attached.
- Stained or worn shirts must be replaced immediately.
- 2 shirts, a jumper, a vest and a jacket will be given to the educator at the start of their employment. A bond will be taken out of the first few payrolls. A new shirt will be provided after a year of service working with the company. If you require any more shirts, they will need to be ordered and paid for by the educator. Unless the shirt is damaged from something out of your control.
- No other shirt, jumper, vest, cardigan or jacket to be worn that does not have the Cubby OOSH logo on it.
- Once you have left the centre, all uniforms are to be returned cleaned and in good condition for your bond to be returned.

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Leg Wear

- Black long trousers are to be worn and properly pressed or ironed.
- Black Shorts must be below knee length. They are not to be cargo shorts or made from a jersey material.
- Leggings, jeans or tracksuits are not considered professional attire and are not to be worn.

Shoes

- Comfortable, low-heeled full black closed in leather shoes is required. No stilettos, joggers or ballet slippers.
- Shoes to be worn at all times.
- Kitchen team members need to have safety boots worn at all times when in the kitchen.

Hats

- Hats worn must be company issue.
- Hats must sit firmly on the top of team members' head. Hair must be adjusted accordingly.
- Hats must be worn by all team members at all times when outdoors ensuring that you are role modelling correct sun safety practices.
- Hats are to be carefully stored so as not be crushed. This is the responsibility of individual team members.

Scarves

- Scarves worn are to be company issue.
- Scarves may only be worn with company issued shirts and jackets.

Hair & Nails

- Hair must be clean, well cut, and regularly maintained. Hair is to be pulled out of the eyes and off the face when distributing food or with the children. If hair is longer than shoulder length, hair must be tied up neatly.
- Nails must be kept short and manageable so as to not scratch as well as maintain health and hygiene practices.

Make-Up

- Must complement the individual, look natural, and blend with our uniform.

Jewellery

- Jewellery is to complement the uniform.
- Earrings are to be studs no big hoop earrings or drop earrings that could be easily pulled on by children.
- Avoid jewellery that could be grabbed by children, or raised stones that could accidentally scratch children.

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- A Minimal amount of jewellery to be worn:
 - Wedding, engagement, 2-3 other rings are acceptable
 - One necklace – either neck or ankle
 - 1-2 bracelets on wrists
 - Watch
 - Earrings – studs or sleepers only, maximum of two per ear
- External piercings must not pose a workplace health and safety risk and are either removed or replaced with discreet clear piercings unless there is a bona fide religious or cultural requirement.

Tattoo or Body Art

- Tattoos and Body Art must be covered at all times while at work.

Consequences of Inappropriate Appearance

- Team members are sent home to change and given a thirty-minute period to return to work appropriately attired and groomed.
- Continual warnings may result in termination of employment.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
 - Regulation 168 Education and care service must have policies and procedures
- [Work health and Safety Act 2011](#)
- [National Quality Standards](#)
 - Standard 4.2 Professionalism
 - Standard 7.2 Leadership

SOURCES

- [The Early Years Learning Framework](#)
- [My Time Our Place Framework](#)
- [Victorian Early Years Learning and Development Framework](#)
- [ACECQA](#)
- [Cancer council Australia](#)
- [Positive Branding](#)

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4.10 No Smoking Policy

INTRODUCTION

Evidence now suggests that smoking can affect health and can affect children’s health later on in life. Children learn from role-modelling and have the right to be protected from exposure to the bad-health practice of cigarette smoking by team members and others who are present at the service.

PURPOSE

To provide a smoke-free environment for children.

SCOPE

Ensure the premises within and surroundings are not affected and influenced by Tobacco from Educators, Family members, and the community in order to keep the children within our services safe, and reputation of the service upheld.

IMPLEMENTATION

- “No Smoking” signs are clearly displayed.
- Any person whom is observed to be smoking within the Centre’s precinct will be informed of the Centre’s policy regarding smoking.
- Such persons are asked to extinguish their cigarette immediately or politely requested to leave the Centre’s premises.
- All team members who wish to use tobacco during their breaks, must leave the premises and are not to use tobacco in any area visible from the Centre premises.
- If team members leave the premises for tobacco use, they must wear a jumper/jacket over their work uniform to ensure they are not linked to the Centre and also to ensure their uniform does not smell of tobacco upon returning.
- Team members are to brush their teeth and use deodorant after they have used tobacco to ensure children, families and visitors do not smell the tobacco and that no tobacco residue to brought back into the Centre.
- Non-compliance requires team members to inform the person smoking of the consequences involved.
- If a person who is smoking refuses the above requests team members are to inform the centre director immediately.
- If compliance does not occur, the centre director will notify the Police immediately to remove the person smoking from the premises.

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Note: By law, all child-based premises are non-smoking areas.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
 - Section 167 Offence relating to protection of children from harm and hazards
- [Education and Care Services National Regulations](#)
 - Regulation 82 Tobacco, drug and alcohol-free environment
 - Regulation 83 Staff members and family day care educators not to be affected by alcohol or drugs
- [National Quality Standards](#)
 - Standard 2.1 Health
 - Standard 2.2 Safety
 - Standard 4.2 Professionalism
- [Smoke Free Environment Act 2000](#)

SOURCES

- [ACECQA](#)

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4.11 Illicit Drug, Alcohol & Illegal Substances Abuse Policy

INTRODUCTION

Safe Work Australia states “Alcohol and drugs, including medicines prescribed by a doctor or available from a pharmacy—can affect a person’s ability to work safely. All workers have a duty to take reasonable care for their own health and safety and ensure they don’t adversely affect that of others. This means they must be fit and well enough to do their job, not be under the influence of alcohol or drugs, or use alcohol or illegal drugs while at work”

PURPOSE

To ensure that all team members, children and families attending the Centre are provided with an environment that is free from the use of tobacco, illicit drugs and alcohol, ensuring Educators are not under the influence which could potentially impinge their ability to care and educate young children.

SCOPE

Cubby OOSH Services to be free from Illicit Drugs, Alcohol and Illegal Substances and Educators are not to be under the influence of any form of illegal substance whilst working within Cubby OOSH Services. Any Educator found under the influence of such substance, may face Disciplinary Action, up to termination of employment within Cubby OOSH.

IMPLEMENTATION

- If any Educator or other team member are on prescribed medication, the Approved Provider/Nominated Supervisor are to be advised of any side effects it may cause e.g. drowsiness during their time at the centre. The Approved Provider/Nominated Supervisor will then assess any possible risks. If there are increased risks to the Educator or to other Staff or to the children the team member will need to leave the Service. The team member will be asked to get a letter from their medical practitioner regarding any side effects that may affect their ability to perform their duties at the service.
- If any Team Member is suspected of being under the influence of alcohol or any illegal substances, they will be taken aside by the Approved Provider/Nominated Supervisor and asked if they are on any substances that could affect their ability to carry out their responsibilities effectively.
- If the Approved Provider/Nominated Supervisor is satisfied that they are not, then the team member may return to work. If the Approved Provider/Nominated Supervisor is not satisfied with the answer, then the team member will be asked to go to a medical practitioner for a clearance immediately.
- When there is reason to believe team members may be affected by drugs or alcohol, the Approved Provider may request the assistance of an outside agency to test either groups or individual team members on an irregular basis. Employees will be made aware when monitoring is to take place.
- If the team member refuses to undergo a drug test, they will be dismissed instantly according to the Service’s policies and procedures.
- Information on counselling services will be made available to the team member.
- If the situation at any time becomes violent, the police will be called on 000.

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STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
 - Section 167 Offence relating to protection of children from harm and hazards
- [Education and Care Services National Regulations 2011](#)
 - Regulation 82 Tobacco, drug and alcohol-free environment
 - Regulation 83 Staff members and family day care educators not to be affected by alcohol or drugs
- [Work Health and Safety Act 2011](#)
- [National Quality Standards](#)
 - Standard 2.1 Health
 - Standard 2.2 Safety
 - Standard 4.2 Professionalism

SOURCES

- [ACECQA](#)
- [Safe Work Australia](#)

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4.12 Confidentiality of Records Policy

INTRODUCTION

Early Childhood Education and Care services must abide by Laws, Legislations and Acts that guide services to ensure correct storage and strict confidentiality of records is upheld, as outlined in the Education and Care Services National Regulations and Privacy Act 1988. It is importance of high awareness and across all parties of these requirements, and families and Educators are made aware of their rights and protection

PURPOSE

Cubby OOSH adheres to the standards expressed in the National Privacy Act 1988 and Privacy Principles for protection for all stakeholders: children, Educators, students, volunteer workers, agents, contractors and parents/guardians of children in care.

SCOPE

To protect the privacy and confidentiality by ensuring that all records and information about individual children, families, educators, agents, contractors and management are kept in a secure place. These records are only to be accessed by or disclosed to those people who need the information to fulfil their responsibilities at the Education and Care Service or have a legal right to know.

IMPLEMENTATION

- Personal information will only be collected if it relates to the service’s activities and functions, and in line with relevant legislation. (National Privacy Principle 1.1 - Privacy Act 1998.)
- Collection of personal information will be lawful, fair, reasonable and unobtrusive. (National Privacy Principle 1.2 - Privacy Act 1998.)
- The use or disclosure of personal information will only be for its original collected purpose, unless the individual consents, or unless it is needed to prevent a health threat, or is required or authorised under law. (National Privacy Principle 2.1 – Privacy Act 1998).
- The Education and Care Service will take steps to ensure the personal information collected, used or disclosed, is accurate, complete and up to date. Families will be required to update their enrolment details annually, or whenever they experience a change in circumstances. Computer records will be updated as soon as new information is provided. (National Privacy Principle 3 – Privacy Act 1998).
- All service documentation, enrolment records and team member files are stored on a cloud-based software called soonr. Soonr is available on all centre computers and iPad's. All information is backed up onto the cloud and password protected.
- Personal information will be kept in a secure and confidential way and destroyed by shredding or incineration when no longer needed. (National Privacy Principle 4 – Privacy Act 1998).
- Individuals will be provided with access to their personal information and may request that their information is up-dated or changed where it is not current or correct. (National Privacy Principle 6 – Privacy Act 1998).
- Individuals wishing to access their personal information must make written application to the Approved Provider/Nominated Supervisor, who will arrange an appropriate time for this to occur. The Approved Provider/Nominated Supervisor will protect the security of the information by checking the identity of the applicant, and ensuring someone is with them while they access the information to ensure the information is not changed or removed without the Approved Provider/Nominated Supervisor’s knowledge.

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- Applicants will be asked for their consent before their references are checked. Unsuccessful applicants will be advised of when and how their personal information will be destroyed.
- The Approved Provider/Nominated Supervisor will deal with privacy complaints promptly and in a consistent manner, following the Education and Care Service’s Grievance Procedures. Where the aggrieved person is dissatisfied after going through the grievance process, they may appeal in writing to “The Director of Complaints, Office of the Federal Privacy Commission, GPO Box 5218, Sydney NSW 2001, or phone the Commissioner’s Hotline on 1300 363 992. (Privacy Act 1998). www.privacy.gov.au
- Confidential conversations that Educators have with parents, or the Approved Provider/Nominated Supervisor has with Educators and other team members, will be conducted in a quiet area away from other children, parents and staff. Such conversations are to be written up, and stored in the child file.
- Applicants, students or volunteers will be informed that their personal information is being kept, for what reason, for how long, and how it will be destroyed at the end of the time period.
- Information about Educators and other team members will only be accessed by the Approved Provider/Nominated Supervisor, and individual team member concerned. (Workplace Relations Act 1996.)
- All matters discussed at team meetings will be treated as confidential and the records stored appropriately. (Privacy Act 1998.)
- No member of the team may give information or evidence on matters relating to children and/or their families to anyone other than the responsible parent/guardian, unless prior written approval by the responsible parent/guardian is obtained. Exceptions may apply regarding information about children when subpoenaed to appear before a court of law. Notwithstanding these requirements, confidential information may be exchanged in the normal course of work with other team members at the Service and may be given to the Approved Provider/ Nominated Supervisor, when this is reasonably needed for the proper operation of the Service and the well-being of users and staff.
- Educators and other team members will protect the privacy and confidentiality of other team members by not relating personal information about another team member to anyone either within or outside the Education and Care Service.
- Reports, notes and observations about children must be accurate and free from biased comments and negative labelling of children.
- Students/people on work experience/volunteers will not make team members, children or families at the Education and Care Service, an object for discussion outside of the Education and Care Service (eg. college, school, home etc.), nor will they at any time use family names in recorded or tutorial information.
- Students/people on work experience/volunteers will only use information gained from the Education and Care Service upon receiving written approval from the Education and Care Service/Parent/Guardian to use and/or divulge such information, and will never use or divulge the names of persons.

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STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
 - Section 273 Duty of confidentiality
- [Education and Care Services National Regulations](#)
 - Regulation 168 Education and care service must have policies and procedures
 - Regulation 181 Confidentiality of records kept by approved provider
- [Privacy Act 1988](#)
- [Workplace Relations Act 1996](#)
- [National Quality Standards](#)
 - Standard 2.2 Safety
 - Standard 4.2 Professionalism
 - Standard 7.1 Governance

SOURCES

[ACECQA](#)

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4.13 Social Media Policy

INTRODUCTION

Social media refers to the interactions between people in society in where information is exchanged through a variability of networks/accounts such as, but not limited to: Instagram, Facebook, YouTube, Messenger, Twitter.

PURPOSE

Cubby OOSH ensures that at all times Educators (including students and volunteers) remain confidential regarding the Education and Care Service, families and co-workers, and are not compromised on a social networking site.

SCOPE

- Be respectful to the company, other team members, and families.
- Social media activities will not interfere with work commitments.
- Your online presence can reflect on the Education and Care Service. Be aware that your actions captured via images, posts, or comments can reflect that of the Education and Care Service.
- Respect copyright laws, and reference or cite sources appropriately. Plagiarism applies online as well.
- Company logos and trademarks may not be used.
- Any photos taken at the Education and Care Service cannot be used, unless approval from management/marketing.

IMPLEMENTATION

- All personal mobile phones must be kept within the Team Members lockers during work hours, and not be utilised within the rooms/ whilst working directly with the Children. For any reason that would require the use of a personal phone during these working hours, will require the approval of the Nominated Supervisor/Responsible Person.
- Children in general are not permitted to use mobile phones, MP3 players, iPods and iPads whilst in care, except for when used for communication by additional needs children (and used by double digits in accordance with the below). These items will be confiscated from the child and given to the parent at pick up. This is to ensure that the content viewed and listened to by children can be monitored by educators.
- Young people are not to be on apps/games that are not age appropriate. Only G or PG rated apps/ games are permitted to be accessed whilst in care. Educators will check and have authority to delete apps or photos deemed inappropriate.
- Devices with built in cameras and devices with sim cards and internet access will not be allowed. Sims cards must be removed from devices and handed to educators.
- After School Care During After School Care electronic devices are used to support the program and are only allowed for a one hour period per session.
- Social networking sites will not be accessed on the work computers/IPADS/LAPTOPS, or any other work device.
- Educators are not to reference the Education and Care Service, families and team members without written consent. In all cases, do not publish information that will breach the Confidentiality Policy.

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- Families and visits are not to publish photos of their children, with other children in the photo to a social media platform. This is a breach of Confidentiality, and may jeopardise court orders, privacy and/or family values.
- Educators to be mindful and aware of their social media activity, ensuring information or photos displayed does not reflect gross misconduct or represent a negative reputation of the service.
- Educators are not to create centre specific social media pages, without permission from Marketing to do so.
- Any Educator that does not want to be involved in any posts uploaded on a social media platform by our Marketing Department, must have this in writing, in which all relevant parties must be aware of this.
- Educators involved in a social media group/forum, must represent themselves and the company in a positive and professional manner.
- Educators must be mindful and considerate when tagging other colleagues into posts on social media platforms, ensuring that this is not of negative connotation, and be mindful that this behaviour can be seen by others.
- If inappropriate conduct is identified on a social media platform, Educators are to inform the Nominated Supervisor of any misconduct, in which the Nominated Supervisor will handle the situation immediately and appropriately.

NOTE: Any breach of this policy may result in disciplinary action, or instant Termination.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
- [The Privacy and Data Protection Act 2014](#)
- [Privacy Act 1988](#)
- [National Quality Standards](#)
 - Standard 4.2 Professionalism

SOURCES

- [ACECQA](#)
- [Early Childhood Australia Code of Ethics](#)
- [Fair Work Australia](#)

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4.14 Work Health & Safety Policy

INTRODUCTION

“Everyone has a right to be safe at work, including volunteers” Safe Work Australia.

PURPOSE

Cubby OOSH aims to ensure that all children, team members, families and visitors adhere to the Work Health and Safety policy by the Education and Care Services National Regulations 2011 and the Occupational Health and Safety Act 2004

SCOPE

- To ensure the provision of a safe and healthy workplace environment for team members and contractors, as well as persons who use the service including children, families and visitors.
- To provide injured employees with effective rehabilitation programs to ensure their recovery and return to work.
- To ensure adequate financial, physical and human resources are allocated to support the implementation of the WHS management system.

IMPLEMENTATION

Cubby OOSH accepts primary responsibility for ensuring a safe and healthy working environment for all its employees and visitors.

Induction

- The Nominated Supervisor is to follow the Centre’s induction procedure for all employees, covering all areas within the induction process about WHS expectations, procedures and guidelines.
- When needed, training will be provided to team members about WHS at the centre.
- All visitors to the centre are to be aware of any Workplace Health and Safety issues pertaining to their visit.

Roles and Responsibilities

A workplace health and safety representative will cooperate with management to:

- Encourage employees to fully support injury and illness prevention.
- Assist staff to identify and assess hazards.
- Consult with staff to eliminate or control these hazards.
- Conduct health and safety inspections.
- Investigate workplace injuries, accidents or illnesses.
- Liaise with the Director to resolve workplace health and safety issues.
- Remain well informed about workplace health and safety performance.
- Consult with staff about changes in the workplace that may affect the health and safety of employees.
- Undertake monthly workplace inspections and convene regular WHS meetings.

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Employee consultation

- To identify and eliminate potential workplace hazards Cubby OOSH will encourage team members to report any matters in respect of workplace health and safety to their Authorised Provider/Nominated Supervisor and the Health and Safety representative.
- Because of their daily contact with the workplace, team members have the most detailed knowledge of the work processes and the potential hazards in the workplace.
- To facilitate the exchange of information, the Health and Safety representative will review, at the regular staff meeting, the health and safety performance of the service and raise any matters or issues on behalf of employees.

Team Member Awareness of Work Health and Safety

Cubby OOSH will ensure that all team members have a sound knowledge and awareness of the principles and practices of Work Health and Safety.

To achieve this outcome, Cubby OOSH will:

- Inform all new team members of Cubby OOSH health and safety policy as part of their induction process;
- Provide opportunities for team members to attend Work Health and Safety training and
- Provide opportunities for the health and safety representative to obtain training to increase his/her knowledge of Work Health and Safety.

Procedures for identification and assessment of workplace hazards and risks

Cubby OOSH expects all team members to take an active role in identifying situations with the potential to cause harm or injury in the service. Cubby OOSH through its Authorised Provider/Nominated Supervisor will assist employees to identify potential hazards by:

- Encouraging all employees to read publications and visit websites, including relevant codes of practice;
- Requesting the health and safety representative or his/her deputy to periodically check records of injuries and accidents which have occurred in the workplace, and disseminate this information to all Cubby OOSH Childcare employees; and
- Ensuring that a report is prepared after an inspection, which identifies any issues indicating a lack of a safe system of work or the need for more attention to the way health and safety are managed. This report is to be tabled at the monthly staff meeting.

Procedures for elimination and control of workplace hazards

Where a health and safety inspection has identified a potential hazard, the health and safety representative with the Authorised Provider/Nominated Supervisor may take immediate remedial action to eliminate or control the hazard. Where possible, the decision on what to do about a potential hazard should be made in consultation with the team members concerned. Such remedial actions are to be detailed in the inspection report.

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- Use safe work practices and procedures;
- Use appropriate safety devices, safeguards and equipment provided in the interests of health, safety and welfare of Cubby OOSH employees;
- Co-operate in all activities aimed at prevention of workplace accidents, injuries and illnesses;
- Report unsafe or defective equipment and work arrangements to the health and safety representative;
- Complete daily work health and safety checklists.
- Report all accidents, injuries and illnesses occurring in the workplace or occurring while travelling to or from the workplace to the health and safety representative or his/her deputy;
- Where an incident or a near-miss has occurred, the employee will immediately notify the Authorised Provider/Nominated Supervisor and complete the relevant forms.

WHS Officer Responsibilities

The WHS officer is responsible for organising and/or conducting the following audits:

- Any forms/checklists that relate to the opening, closing and safety of the service;
- Any forms/checklists that relate to the cleaning of the service and equipment;
- Centre Self-Assessment Checklist (monthly);
- Incident Log (monthly);
- Medication and Dangerous Products Audit (quarterly);
- First Aid Kit Supply Check (quarterly);
- Emergency Procedure Drills (quarterly).

The WHS officer is to develop, oversee and communicate a timeline for action on all identified tasks from the audits. All action is to be completed in a reasonable timeframe.

Material Safety Data Sheets

- All hazardous and potentially hazardous materials within the Centre are to have relevant MSDS which is located where all the products are kept.
- It is the responsibility of the WHS Officer to regularly check for updated MSDS on all products. This should be done in conjunction with the Medication and Dangerous Products Audit.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
- [Occupational Health and Safety Act 2004](#)
- [National Quality Standards](#)
 - Standard 2.1 Health
 - Standard 2.2 Safety
 - Standard 4.1 Staffing Arrangements
 - Standard 4.2 Professionalism

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SOURCES

- [ACECQA](#)
- [SafeWork Australia](#)

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4.15 Educators Lifting & Bending Policy

INTRODUCTION

Manual Handling is referred to as activities that require greater force to lift, push, pull or manoeuvre something, someone or an object.

Educators must be aware that many accidents that occur in the workplace are due to the incorrect moving, lifting or bending, and could result in such as injuries as below:

- Strains
- Back injuries
- Slips, trips or falls
- Cuts and abrasions
- Broken bones or fractures
- Internal injuries such as Hernias
- OOS – Occupation overuse Syndrome

Prevention is key in ensuring Team members remain free from Injuries and harm.

PURPOSE

Cubby OOSH insists that educators follow correct Workplace Health and Safety (WHS) procedures for moving, lifting or bending to lift heavy objects and equipment.

SCOPE

- To protect educators from undue injury in the workplace.
- To ensure that all educators are aware of the correct method of moving, lifting or carrying objects in and around the workplace.
- To follow WHS guidelines.

IMPLEMENTATION

- All educators are familiarised with the risks involved in moving, lifting and carrying heavy objects.
- Educators are educated on safe bending, lifting and carrying and are made aware of the correct procedures.
- Educators are made aware of the safe lifting of children, and the WHS procedures are relevant to this.

Hints for lifting children:

- First, size up the weight of the child and prepare yourself for the effort involved.
- Position your feet so that you are well-balanced. If you are attempting to pick up a child who is struggling and you are off-balance, it is difficult to keep a straight back and maintain a firm hold.
- Keep a straight back! This does not mean that your back has to be vertical. You can be leaning forward as long as the natural shape of your spine is maintained. A bent back is weak and easily injured.
- Use your legs when lifting. Bend your knees, hold the child close and then straighten your legs as you stand up. Leg muscles are stronger than back muscles so let them do the work when lifting.

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Bending over:

- If you need to get down to the child’s level, bend your knees to squat or crouch.
- Try to avoid bending from the waist.
- If you need to bend from the waist, support yourself with your hands.
- **Bench Work**
- Make sure your working surface is at a comfortable height.
- When seated, make sure that your spine is kept straight by using a footstool or an object (e.g. a telephone directory) to keep your feet on if necessary.
- When standing at the bench, place feet alternatively on a raised object to avoid “slumping”.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations 2011](#)
- [Occupational Health and Safety Act 2004](#)
- [National Quality Standards](#)
 - Standard 2.2 Safety
 - Standard 4.2 Professionalism

SOURCES

- [ACECQA](#)
- [SafeWork Australia](#)

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4.16 Educator Review & Appraisal Policy

INTRODUCTION

A system of continuous review and appraisal of educator’s performance is essential for the maintenance of high-quality early education and care within Cubby OOSH. Consistent review and appraisal of educators facilitate the identification of efficiency problems, pathways to improvement and future training and development needs.

PURPOSE

Cubby OOSH aims to support all Educators by undergoing appraisals and reviewed every 6 months for professional growth and continual improvements for the service.

SCOPE

- To provide the best quality care for the children by ensuring that high standards of work performance and job satisfaction are maintained.
- To implement a positive system of review and appraisal of educator’s performance that identifies areas of high efficiency and those in need of modification.

IMPLEMENTATION.

- All educators undertake performance appraisals every 12 months.
- All educators are required to fill in a Performance Review evaluation before their appraisal with the centre director.
- All educators are given at least two weeks’ notification of any upcoming appraisal and a convenient time arranged between educators and Management.
- The appraisal system allows for two-way communication to be maintained as an effective avenue for confirmation of excellence or improving educator’s performance.
- The appraisal system states clearly the expectations for each position and identifies specific performance measures.
- At the completion of the appraisal, an action plan may be developed identifying areas for further training, any actions required to modify work performance and setting future goals. This is agreed to and signed by both parties.

Inadequate Performance

Where it is identified that an educator is not meeting the required performance expectations, the following measures are taken:

- A meeting is held with the educator where an action plan is developed to identify areas for improvement. It includes a time-frame for further review.
- Training areas are identified and put into place as soon as possible.

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- Support and guidance are provided to help them through the process and assist in achieving the required standards. Support may be provided by the Supervisor, Educators Liaison Officer or another mutually acceptable educators member.
- A record is made of the above, dated and signed by both parties.
- Should no improvement be made by the next review, the process outlined above may be repeated or, in more serious cases, the Disciplinary Action Policy invoked. (If an educator is dissatisfied with the review, they put their concern in writing, asking for the decision to be reviewed or that they wish to pursue the issue further through other avenues which may include the union or mediation.)

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations 2011](#)
- [Equal opportunity Act 2010](#)
- [National Quality Standards](#)
 - Standard 4.1 Staffing Arrangements
 - Standard 4.2 Professionalism
 - Standard 7.1 Governance
 - Standard 7.2 Leadership

SOURCES

- [ACECQA](#)
- [Early Childhood Australia Code of Ethics](#)

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4.17 Store Room & Team Lounge Guidelines

INTRODUCTION

Research suggests that in 2012-2013, work related injuries and illness cost the Australian economy 61.8 Million. From 2014 – 2015, Injuries led to 90% of claims, and disease 10%. These statistics indicate that there must be focus on prevention, and creating safe environments, not only for the children and families, but for the Team Members in a collaborative approach for safety.

PURPOSE

Cubby OOSH Team members are responsible for ensuring that the Team Lounge and all resource cupboards are kept tidy, clean, and hygienic at all times.

SCOPE

- To maintain a clean, safe, and hygienic Team Lounge where Team Members can relax and retreat away during breaks.
- To ensure that all Team Members take responsibility for maintaining the order and cleanliness of all resource cupboards.
- To ensure all equipment is handled appropriately: Television, Massage Chair etc.

IMPLEMENTATION

Resource Cupboards

- During new team member induction processes, it is stressed that the Team Lounge and the storage areas must be kept tidy and clean.
- During induction and through team member meetings, Occupational Health and Safety (OHS) issues regarding the storage of equipment and hygiene are emphasised.
- All equipment is packed away at the end of the day, ready for children, educators and families to engage in the next day.
- Every piece of equipment is placed into the correct, designated container when not in use. Designated locations for items are clearly marked on the containers/shelves.
- When placing plastic storage containers into resource cupboards, educators must place the heavier containers at the lower levels to reduce the risk of muscle strain (see “Lifting and Bending Safely” Policy) and the lighter containers on top.
- Educators are to use a step ladder to place any container that needs to be above shoulder level.

Team Lounge

- In the Team Lounge, educators must keep all of their belongings neatly packed away into their lockers or a designated area for casual educators.
- Any crockery or cutlery used in the Team Lounge is always washed and stored away immediately after use.
- The Team Lounge refrigerator is kept in a hygienic state and cleaned out weekly on a Friday evening. Any food still left on a Friday evening will be thrown out.

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- Any food brought to the Team Lounge is placed in appropriate closed containers in the cupboards or refrigerator.
- It is the responsibility of all educators to follow the centre cleaning roster.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
- [National Quality Standards](#)
 - Standard 2.1 Health
 - Standard 4.2 Professionalism

SOURCES

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- [SafeWork Australia](#)

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- [SafeWork Australia](#)

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4.18 Team Member Complaints & Grievance Procedures

INTRODUCTION

Feedback from Team Members is fundamental in creating an evolving Early Education Service, delivering the highest standard of Care and Education. It is foreseeable that feedback will include divergent views, which may result in complaints. This Policy details our Service's procedures for receiving and managing informal and formal complaints. Team members can lodge a grievance with management in the understanding that it will be managed conscientiously and confidentially.

PURPOSE

Cubby OOSH aims to investigate all complaints and grievances with a high standard of equity and fairness. We believe in team collaboration to ensure a safe, healthy and harmonious work environment.

SCOPE

The Grievance Policy ensures that all persons are presented with procedures that:

- Value the opportunity to be heard
- Promote conflict resolution
- Encourage the development of harmonious partnerships
- Ensure that conflicts and grievances are mediated fairly
- Are transparent and equitable.

IMPLEMENTATION

Definitions

Complaint: An issue of a negligible nature that can be resolved within 24 hours, and does not require a comprehensive investigation. Complaints include a manifestation of discontentment, such as poor service, and any verbal or written complaint directly related to the Centre (including general and notifiable complaints). Complaints do not include staff, industrial or employment matters, occupational health and safety matters (except associated with the safety of children).

Grievance: A grievance is a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature. For example: If the service is in breach of a regulation causing injury or possible harm to a child.

Mediator: A person who attempts to make people involved in a conflict come to an agreement.

Mediation: An attempt to bring about a peaceful settlement or compromise between disputants through the objective intervention of a neutral party.

Notifiable complaint: A complaint that alleges a breach of the Regulation and Law, National Quality Standards or alleges that the health, safety or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by the Approved Provider or Nominated Supervisor to the Department of Early Childhood Education and Care within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b)).

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If the Nominated Supervisor is unsure whether the matter is a notifiable complaint, it is good practice to contact The Department of Early Childhood Education and Care for confirmation. Written reports must include:

- details of the event or incident
- the name of the person who initially made the complaint
- if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)
- contact details of a Nominated Supervisor
- any other relevant information.

Written notification of complaints must be submitted using the appropriate forms, which can be found on the ACECQA website: www.acecqa.gov.au and logged using NQA ITS (National Quality Agenda IT System).

Serious incident

An incident resulting in the death of a child, or an injury, trauma or illness for which the attention of a registered medical practitioner, emergency services or hospital is sought or should have been sought. This also includes an incident in which a child appears to be missing, cannot be accounted for, is removed from the centre in contravention of the Regulations or is mistakenly locked in/out of the centre premises (Regulation 12).

A serious incident should be documented in an Incident, Injury, Trauma and Illness Record (sample form available on the ACECQA website) as soon as possible and within 24 hours of the incident. The Regulatory Authority must be notified through the ACECQA portal by the Approved Provider within 24 hours of a serious incident occurring at the centre (Regulation 176(2)(a)). Records are required to be retained for the periods specified in Regulation 183.

We acknowledge that conflict is a natural part of the work environment. It is important that all conflict is resolved. Unresolved conflict can lead to tension; stress; low productivity; bitter relationships; excess time off; ill health; anxiety and many other destructive emotions. When conflict is addressed and handled constructively the outcomes are feelings of relaxation; openness; high productivity; vitality; good health, empowerment; a sense of achievement etc.

Positive communication between educators is vital to the smooth running of the Service and to ensure a positive environment for children. Educators are expected to treat other educators with respect, accept differences and share ideas. It is every staff member's responsibility to contribute to the development of an open, healthy and constructive work environment. All grievances, whether considered minor or not, are to be dealt with promptly, professionally and thoroughly.

The Service's employees are expected to look at conflict in a positive way, ready to learn something new, reflect on good quality practice, improve work relationships and ultimately provide better care and education for children.

Employees are also to be aware of their responsibility in being good role models for children in their handling not only of conflict with work colleagues, but with children, parents and other associates.

Employees should regularly reflect on the Code of Ethics- Early Childhood Australia for guidance and direction of appropriate behaviour when dealing with conflict. The Code of Ethics states that all team members should "make every effort to use constructive methods to resolve differences of opinion in the spirit of collegiality."

Privacy and Confidentiality

- Management and Educators will adhere to our Privacy and Confidentiality Policy when dealing with grievances. However, if a grievance involves a staff member or child protection issues, a government agency may need to be informed.

Conflict of Interest

It is important for the complainant to feel confident in

- Being heard fairly
- An unbiased decision-making process

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Should a conflict of interest arise during a grievance or complaints that involves the Approved Provider, Nominated Supervisor or other Management will be nominated as an alternative mediator.

Our service may also engage the resources of an Independent Conflict Resolution Service to assist with the mediation of a dispute. We will ensure that throughout the conflict resolution process the services Code of Conduct must be adhered to.

The Approved Provider/ Nominated Supervisor will:

- Treat all grievances seriously and as a priority
- Ensure grievances remain confidential
- Ensure grievances reflect procedural fairness and natural justice
- Discuss the issue with the complainant within 24 hours of receiving the verbal or written complaint
- Investigate and document the grievance fairly and impartially. This will consist of:
 - Reviewing the circumstances and facts of the complaint (or breach) and inviting all affected parties to provide information where appropriate and pertinent.
 - Discussing the nature of the complaint (or breach) and giving an educator, staff member, volunteer or visitor an opportunity to respond.
 - Permitting them to have a support person present during the consultation (for example: Union Representative, however this does not include a lawyer acting in a professional capacity).
 - Providing the employee with a clear written statement outlining the outcome of the investigation.
- Advise the complainant and all affected parties of the outcome within 7 working days of receiving the verbal or written complaint.
 - Management will provide a written response outlining the outcome and provide a copy to all parties involved.
 - If a written agreement about the resolution of the complaint is prepared, all parties will ensure the outcomes accurately reflects the resolution and sign in agreeance.
- Should management decide not to proceed with the investigation after initial enquiries, a written notification outlining the reasoning will be provided to the complainant.
- Keep appropriate records of the investigation and outcome, and store those records in accordance with our Privacy and Confidentiality Policy and Record Keeping and Retention Policy.
- Monitor ongoing behaviour and provide support as required.
- Ensure the parties are protected from victimisation and Bullying.
- Request feedback on the grievance process using a feedback form.
- Track complaints to identify recurring issues within the Service.
- Notify the Department of Education and Training through the ACECQA portal by the Approved Provider within 24 hours if a complaint alleges the safety, health or wellbeing of a child is being compromised.

Educators, staff, volunteers and visitors will:

- Be aware of the possible ramifications of their actions when dealing with staff issues.
- Raise the grievance or complaint directly with the person they have grievance with in a professional manner and at an appropriate time. Both parties should try to resolve the issue and develop solutions to ensure the problem does not happen again. Discussions should be based on the principles of privacy, confidentiality, respect and open-mindedness, will not involve other educators, staff, volunteers or visitors (e.g. parents) and will take place away from children.
- Raise the grievance or complaint with the Approved Provider/Management or Nominated Supervisor. If they are unable to resolve the concern, or feel uncomfortable raising the matter directly with the person concerned. The Approved Provider or Nominated Supervisor (or other manager) may ask for the issue to be put in writing.
- Provide all relevant information, outlining the issue, identifying any other person involved in the problem and any suggested solution.
- Communicate openly about the issue with the relevant parties.

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- Raise any grievance involving suspected or actual unlawful activity (including bullying) with the Approved Provider or Nominated Supervisor immediately and privately.
- Maintain confidentiality at all times.
- Maintain professionalism at all times.

When the persons involved cannot resolve the grievance between them in a constructive and professional way the following steps will be followed:

- 1. The aggrieved person is to contact their immediate supervisor (Room Leader, Nominated Supervisor or Approved Provider) who will act as Mediator.**

The Mediator will have an interview with the persons involved and clarify the facts, work out whether advice is needed from other sources, discuss options available and help to formulate a plan of action.

If an employee does not feel comfortable in approaching their supervisor, or the conflict is with their immediate supervisor, they can contact the next level of management to act as Mediator.

- 2. If an amicable resolution does not occur at this meeting the Mediator is to present a report to the next level of management outlining:**

- The nature of the grievance
- The procedures followed to date
- The solution(s) sought
- The recommended plan of action or resolution

- 3. If an agreement is reached the mediator is to present a report to the next level of management outlining:**

- The nature of the grievance
- The procedures followed to date
- The solution(s) agreed upon
- The plan of action to reach this solution and review time if warranted
- A copy of this report is to be provided to all persons involved in the grievance, and a copy is to be retained at the workplace.

Grievance Procedures

Harmonious staff relations within the Service largely depend on staff feeling satisfied that their professionalism is being acknowledged by their involvement in appropriate decision-making processes.

The quality of industrial relations is likely to be substantially better in a workplace if the decision-making processes adopted, permit staff to have input into decisions, which affect the nature and quality of their professional work.

Management and staff within the organisation will work together to develop and implement appropriate strategies to facilitate consultative and collaborative decision making processes within the workplace. Where staff feel these processes have failed and are in conflict with decisions made by Management, including the Board, the following procedures are to be ensued:

- The aggrieved person(s) is/are to discuss the grievance with their immediate supervisor.
- The supervisor is to report to the Nominated Supervisor/ Licensee of the grievance.
- The Mediator will seek advice as necessary from other sources, (e.g.: unions, Work Cover and funding bodies).
- The Mediator will then advise Management of the possible solutions.

Meetings are to be arranged with the aggrieved person(s) as necessary throughout the process. The outcome of the grievance must be reported to the aggrieved person within a week of the decision.

Resolution of Grievances

Grievances are considered resolved when all persons involved agree to a solution, when the cause of the grievance has been removed or resolved, and when arrangements have been made, if appropriate to repair any damage and distress

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suffered by the persons involved. Strategies agreed upon by both parties are to be put in place to help avoid further conflict.

Unresolved Conflict

If resolution of the conflict is unsuccessful after all procedures in Grievance Policy have been followed it may then be necessary to take disciplinary action.

Confidentiality

Mediators are to use discretion and to do their utmost to maintain confidentiality. Any breach of this confidentiality could result in a charge of misconduct. However, confidentiality cannot be guaranteed in the following situations: if it is considered that someone is in danger, if disciplinary action or criminal investigation might be necessary; or if employer liability might be involved.

No action will be taken against the person about whom a formal complaint is lodged until they are made aware of any allegations so that they may respond.

Support Person

A Staff member (members) is able to nominate a support person to attend any meetings with them. This person may be a union representative.

Educators, volunteers and visitors will not:

- Become involved in complaints or grievances that do not concern them.
- Raise complaints with an external complaints body, such as a court or Tribunal, without exhausting our grievance procedures.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations 2011](#)
- [National Quality Standards](#)
- Standard 4.2 Professionalism
- Standard 7.1 Governance
- Standard 7.2 Leadership

SOURCES

- [ACECQA](#)
- [Human Rights and Equal Opportunities Commission](#)
- [Fair Work Australia](#)
- [Ombudsman - Better Practice Guide to Complaint Handling](#)
- [Early Childhood Australia Code of Ethics](#)

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4.19 Participation of Volunteers & Students Policy

INTRODUCTION

Having students and voluntary workers within the Service helps to inform the community about our program and the value of the work we do. Students and voluntary workers are welcome at the Service: However, the children's care and safety are our first priority.

PURPOSE

Cubby OOSH supports participation of students (including work placement) and volunteers wanting to develop professional skills and knowledge in their effort to become Early Childhood Professionals.

SCOPE

- We aim to build relationships with community members, providing appropriate learning opportunities for students and volunteers to contribute to our program.
- To ensure a professional and pleasurable learning experience, students and volunteers will be encouraged to participate in the centre's daily routine and assist in accordance with their qualification necessary to work with children under the National Quality Framework.

IMPLEMENTATION

Management/Nominated Supervisor/ Responsible Person Will:

- Appoint an educator to be the 'Student Supervisor/mentor,' for the duration of the placement.
- Conduct an orientation for the student or volunteer including taking the student or volunteer on a tour of the Service, showing emergency exits, staff room and bathroom facilities.
- Provide the student/volunteer with a Work Placement Orientation Package.
- Negotiate with the student or volunteer the times/hours to be worked, and dates of the placement.
- Advise students or volunteer to bring in a poster with a photo outlining the reason for their placement.
- Inform families, children, and Educators when work experience students and volunteers are present at the Service, including their role and hours they will be spending at the Service.
- Ensure Work Placement Students or Volunteers are never left on their own with children or included in the ratio of adult to children.
- Ensure students are aware that they must not discuss concerns, issues or complaints with parents, guardians and/or visitors.
- Introduce the student or volunteer to educators and their Room Leader.
- Assist the student or volunteer to complete the Educator Acknowledgement Checklist.
- Show the student or volunteer where they can access the Service's policies.
- Ensure the student has signed a confidentiality agreement prior to commencing their placement.
- Discuss any relevant important information about specific children to the student or volunteer (i.e. court orders, additional needs, dietary needs) so that the student or volunteer is aware of potential issues.
- Liaise with learning institutions and accept suitable student placements under the institution's supervision.
- Assist learning institutions to place suitable students with individual Educators.
- Ensure student's/volunteer's paperwork and insurances are current.

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Educators Will

- Maintain open communication with Work Experience Students and Volunteers along with their practicum teachers about their performance.
- Support all student's and volunteer's practicum requirements to the best of their ability during the placement.
- Work as a team sharing appropriate skills and knowledge with each student and volunteer.
- Ensure all educators are provided with relevant information about tasks the student is required to complete in the service as part of their practicum.
- Be aware of student and volunteer expectations.
- Have the time and proficiencies to support each student and volunteer in their placement.
- Encourage students to seek help and advice as required.
- Be a positive role model, showing appropriate behaviour and conduct themselves in a professional manner.
- Guide the students throughout the day.
- Make the student or volunteer feel welcome and a valued member of the team.

The Room Leader Will

- Discuss the progress of written work and performance with the student or volunteer.
- Discuss any concerns raised by the student with the Student Supervisor.
- Ensure students or volunteers are directly supervised at all times during children's nappy change times.
- Encourage students to use their initiative.
- Ensure the student/volunteer remains up to date with their assessments/tasks to be completed.
- Discuss concerns with student/volunteer with management.
- Never leave the student alone with a child or children.

Work Experience Students and Volunteers Will

- Learn about the children through interaction and practical experience.
- Develop the skills and knowledge needed to care for and educate children.
- Learn about the importance of working as part of a team in the Early Childhood Profession.
- Learn strategies for working in a team environment.
- Learn and accommodate the expectations of qualified educators in the Service.
- Inform the Student Supervisor in writing of what will be expected of them by their training body, University or School, or any other training organisation, and provide time sheets and evaluation forms.
- Keep up to date with all written work requirements.
- Work a variety of shifts to gain knowledge of different aspects of Service operations.
- Bring in a poster introducing themselves that will include:
 - Name
 - Photo
 - Course they are studying
 - RTO/university they are studying with
 - Dates and times they will be at the Service
 - The focus of their study.
- Discuss any problems the student may be experiencing with the Student Supervisor.
- Adhere to all policies and procedures.
- Never remove a child from direct staff supervision.

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Probity Checks

- All students will supply identity details to the Nominated Supervisor
- All students will complete a Working with Children Volunteer/student declaration
- All students will have a meeting with the Nominated Supervisor so that they will receive information regarding the following service policies:
 - a) Child protection
 - b) Record Keeping and Confidentiality
 - c) Complaints

Students at Risk

If educators feel that the student is at risk of failing their practicum, the following steps will be taken:

1. The Room Leader will alert the Student Supervisor of any concerns regarding the student.
2. Both the Student Supervisor and the Room Leader will discuss concerns with the student.
3. The Student Supervisor will arrange for the student's teacher to visit the Service and discuss concerns that have ascended.
4. The student's educational institution and Nominated Supervisor will govern the outcome of the practicum.

Termination of Practicum

Termination of student's placement will occur if the student:

- Harms or is at risk of harming a child in their care.
- Is under the influence of drugs or alcohol.
- Fails to notify the Service if they will not be attending the Service.
- Does not adhere to starting times or break times.
- Is observed using repeated inappropriate behaviour at the Service.
- Does not comply with all policies and procedures addressed in the student package.
- Does not provide the photo with an introduction on commencement.
- Does not keep up to date with their work placement tasks.
- Removes any child or children from the direct supervision of an educator.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations 2011](#)
 - Regulation 149 Volunteers and students
 - Regulation 311 Additional staff members or volunteers
- [Fair Work Act 2009](#)
- [Work Health and Safety Act, 2011](#)
- [National Quality Standards](#)
 - Standard 4.1 Staffing Arrangements
 - Standard 4.2 Professionalism
 - Standard 6.2 Collaborative Partnerships

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4.20 Team Member Immunisation Policy

INTRODUCTION

Team members working in an Early Education and Care Service are at increased risk of infections transmitted within the service. All team members are encouraged to have the flu vaccine each year.

PURPOSE

Cubby OOSH aims to ensure health and safety of all Team Members is upheld, promoting safe work conditions and a safe environment.

SCOPE

- Eliminate the spread of infectious diseases.
- Encourage team members to update their inoculations every five years (flu vaccine each year).
- Protect the health of team members within the service.

IMPLEMENTATION

- The Centre requires documentation from each team member’s regarding their current immunisation status.
- All team members are provided the current information about adult and childhood vaccines found in the Australian Immunisation Handbook.
- The Centre encourages all primary caregivers to receive the following vaccines on a regular basis:
 - MMR
 - Polio – oral Sabin
 - ADT – every ten (10) years
 - Hepatitis A
 - Hepatitis B
 - Tetanus
 - Influenza (annually)
 - Covid
- Team members are alerted promptly when a child or another team member is diagnosed with a vaccine-preventable infectious disease.
- Families are alerted if a child or staff member is diagnosed with a vaccine-preventable infectious disease.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
- [Occupational Health and Safety Act 2004](#)
- [Public Health and Wellbeing Act 2008](#)

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SOURCES

- [Staying Healthy – Preventing infectious diseases in early childhood education and care services – 5th Edition](#)
- [Australian Immunisation Handbook](#)
[Medicare – Australian Childhood Immunisation Register](#)

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4.21 Disciplinary Action Policy

INTRODUCTION

It is essential that all team members carry out their duties in accordance with the policies of the Centre. Disciplinary action is only taken after a team member fails to respond to professional advice regarding either their conduct or performance. Breaches of discipline are dealt with in a swift, considerate manner, and a clear process for proceeding with disciplinary action is in place.

PURPOSE

Cubby OOSH encourages appropriate conduct of all Team Members. Where failure of this conduct, Cubby OOSH will ensure appropriate rectifications are carried out for the purpose of providing high quality care and education.

SCOPE

- Ensure that the Centre operates within policy guidelines.
- Ensure that all team members are aware of the consequences of breaches of discipline.
- Provide a quality service through the professional behaviour and high standards of team conduct.
- Encourage team members to maintain good working relationships and have a commitment to maintaining a high work ethic.
- Act quickly and judiciously when disciplinary action is required.

IMPLEMENTATION

- Clear guidelines are given to all team members regarding duties, code of conduct and professionalism.
- Management ensures that all team members are given clear job descriptions and orientation for their positions.
- Team members are given the opportunity to address any concerns and clarify any issues in the job description or expectations of which they are unsure.
- Team members are encouraged to maintain good working relationships and have a commitment to maintaining a quality standard of work.
- Team members are given clear notification should their standard of work or conduct fall below what is expected as outlined in their job description.
- Team members have the right to appeal personally against any allegation or to have a union representative appear on their behalf.
- The following steps are followed by the centre director or Management to deal with work performance or conduct which is clearly below the identified standards. (It may not be necessary to go through all the steps if the issue is resolved quickly, but team members should be aware of the entire process.)

STEP 1: Verbal Warning & File Note

1. The Centre Director will have a meeting and issue a verbal warning as soon as possible indicating the specific problem regarding the quality of work or conduct. The issues must clearly relate to the job description and a file note is written up, signed by the team member and saved in their file.
2. The file note will indicate the following:

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- What should happen to improve the situation and how the staff member can improve their performance
- Identify any support needed to assist the staff member to make the changes and take steps to implement these.
- How the improvements will be measured and when a review will take place (one to four weeks depending on the circumstances).
- Give an opportunity for the team member to respond to the concerns and seek union representation if required.
- (If the “Verbal Warning” process resolves the issue, progressing to Step 2 is not necessary.)

STEP 2: Formal Written Notice

1. If the problem continues to occur, the team member will be issued a formal written notification of the complaints against them.
2. The centre director will hold a formal, documented interview with the team member and Management where the employee has the right to reply and discuss any complaints against them or be represented by a union member or other representative of their choice.
3. The centre director will provide the team member at least 48 hours notice of the meeting.
4. Take minutes of the meeting, save a copy of the minutes and the signed written notice on the team member’s file and give a copy to the team member. The team member may attach a written reply to the minutes if they wish.
5. Plan to have the meeting determine how the situation may be improved.
6. Give the team member an accurate indication of where their performance standards are not being achieved, where changes are required and methods of achieving them and inform them of the method and date of review of their performance.
7. Except in cases involving Child Protection issues or illegal acts, grant the team member’s employment will be terminated.
8. Inform the team member at this stage that termination will be considered if no improvement occurs.
(If the “Written Notice” process resolves the issue, progressing to Step 3 is not necessary.)

STEP 3: Final Written Notice

1. If the problem persists, call another meeting with Management.
2. Inform the team member in writing that failure to improve or comply has occurred and given them written notice to attend the meeting. The team member has the right to have a union representative or person of their choice attend the meeting.
3. At this meeting, present the team member with a “Final Written Warning”.
4. Save a copy of the meeting minutes and the signed final written notice on the team member’s file and give a copy to the team member. The team member may attach a written reply to the minutes if they wish.
5. Give the team member a specific indication of where their performance standards are not being achieved, where changes are required and methods of achieving them and inform them of the method and date of review of their performance.
6. Except in cases involving Child Protection issues or illegal acts, grant the team member’s employment will be terminated.
7. Inform the team member that their employment will be terminated if no improvement occurs.

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(If the issue now appears to be resolved, progressing to Step 4 is not necessary.)

STEP 4: Termination of Employment

1. If the problem still continues after the implementation of Steps 1 to 3, discuss the team member's employment with Cubby OOSH Management.
2. If Cubby OOSH Management has a justifiable belief that the team member's performance is unlikely to improve and breaches the safety and education of children within the service, make the decision to terminate the team member's employment at the Centre.
3. Give written notice to the team member indicating the reasons for dismissal and specifying the date when employment with the Centre will cease (see team members employment contract).

Procedure for Dealing with Serious Unacceptable Behaviour

For cases where a staff member in the workplace:

- Intentionally endangers life,
- Is found stealing,
- Reports to work under the influence of drugs or alcohol,
- Inflicts or threatens physical or sexual abuse or harassment.

Action to be taken:

- The Centre director or Cubby OOSH Management suspends the team member without loss of pay, pending investigation.
- An investigation is completed within 72 hours and an interview date determined.
- If the team member is a union member, the union representative is informed.
- The interview is attended by the centre director, a nominated representative of Management, the person reporting the unacceptable behaviour and a union representative if requested.
- When immediate termination is justified, a dismissal notice is prepared at the interview or, when continued employment is recommended, a warning letter is issued.
- The team member is advised formally of the findings of the investigation and the action being taken.

All the relevant records are placed on the team members file or, if the team member is vindicated of the accusation, all relevant formal documentation is removed from their file.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
- [National Quality Standards](#)
- Standard 4.2 Professionalism

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SOURCES

- [ACECQA](#)
- [Early Childhood Australia Code of Ethics](#)
- [Fair Work Australia](#)

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4.22 Publicity & Media Policy

INTRODUCTION

If a critical incident occurs during the operation of any Cubby OOSH service, Team Members in all Cubby OOSH Centres are not permitted, under any circumstances to respond to questions and/or enquiries from any branch of the media, parents, guardians, members of the public or any authority without the express permission of Cubby OOSH Management and/or its legal representatives. Educators are required to follow Cubby OOSH protocols regarding professional ethics, privacy and confidentiality.

PURPOSE

Cubby OOSH centres and all Team Members endeavour to promote a positive image and act in the public in a positive and professional manner.

SCOPE

- Ensure that any information supplied to the media and any other person is accurate.
- Ensure that the best interests of the children and parents/guardians served by Cubby OOSH, its educators and Cubby OOSH Management are protected at all times.

IMPLEMENTATION

- Educators must always respond to any enquiry from a branch of the media (print, radio, television, the internet) relating to any Cubby OOSH service or activity by stating, "I cannot comment on this matter, but our lawyer will be able to."
- All media enquiries made to any educator must be referred to either the Company Director or the Cubby OOSH legal representative.
- If an educator is unsure whether they can respond to an enquiry by any person or persons other than the media, they must consult their Centre director to determine whether the basis of the enquiry emanates from a critical incident or a routine Centre matter.

Notes:

Any staff member failing to adhere to the procedures specified in this policy document may face disciplinary action.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
- [The Privacy and Data Protection Act 2014](#)
- [National Quality Standards](#)
- Standard 4.2 Professionalism

SOURCES

- [Early Childhood Australia Code of Ethics](#)
- [Fair Work Australia](#)

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4.23 Pregnancy Policy

INTRODUCTION

Team members that are pregnant will have additional needs to ensure their continued health and safety in the workplace. Team members have a duty to take reasonable care of their own health and safety and to comply, so far as they are reasonably able to, with any reasonable instruction given by Cubby OOSH to comply with their work health and safety obligations. Cubby OOSH provides a documented approach to the provision of a safe and healthy environment for pregnant team members.

PURPOSE

Cubby OOSH provides a documented approach to the provision of a safe and healthy environment for pregnant team members.

SCOPE

- To negotiate a supportive working environment that will assist pregnant team members to be healthy and productive members of the workforce
- Provide information about the health risks to themselves and their unborn child
- Provide information on the notice requirements for parental leave and return to work
- To facilitate an appropriate, professional approach to supporting pregnant team members

IMPLEMENTATION

The Cubby OOSH will be as flexible as possible, within the constraints of the education and care workplace, to ensure the special needs of pregnant team members are considered and options to address their needs implemented wherever reasonably practicable. This may include all or some of the following, depending on the specific needs of the individual:

- Advise a pregnant team member to discuss with their medical practitioner as soon as possible any concerns regarding their pregnancy and working in childcare.
- Review the team member's duties and negotiate adjustments where this is necessary and possible in consideration of operational and other educator/staff member's needs.
- Review the Hygiene Policy regarding hand washing and cleaning of centre environment. Refer to Staying Health in Childcare and relevant sections on Cytomegalovirus, Varicella, Rubella and Parvovirus.
- If handling children who weigh more than 10 kilograms or are repetitively lifting, discuss matter with Nominated Supervisor/Director or Area Manger.
- Monitor hygiene practices of the pregnant team member to ensure compliance
- Review work practices in conjunction with the educator/staff team, to address specific issues for pregnant team members i.e. manual handling aids or support from other educators/staff; ability to set up heavy or awkward equipment; appropriate seating; toilet breaks; heat intolerance; review aspects of universal hygiene procedures.
- Seeking the cooperation of the team to be flexible and supportive of the pregnant team member.
- Review educator rosters to accommodate health issues such as morning sickness, increased fatigue
- Record and document these discussions with a pregnant team member about the above recommendations
- Advise a pregnant team member to follow any reasonable workplace instruction to comply with workplace health and safety obligations

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PARENTAL LEAVE AND RETURN TO WORK

Team members who have been employed for a minimum of 12 months, before the birth of their child, may apply for unpaid parental leave. Unpaid parental leave is for a period of up to 52 weeks to be taken as a one continuous period.

Before being granted unpaid parental leave, specific written notice and evidence is required within stated timeframes.

- A team member must complete a Team Member Unpaid Parental Leave Notification form to give notice at least 10 weeks before starting their unpaid parental leave. This notice states the nominated start and finish leave dates. If a team member cannot give 10 weeks' notice they must give as much notice as possible.
- A team member must also confirm their unpaid parental leave dates on the Team Member Unpaid Parental Leave Notification in writing at least 4 weeks before leave is due to be started. Any changes to the date should be advised as soon as possible. Only one change to parental leave may be permitted
- Evidence of the expected date of confinement or date of placement of an adopted child must be provided with a medical certificate at least 4 weeks before leave is due to start. If a team member cannot provide evidence, they will not be entitled to leave
- The team member is required to take a minimum period of 6 weeks' compulsory leave after giving birth, before returning to work.
- Cubby OOSH must inform a replacement team member engaged as a result of a team member taking parental leave of the temporary nature of the employment and the rights of the team member being replaced to return to work.
- A team member who plans to take less than 12 months' unpaid parental leave can extend the initial leave request. The total period, with the extension, cannot be more than 12 months. To extend the leave written notice must be given at least 4 weeks before leave ends and must state the new end date.
- A team member who plans to extend the leave beyond the 12 months' unpaid parental leave must give written notice at least 4 weeks before the first 12 months of leave ends and state the new end date. The total period, with the further extension, can't be more than 24 months.
- A response to the written request for extension beyond 12 months will be given within 21 days after the request and will state whether the request is granted or refused. Only one extension beyond 12 months can generally be applied for.
- A team member will be entitled to the same position or similar held immediately prior to taking leave, or in the case of a team member who was transferred to alternative duties, to the position held immediately prior to this transfer.
- A team member may request amendments to their employment basis with a Flexible Working Arrangements form available on request.
- To ensure the professional integrity of the service, team members will not work in the same room as their child where possible. Should issues arise in relation to caring for a team member's child at the service, the options for a change in care arrangements will be discussed with the team member, with the aim of reaching an agreed resolution.

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STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
 - [Education and Care Services National Regulations](#)
 - [Occupational Health and Safety Act 2004](#)
 - [Equal opportunity Act 2010](#)
 - [Children Services Award 2010](#)
 - [Educational Teachers \(Services\) Award 2010](#)
 - [National Quality Standards](#)
- Standard 4.1 Staffing Arrangements

SOURCES

- [Staying Healthy in Childcare 5th Edition](#)
- [Immunisation in early childhood education and care](#)
- [Cytomegalovirus in early education and childcare services](#)
- [Centrelink - Paid Parental Leave Scheme](#)
- [Vaccination for people at occupational risk](#)
- [Fair Work Australia](#)

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4.24 Traineeship Policy

INTRODUCTION

Traineeships and apprenticeships are pathways to obtaining an early childhood qualification by completing employment-based training under a registered training contract.

Assistance is available to team members who are undertaking approved courses of study for career development.

Team members undertaking a traineeship or apprenticeship are entitled to paid supervised training. Training can be undertaken by a variety of means or combination of means.

PURPOSE

Cubby OOSH supports and encouraged Team Members to further their training and Education through Traineeships for higher Qualification in the Early Childhood Sector.

SCOPE

- Develop a training plan in consultation with the training provider.
- Provide a range of appropriate facilities
- Provide an appropriate range of “hands-on” work experiences
- Provide qualified supervision support and relevant instruction
- Provide an average of three hours per week of varied training time in the workplace within the contract period

IMPLEMENTATION

The training plan is negotiated with the three parties involved: Cubby OOSH, the team member and the training organisation, and must be signed within three months of commencing the traineeship or apprenticeship. Copies of the training plan must be made available to Cubby OOSH and the team member.

The three hours of training per week will be accomplished by:

- Team members being rostered to enable them to complete the formal theoretical component of their units of study. This time will be non-contact and will comprise approximately 1.5 hours.(LDC only)
- Reviewing relevant policies and procedures relevant to the training.
- Training plan entries.
- Practical training with a supervisor in the application of the policies and procedures with a group of children in the play areas.
- Meetings with trainer and supervisors.
- Practical assessment of work.

Team members must demonstrate that they are actively studying and progressing toward the completion of their units as per the training plan schedule, and evidence of this must be stored on premises at all times.

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STATUTORY LEGISLATION & CONSIDERATIONS

- [Apprenticeship and Traineeship Act 2001](#)
- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
- [Apprenticeship and Traineeship Act 2001](#)
- [Children Services Award 2010](#)
- [National Quality Standards](#)
- Standard 4.1 Staffing Arrangements

SOURCES

- [Apprenticeship Support Australia](#)
- [National Employment Standards](#)
- [Fair Work Australia](#)

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4.25 Time off in Lieu (TOIL) Policy (LDC)

INTRODUCTION

Cubby OOSH recognises that the operational needs of the service require a flexible approach to the rostering of an employee to meet the service delivery requirements. From time to time, employees may be required to work approved additional hours to accommodate meeting staff: child ratios.

Time off in Lieu of Overtime (TOIL) will be granted to employees who are required to work hours outside of their approved roster. This Policy applies to all part-time and full-time employees of Cubby OOSH, therefore excludes casual employees.

PURPOSE

Cubby OOSH acknowledges the importance of a proper work-life balance for all employees. This policy is aimed to accommodate this and to prevent an employee working excessive hours.

SCOPE

- Establish guidelines for all employees at Cubby OOSH on the accrual of TOIL hours
- Establish guidelines for all employees at Cubby OOSH for claiming TOIL hours
- Ensure that the operational needs of the programs and services of Cubby OOSH are balanced with flexible staffing arrangements while also treating employees equitably
- Ensure that employees are not working excessive hours and to help them manage their work/life balance

Definitions

Throughout this policy the following definitions apply:

- **'Time Off In Lieu of Overtime (TOIL)'**- Approved time off for work instead of payment for overtime where an employee has worked approved additional hours
- **'Ordinary Hours'**- The agreed ordinary hours of an employee as provided in the employee's employment contract
- **'Approved Roster'**- The schedule of hours to be worked during a given payroll period as set by the Director/Nominated Supervisor, based on operational needs to ensure the effective delivery of services to children. Payroll is based on the approved roster.
- **'Overtime'**- Reasonable additional time worked outside of ordinary hours undertaken at the

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request of the Responsible Person in Charge based on operational needs.

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IMPLEMENTATION

Responsibilities

Educators are responsible for ensuring that the use of TOIL is accountable to the Director/Nominated Supervisor for the effective implementation of the policy. The operation of this policy will be monitored by the Director/Nominated Supervisor and reported on to the Area/Operations Manager

Principles

- Only part-time and full-time employees are eligible.
- The approved roster for each employee shall be maintained as much as practicable and that employees should not exceed ordinary hours unnecessarily.
- Employees must obtain direction and written authorisation from the Responsible Person regarding claiming TOIL hours to maintain ratio requirements. Employees who are requested and authorised to work beyond 15 minutes of their current approved roster shift may accrue TOIL hours.
- There must be an identified reason for working outside rostered hours
- TOIL hours are calculated at the ordinary rate (i.e. 'an hour off for an overtime hour worked'). Cubby OOSH and the employee agree that the employee may take time off instead of being paid for overtime that has been worked
- All TOIL hours accrued and taken must be appropriately recorded at the centre on the TOIL Hours Record and the balance of hours checked for accuracy. The TOIL Hours Record should be confidential
- There is a maximum of two hours per month allowed for staff meeting attendance
- There is a five-hour limit on TOIL hours accrued per month by an employee
- TOIL should ideally be taken within one month of having been accrued and expires after six months
- Employees must obtain a mutually agreeable date with the Director/Nominated Supervisor for taking TOIL hours and must have accrued a sufficient balance of hours to cover the proposed hours to be taken
- Directors/Nominated Supervisors are responsible for ensuring that all TOIL is acquitted before an employee leaving the employment of Cubby OOSH
- Directors/Nominated Supervisors are accountable to the Area Manager for the effective implementation of the policy

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Recording TOIL hours

- Once approved by the Responsible Person in Charge accrued TOIL hours should be recorded by the employee using the TOIL Hours Record maintained at the centre
- The approved shift roster for the day should also be recorded on the TOIL Hours Record
- The balance of the hours on TOIL Hours Record should be checked for accuracy by the Director/Nominated Supervisor
- TOIL records should be filed every three months and carried forward balance recorded on new TOIL record at centre
- The TOIL record should be kept for seven years

STATUTORY LEGISLATION AND CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
- [Occupational Health and Safety Act 2004](#)
- [Equal opportunity Act 2010](#)
- [Children Services Award 2010](#)
- [Educational Teachers \(Services\) Award 2010](#)
- [National Quality Standards](#)
- [Standard 4.1 Staffing Arrangements](#)

SOURCES

- [National Employment Standards](#)
- [Fair Work Australia](#)
- [Centrelink – Paid Parental Leave scheme](#)

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4.26 Leave Policy

INTRODUCTION

The National Employment Standards – NES, outline the minimum leave entitlements for all team members Nationally. From there, leave provisions differ for Team Members depending upon the award or agreement that they are subjected to:

1. Children Services Award 2010
2. Educational Teachers (Services) Award 2010

PURPOSE

Cubby OOSH leave policy allows flexibility for team members to meet personal, family, work and community commitments without compromising the achievement of business objectives. The policy will define leave entitlements and provide guidance in the taking and approval of leave. Leave entitlements will comply with the relevant legislative and regulatory obligations.

SCOPE

This policy covers the following types of leave:

- Annual
- Compassionate
- Parental
- Personal or carer's
- Leave without pay
- Long service
- Family and domestic violence

Definitions

Domestic violence means *family and domestic violence* means violent, threatening or other abusive behavior by a family member of an employee that seeks to coerce or control the employee and that causes them harm or to be fearful.

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Family member means:

- a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee; or
- a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the employee; or
- a person related to the employee according to Aboriginal or Torres Strait Islander kinship rules.

Immediate family means

- a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee; or
- a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the employee.

Medical certificate means a certificate issued by a person registered as a practising medical practitioner.

Parental leave means a period of adoption leave, maternity leave, partner leave, or special maternity leave for the purposes of birth, adoption and caring for a child.

IMPLEMENTATION

Most types of leave will require a Leave Request form to be submitted and any related documentation to be completed by the team member requesting leave. Once approved, the Director will advise the outcome of the request in person. All planned leave is subject to the operational requirements as determined by the Area Manager.

Unless otherwise agreed, all planned leave should be requested 4 weeks prior to taking leave. Any changes to approved leave should be made in writing to the Nominated supervisor or Area Manager.

Entitlements:

Annual leave

- Full-time team members are entitled to annual leave of 20 working days for each year of service. Part-time team members are entitled to annual leave on a pro-rata basis.
- Cubby OOSH has the discretion to approve or object to the taking of annual leave based on the operational requirements of the centre.
- All applications for annual leave are made to be made on a Quickbook with at least four weeks' notice and must be approved by the Nominated Supervisor, or Area Manager.
- Annual leave may not be taken for periods of less than one day.

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- Team members are requested to take annual leave at least once a year. Accumulation of more than 30 days of annual leave is discouraged as the purpose of annual leave is to provide rest and relaxation.
- If leave does accumulate beyond 30 days a management plan will need to be completed to have annual leave entitlement reduced. If an agreement is not reached the management will direct the team member to take a period of annual leave to reduce their entitlement to a reasonable level. Team members are requested to take annual leave annually.
- A team member who resigns or is terminated for any reason will be paid their accrued annual leave entitlements in their final payment.
- Annual leave cannot be used for personal leave unless there are extenuating circumstances and will be approved on a case by case basis.
- Employees can't **cash out** more than 2 weeks in each 12 months, and must have at least 4 weeks **annual leave** left over after the **cash out**. The payment for **cash out annual leave** must be the same as what the employee would have been paid if they took the **leave**.
- Cashing out of annual leave will only be approved on extenuating circumstances by the General Manager.

Compassionate leave

- Team members are entitled to two days' compassionate leave on full wages in respect of the death, life-threatening illness or injury of a member of your immediate family or a member of your household.
- Cubby OOSH may allow for additional time off if travel becomes a problem.
- For leave taken on compassionate grounds, supporting documentation may be required and may include e.g. a death notice and proof of a memorial service.

Parental leave

- Team members are entitled to the provisions for parental leave detailed under the relevant Fair Work legislation. Briefly, the legislation allows for parental and adoption leave for full-time, part-time and long-term casuals who have completed one year of service. Please refer to Pregnancy and Parental Leave policy for detailed guidelines.

Personal leave or carer's leave

- Team members may take paid personal/carer's leave if they are unfit for work because of their own personal illness or injury
- Carer's leave is to provide support to a member of the immediate family or household because of personal illness, injury or emergency affecting the member.
- The minimum entitlement to paid personal/carer's leave for all full-time team members (excluding casuals) is 10 days per year.

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- Team members accrue entitlements to paid personal/carer’s leave progressively during a year of service according to the number of ordinary hours worked and leave accumulates from year to year.
- Team members are required to notify Cubby OOSH as soon as possible when they are absent due to illness or injury and to indicate how long they expect to be absent.
- Any absence for a day or more for personal leave must be supported by a medical certificate to the satisfaction of Cubby OOSH. If claiming carer’s leave the team member is required to provide a medical certificate or statutory declaration regarding the illness of the of the person requiring care.
- If a team member has commenced work and has been sent home due to illness, a Medical Certificate may require for the remainder of that day at the Director’s discretion. However, where there is a pattern of such absences, this pattern will be addressed with the team member and future medical certificates will be required.
- Where there is a substantiated pattern of exhausting personal leave entitlements, absences on the same week day, taking of single absences adjacent to weekends and public holidays and a clear pattern of taking part-day absences the team member will be advised that such patterns are unsatisfactory and may result in disciplinary action.

Notification for personal leave

- Team members are to contact the Director personally, preferably the evening before, to advise that they are unwell and will not be attending the workplace the following day and the length of the expected absence.
- Notification by any method other than telephone, e.g. text message, email or fax, is **not** acceptable. It is the team member’s responsibility to ensure that their Nominated Supervisor receives the message. In the event the Director does not receive a message, an attempt will be made to call you at home to make sure you are safe. If the Director is unable to make contact with you directly and they are concerned about your safety, health or wellbeing, contact will be made with your nominated emergency contact to ensure you are safe.
- Unless there are exceptional circumstances team members should personally call their Nominated Supervisor. Team members are responsible for keeping the Nominated Supervisor updated to let them know if the absence will be extended beyond the period originally expected. In the event an absence extends to 5 consecutive days, the Director must be informed of any issue that may influence the duration of the leave and affect the ongoing management of the team member's job role during the leave.
- Consideration will be given to extending the personal/carer’s leave amount in the circumstances where an infectious disease or illness has been identified and another team member or a child at a Centre may be subsequently infected.
- Team members are expected to submit a Medical certificate for the period of absence via Quickbook on the day of return to work.

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Leave without pay

- Where available a team member's leave i.e. annual, personal and long service leave will be utilised before leave without pay.
- Generally, leave without pay will only be considered where there are exceptional circumstances. Cubby OOSH reserves the right to accept or decline applications for leave without pay.
- The granting of leave without pay is not guaranteed and is at the discretion of the Area Manager. All leave without pay requests must be approved prior to commencement. Any extensions to the period of leave without pay must also be applied for and approved prior to the commencement of any extension.
- A statement of the circumstances supporting the application must be in writing and accompany applications for such leave utilising the Cubby OOSH Leave Request Form.
- Where a team member takes leave without pay other leave entitlements will cease to accrue during the period of approved leave without pay. This period will not count for continuous service or progression purposes.

Long service leave

- Full-time team members are entitled to take 8.67 weeks of paid long service leave after ten years' continuous service to be paid at ordinary gross weekly wages.
- The qualifying period for long service leave entitlements for part-time or regular casual team members is the same as that for full-time team members (i.e. leave is due after ten years' continuous service).
- All applications for long service leave are to be made on Quickbook at least four weeks' notice and must be approved in writing by the Nominated Supervisor/Area Manager.
- Any team member who resigns or is terminated for any reason and qualifies for long service leave will be paid their accrued long service leave entitlements in their final payment.
- 1-week minimum

Family and domestic violence leave

- All team members are entitled to five days of unpaid leave to deal with family and domestic violence where it is impracticable to do outside the ordinary hours of work. The leave may be accessed in single days, in one whole period or, by agreement, for a period of less than a day. The leave entitlement is available every 12 months of service but cannot be accrued from year to year.
- To access this leave, notice should be given as soon as practicable with the expected period of leave. Evidence will be required to support the leave claim with agreed documents, e.g. police reports, court orders or statutory declarations. Consultations will be required regarding the handling of information, confidentially and ensuring the health and safety of all team members.

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Public holidays/School Holidays

- All OOSH members are casual during the school holiday's - therefore if there is any Public holidays during this time that would mean that day would be unpaid
- Public holiday days are defined in the National Employment Standards. Only permanent team members are paid for an absence on a public holiday when their normal rostered day falls on that day. Normal rostered days and hours are based on a pattern of rosters over the preceding three months for a team member. Rosters cannot be temporarily amended to change a team member's eligibility for payment on a public holiday. A pattern is considered to be the most common weekly roster over the previous 3 months. (LDC)
- If a public holiday falls during a period of *paid leave* e.g. annual leave or personal leave, then this day does not come from a team member's leave accrual. It is a paid day based on ordinary rostered hours.
- When a public holiday falls on a period of *unpaid leave*, the team member is not entitled to payment for that public holiday.

STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010](#)
- [Education and Care Services National Regulations](#)
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