



Staffing

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Policy Statement

SHARE OOSH is committed to maintaining staffing arrangements that uphold the safety, dignity and rights of children at all times. We recognise that the suitability, integrity and professional conduct of all staff, students and volunteers is central to delivering high-quality education and care.

Staffing at SHARE OOSH will be managed in accordance with the Education and Care Services National Law and Regulations, including requirements relating to responsible persons, child-safe recruitment and ongoing suitability to work with children. We are committed to strong governance, professional accountability and transparent systems that ensure children are adequately supervised and protected from harm.

All staff, students and volunteers are expected to act in accordance with our Code of Conduct and contribute to a culture that prioritises child safety, effective supervision and regulatory compliance.

Definitions

Approved Provider	The person or entity that holds provider approval under the Education and Care Services National Law and has overall responsibility for the governance and compliance of the service.
Child-Safe Recruitment	Recruitment processes that include screening, verification, reference checking and reasonable enquiries to ensure a prospective staff member is suitable to work with children and is not subject to regulatory restrictions.
Code of Conduct	A formal document that outlines the professional behaviour, ethical standards and expectations for all staff, students and volunteers, including obligations relating to child safety, supervision, confidentiality and appropriate conduct.
Compliance History Statement	A written declaration completed by a Nominated Supervisor or Responsible Person outlining any past compliance action taken under the National Law or other relevant legislation.
Enforceable Undertaking	A legally binding agreement between a person and the Regulatory Authority requiring specific actions to address compliance concerns under the National Law.
Nominated Supervisor	A person nominated by the Approved Provider and who has provided written consent to undertake the role. The Nominated Supervisor is responsible for the day-to-day management of the service and compliance with relevant sections of the National Law and Regulations.
Person in Day-to-Day Charge	An educator or staff member who has been designated in writing by the Approved Provider to be in charge of the service when the Approved Provider or Nominated Supervisor is not present. The person must meet regulatory suitability requirements and provide written consent to the role.
Prohibition Notice	A formal notice issued by a Regulatory Authority prohibiting a person from working in, being involved in, or remaining at an education and care service.
Responsible Person	A Responsible Person is either the Approved Provider, a Nominated Supervisor, or a Person in Day-to-Day Charge who has been placed in charge of the service in accordance with the National Law. A Responsible Person must be present at the service at all times children are being educated and cared for.
Supervision Notice	A formal notice issued by a Regulatory Authority imposing conditions on a person's role or requiring supervision while working in an education and care service.
Suspension Notice	A formal notice issued by a Regulatory Authority suspending a person's approval, clearance or authority to work in an education and care service.

**Working With Children
Check (WWCC)**

A clearance issued under relevant state legislation confirming that a person has been assessed as suitable to work with children or is not prohibited from doing so.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY

2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
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QUALITY AREA 4: STAFFING ARRANGEMENTS

4.1.1	Organisation of educators	The organisation of educators across the service supports children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP

7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.

7.2.1	Continuous improvement	There is an effective self-assessment and quality improvement process in place.
7.2.3	Development of professionals	Educators, co-ordinators and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.

Legislative And Regulatory References

EDUCATION AND CARE SERVICES NATIONAL LAW	
2A	Paramount consideration—safety, rights and best interests of children
3A	Paramount consideration
5AA	Meaning of inappropriate conduct
56	Notice of addition of nominated supervisor
56A	Notice of change of a nominated supervisor's name or contact details
87	Application for service waiver for service
161	Offence to operate education and care service without nominated supervisor
161A	Offence for nominated supervisor not to meet prescribed minimum requirements
162	Offence to operate education and care service unless responsible person is present
162A	Child protection training Offence relating to child protection training
162B	Child safety training

165	Offence to inadequately supervise children
166	Offence to use inappropriate discipline
166A	Offence to subject child to inappropriate conduct
167	Offence relating to protection of children from harm and hazards
169	Offence relating to staffing arrangements
170	Offence relating to unauthorised persons on education and care service premises
172	Offence to fail to display prescribed information
173	Offence to fail to notify certain circumstances to Regulatory Authority
174	Offence to fail to notify certain information to Regulatory Authority
174AA	Educators and other staff members of education and care service to notify certain information
174AB	Approved provider must notify Regulatory Authority of event under section 174AA
175	Offence relating to requirement to keep enrolment and other documents
6A	Devices in education and care services
178	Suspension of education and care by certain persons
178A	Supervision of certain persons providing education and care
188A	False or misleading information about certain notices
188	Offence to engage person to whom prohibition notice applies
EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	

10	Meaning of actively working towards a qualification
13	Meaning of working directly with children
35	Notice of addition of new nominated supervisor
82	Environment to be free from tobacco smoke, vaping devices, vaping substances, drugs and alcohol
83	Staff members and family day care educators not to be affected by alcohol or drugs
84	Awareness of child protection law
117A	Placing a person in day-to-day charge
117B	Minimum requirements for a person in day-to-day charge
117C	Minimum requirements for a nominated supervisor
118	Educational leader
120	Educators who are under 18 to be supervised
122	Educators must be working directly with children to be included in ratios
123	Educator to child ratios – centre-based services
136	First Aid qualifications
145	Staff Record
146	Nominated supervisor
147	Staff Members
148	Educational Leader

149	Volunteers and Students
150	Responsible Person
151	Record of educators working directly with children
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
172	Notification of change to policies or procedure
173	Prescribed information to be displayed
174	Time to notify certain circumstances to regulatory authority
177	Prescribed enrolment and other documents to be kept by approved provider
243	Persons taken to hold an approved diploma level education and care qualification
244	Persons taken to hold an approved certificate III level education and care qualification

Related Policies

- Child Safe
- Child Safe Reporting
- Code of Conduct
- Dealing with Medical Conditions
- Delivery and Collection of Children
- Digital Technologies and Online Environments
- Emergency and Evacuation
- Excursions
- Governance and Management
- Interactions with Children
- Management of Complaints
- Providing a Child Safe Environment
- Supervision

Purpose

This policy establishes SHARE OOSH's framework for compliant, effective and child-safe staffing arrangements in accordance with the Education and Care Services National Law and Regulations, the National Quality Standard (particularly Quality Area 4 – Staffing

Arrangements and Quality Area 7 – Governance and Leadership), and the NSW Child Safe Standards.

Quality Area 4 recognises that professional and well-organised staffing arrangements are fundamental to delivering quality outcomes for children. Effective staffing supports adequate supervision, continuity of care, collaborative practice and continuous improvement.

This policy ensures that SHARE OOSH maintains systems for:

- the appointment and presence of a Responsible Person
- child-safe recruitment and ongoing employment practices
- professional conduct and accountability
- accurate staffing records and verification of qualifications and clearances

Through this framework, SHARE OOSH promotes strong governance, effective supervision and a culture that safeguards children while supporting educators, students and volunteers in their professional responsibilities.

Scope

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

Guiding Principles

Our Service is committed to the safety, wellbeing and support of all children and young people in all aspects of operation within our OSHC Service. All staffing decisions at SHARE OOSH are guided by the following principles:

1. **Children's health, safety and wellbeing are paramount** – Staffing arrangements are organised to ensure children are safeguarded at all times within an effectively supervised environment.
2. **Professional standards guide practice** – Educators, staff, students and volunteers are supported through clear role expectations, position descriptions, training and adherence to the service's Code of Conduct and relevant professional standards.
3. **Child-safe culture is embedded** – Recruitment, induction and ongoing employment practices reflect a commitment to ensuring all personnel are suitable to work with children and understand their obligations under child protection law.
4. **Governance and leadership are active and accountable** – Clear systems are in place to appoint and document Responsible Persons, monitor qualifications and clearances, assess ongoing suitability, and respond promptly to compliance concerns.
5. **Collaboration strengthens quality** – Professional and respectful relationships between management, educators and staff support continuous improvement and positive outcomes for children.
6. **Students and volunteers are supported appropriately** – Their participation is structured, supervised and aligned with service policies to ensure children's safety and program quality are maintained.

Procedures

1. Accessibility and Governance Systems

- This policy and associated procedures are accessible to families via the SHARE OOSH website and to staff via OWNA.
- Staff acknowledgement of this policy is recorded through OWNA.
- Superseded versions are removed from the website and OWNA upon implementation and archived in accordance with record-keeping requirements.
- Templates used to implement this policy include:
 - Compliance History Statement
 - Prohibition Notice Declaration
 - Consent to Person in Day-to-Day Charge Form
 - Recruitment Checklist
 - Annual Suitability Declaration
 - Staffing Record Audit Checklist
- The Nominated Supervisor monitors implementation of these procedures and reports compliance matters to the Approved Provider as required.

2. Responsible Person Appointment and Monitoring

Presence of a Responsible Person

- A Responsible Person is physically present at the service at all times children are being educated and cared for.
- The name of the Nominated Supervisor is displayed at the main entrance in accordance with regulatory requirements.
- The staff record includes the name of the Responsible Person for each session of care.

Legislative Eligibility Requirements

A person appointed as a Nominated Supervisor or Person in Day-to-Day Charge must:

- Be at least 18 years of age.
- Hold a valid Working With Children Check.
- Have adequate knowledge and understanding of the provision of education and care to children.
- Have the ability to effectively supervise and manage the service.
- Have completed required child protection training and understand their obligations under child protection law.

- Have a satisfactory compliance history under the Education and Care Services National Law and other relevant legislation.
- Complete and sign:
 - A Compliance History Statement; and
 - A Prohibition Notice Declaration.

SHARE OOSH's Criteria for Appointment

- In addition to legislative requirements, SHARE OOSH requires that a Person in Day-to-Day Charge:
 - Demonstrates consistent professional conduct and adherence to the Code of Conduct.
 - Demonstrates strong supervision practices and sound judgement in managing risk.
 - Has demonstrated reliability and accountability in their role.
 - Has the capacity to lead staff respectfully and maintain regulatory compliance during operational periods.
 - Is not currently subject to performance management processes that would affect their capacity to fulfil the role.
 - Has completed induction into Responsible Person duties at SHARE OOSH.
- Appointment as a Person in Day-to-Day Charge/Responsible Person is at the discretion of the Nominated Supervisor in consultation with the Approved Provider and may be reviewed or withdrawn at any time.

Written Consent and Documentation

- Written consent is obtained prior to a staff member being placed in Day-to-Day Charge.
- Consent documentation is retained in the staff record.
- Responsible Person appointments are documented in rosters and daily records.

Ongoing Monitoring of Suitability

Responsible Persons must:

- Immediately notify the Nominated Supervisor or Approved Provider if they:
 - Become subject to a suspension notice, supervision notice, prohibition notice or enforceable undertaking;
 - Are charged with or convicted of an offence that may affect their suitability to work with children;
 - Experience a change in circumstances that may impact their capacity to supervise or manage the service.

- Complete an Annual Suitability Declaration.
- Maintain current qualifications and clearances.

Appointment as a Responsible Person may be suspended or withdrawn where ongoing suitability is in question.

Notification to the Regulatory Authority

The Approved Provider will notify the Regulatory Authority in writing of:

- The appointment of a new Nominated Supervisor;
- Changes to a Nominated Supervisor's name or contact details;
- Removal or cessation of engagement of a Nominated Supervisor.

Alcohol, Drugs and Vaping

- Responsible Persons must not be affected by alcohol or drugs while at the service.
- Tobacco, vaping devices, vaping substances and illicit drugs are not permitted at the service.

Failure to comply may result in immediate removal from duty and disciplinary action.

3. Recruitment Practices

Child-Safety Focus in Recruitment

- Position descriptions and the Employee Handbook clearly articulate child safety responsibilities and behavioural expectations.
- Interview processes include behavioural questions designed to assess a candidate's commitment to child safety, supervision and professional conduct.
- Referee checks include questions relating to the applicant's conduct with children and suitability to work in an education and care environment.

Verification and Screening

Prior to engagement, SHARE OOSH will:

- Verify identity and working rights where applicable.
- Verify relevant qualifications or qualifications being worked towards.
- Verify current first aid and other required training.
- Verify a valid Working With Children Check.

Where required, the person will complete:

- A Compliance History Statement; and/or
- A Prohibition Notice Declaration.

Employment offers may be conditional upon verification of required documentation.

Providing false or misleading information regarding suitability may constitute an offence under the National Law.

Reasonable Enquiries Regarding Regulatory Notices

As part of recruitment, SHARE will make reasonable enquiries to determine whether a prospective staff member is subject to a suspension notice, supervision notice, prohibition notice or enforceable undertaking.

Reasonable enquiries include:

- Requiring the applicant to complete a written declaration confirming they are not subject to any such notice or undertaking.
- Asking specific interview and referee questions regarding suitability to work with children.
- Reviewing any relevant information provided by the Regulatory Authority where applicable.
- Assessing any disclosed information and determining whether it affects the person's suitability to work with children.

Where information is disclosed or identified, the Nominated Supervisor or Approved Provider will assess risk and determine whether engagement can proceed.

Documentation and Record Keeping

- All recruitment documentation is retained in the staff record in accordance with Regulations 145–152.
- A recruitment checklist is completed for each appointment to ensure regulatory requirements are met.

Probation and Review

- All new employees are subject to a probation period.
- During probation, performance, supervision practices and adherence to the Code of Conduct are reviewed.
- Where concerns arise regarding suitability to work with children, immediate action may be taken, including suspension of duties pending review.

Failure to Disclose

Failure to disclose relevant regulatory notices or information affecting suitability to work with children may result in disciplinary action, up to and including termination of employment.

4. Ongoing Suitability and Employment Monitoring

SHARE OOSH recognises that suitability to work with children is an ongoing obligation and not limited to recruitment.

Ongoing Disclosure Obligations

All educators and staff must:

- Immediately notify the Nominated Supervisor or Approved Provider if they:

- Become subject to a suspension notice, supervision notice, prohibition notice or enforceable undertaking;
- Are charged with or convicted of an offence that may affect their suitability to work with children;
- Experience a change in circumstances that may impact their capacity to safely perform their role.

The service will not employ or engage any person who is subject to a prohibition notice under the National Law.

Failure to disclose relevant information may result in immediate removal from duty and disciplinary action.

Ongoing Reasonable Enquiries

SHARE will continue to make reasonable enquiries regarding staff suitability throughout employment.

This includes:

- Requiring all educators and staff to complete an Annual Suitability Declaration confirming they are not subject to a suspension notice, supervision notice, prohibition notice or enforceable undertaking.
- Reviewing any notifications, complaints or regulatory correspondence relevant to staff suitability.
- Assessing and documenting any concerns that may affect a staff member's continued suitability to work with children.
- Declarations are retained in the staff record.

Where concerns arise, the Nominated Supervisor or Approved Provider may suspend duties, withdraw Responsible Person status, or take other action pending assessment.

If a staff member becomes subject to investigation relating to child safety, they will be immediately removed from duties involving direct contact with children pending assessment.

Working With Children Check Monitoring

- WWCC details are stored in confidential staff files.
- WWCC status is re-verified at least every six months.
- Evidence of verification is recorded and archived.
- WWCC details are also recorded within the payroll system, which provides automated alerts prior to expiry and prevents rostering where a clearance is not current.
- Staff must maintain a valid WWCC at all times while employed.

Qualifications and Training Monitoring

- The Nominated Supervisor ensures required qualifications; first aid certification and child protection training remain current.
- Staff are responsible for providing updated documentation prior to expiry.

Staff Record Audit

- A staff record audit is conducted at least annually by the Nominated Supervisor or delegate.
- The audit verifies compliance with Regulations 145–152, including:
 - Qualifications
 - First aid certification
 - Child protection training
 - Working With Children Check status
 - Responsible Person documentation
- Findings are documented and corrective action is implemented where required.

Responding to Suitability Concerns

Where concerns arise regarding a person's ongoing suitability:

- The Nominated Supervisor or Approved Provider will assess the level of risk.
- The person may be temporarily removed from duty or from Responsible Person status pending review.
- Appropriate action will be taken in accordance with legislative requirements and the Code of Conduct.

5. Volunteers and Students

SHARE OOSH values the contribution of volunteers and students. Their participation is structured to ensure children's safety and compliance with regulatory requirements.

Working With Children Requirements

- Volunteers and students aged 18 years or older must hold a valid Working With Children Check prior to commencing at the service.
- Volunteers and students under 18 years of age are managed in accordance with jurisdictional Working With Children requirements and must be directly supervised at all times.
- WWCC details (where applicable) are verified and recorded in the Volunteer and Student record.

Supervision and Supernumerary Status

- Volunteers and students are supernumerary and are not counted towards educator-to-child ratios.

- Volunteers and students must not be left alone with children.
- A suitable educator is assigned to provide supervision and guidance.

Induction and Expectations

Prior to commencing, volunteers and students are:

- Informed of their obligations under child protection legislation.
- Provided with a copy of, and expected to adhere to, the Code of Conduct.
- Informed of relevant service policies, including:
 - Providing a Child Safe Environment
 - Managing medical conditions
 - Incident, injury, trauma and illness procedures
 - Safe use of digital technologies and online environments
- Informed that corporal punishment and unreasonable discipline are prohibited.
- Required to implement appropriate health, hygiene and safe food handling practices.
- Required not to be affected by alcohol or drugs and not to use tobacco or vaping devices at the service.

Documentation

- Volunteers and students are recorded in the service records, including name, date of birth, relevant clearances (if applicable), and dates of participation.
- Sign-in processes are maintained for all volunteers and students.

6. Staffing Ratios, Supervision and Professional Standards

Staffing Ratios and Qualifications

- Educator-to-child ratios are maintained in accordance with the Education and Care Services National Law and Regulations at all times.
- Only appropriately qualified and rostered educators are counted toward required ratios.
- Volunteers and students are not counted toward ratios.
- A record is maintained of educators working directly with children and included in ratio calculations in accordance with regulatory requirements.
- Relief staffing arrangements are implemented where required to maintain compliance with ratio and supervision obligations.

Supervision and Safe Operations

- Staffing arrangements are organised to ensure children are adequately supervised at all times, including during transitions, outdoor play, excursions and use of digital technologies.
- Responsible Persons ensure supervision is active, intentional and responsive to risk.
- Children are not subjected to inappropriate discipline and are protected from harm and hazards within the service environment.

Professional Standards and Conduct

All educators and staff must:

- Adhere to the service's Code of Conduct and Employee Handbook.
- Be familiar with and act consistently with professional standards relevant to their role.
- Maintain required qualifications, WWCCs, first aid certification and child protection training.
- Implement appropriate health, hygiene and safe food handling practices.
- Not be affected by alcohol or drugs while at the service and not use tobacco or vaping devices on the premises.
- Follow service policies.

Breaches of professional standards or this policy may result in disciplinary action in accordance with service procedures.

Roles and Responsibilities

ROLE	RESPONSIBLE FOR
Approved Provider	<ul style="list-style-type: none"> ● Ensure the service complies with the Education and Care Services National Law and Regulations in relation to staffing arrangements. ● Ensure staffing practices align with the National Quality Standard, particularly Quality Area 4 and Quality Area 7. ● Ensure a Responsible Person is present at all times children are being educated and cared for. ● Ensure recruitment and employment practices include reasonable enquiries regarding regulatory notices affecting suitability. ● Ensure staff records are maintained in accordance with Regulations 145–152. ● Ensure policies and procedures are accessible and reviewed. ● Take reasonable steps to ensure educators, staff, students and volunteers follow this policy.
Nominated Supervisor	<ul style="list-style-type: none"> ● Implement staffing procedures and ensure day-to-day compliance. ● Ensure educator-to-child ratios and qualification requirements are met at all times. ● Oversee recruitment screening and verification processes. ● Monitor ongoing suitability, including WWCC verification and annual declarations. ● Ensure annual staff record audits are completed. ● Remove or suspend Responsible Person status where suitability concerns arise. ● Ensure the name of the Nominated Supervisor is displayed at the main entrance.
Responsible Persons	<ul style="list-style-type: none"> ● Be physically present at the service while children are being educated and cared for. ● Ensure supervision and safety obligations are upheld during their period of responsibility. ● Ensure ratios and safe staffing arrangements are maintained. ● Ensure policies are followed. ● Immediately report any staffing compliance concerns to the Nominated Supervisor.
Educators	<ul style="list-style-type: none"> ● Comply with staffing policies and procedures. ● Maintain required qualifications, first aid certification and child protection training. ● Maintain a valid Working With Children Check at all times. ● Adhere to the Code of Conduct and professional standards at all times. ● Immediately disclose any change in circumstances affecting suitability to work with children.

	<ul style="list-style-type: none"> • Ensure children are adequately supervised and not subjected to inappropriate discipline.
Families	<ul style="list-style-type: none"> • Be familiar with the service's Code of Conduct. • Raise concerns regarding staffing, supervision or professional conduct with the Nominated Supervisor or Approved Provider. • Support the service in maintaining a safe and respectful environment for children.
Other Staff	<ul style="list-style-type: none"> • Comply with this policy and all child safety expectations relevant to their role. • Maintain any required clearances or qualifications. • Immediately disclose any change in circumstances affecting suitability to work with children. • Adhere to the Code of Conduct and maintain professional conduct at all times.
Students/Volunteers	<ul style="list-style-type: none"> • Comply with this policy and the Code of Conduct. • Hold a valid Working With Children Check if aged 18 years or over. • Remain supernumerary and work under direct supervision. • Follow service policies relating to child protection, supervision, medical conditions and digital safety. • Not be left alone with children.

Induction and Ongoing Training

All new staff, students and volunteers are introduced to this policy during induction. Induction includes:

- An overview of staffing obligations under the Education and Care Services National Law and Regulations.
- Responsible Person requirements and expectations (where applicable).
- Supervision standards and educator-to-child ratio requirements.
- Child protection obligations and mandatory reporting responsibilities.
- Code of Conduct expectations and professional standards.
- Working With Children Check requirements and disclosure obligations.
- Expectations regarding alcohol, drugs, tobacco and vaping restrictions.
- Procedures for volunteers and students, including supernumerary status and supervision requirements.

Ongoing training is provided through:

- Policy refreshers at team meetings and professional development sessions.

- Updates following changes in legislation, regulatory guidance or service practice.
- Responsible Person training and supervision coaching as required.
- Targeted training in response to incidents, breaches, audit findings or identified risks.

Staff sign-off on this policy is recorded at induction and following each review.

Monitoring, Evaluation, and Review Process

Monitoring

- The Nominated Supervisor oversees implementation of this policy and reports significant staffing compliance matters to the Approved Provider.
- Staffing compliance is monitored through roster oversight, supervision observations, and review of incident and complaint records.
- Annual staff record audits provide assurance that regulatory documentation requirements are being met.
- Any identified non-compliance is documented and corrective action is implemented.

Evaluation

- Staffing arrangements are reviewed following incidents, complaints, audit findings or regulatory feedback to determine whether systems remain effective.
- Team discussions and performance reviews are used to evaluate supervision practices, professional conduct and Responsible Person capability.
- Feedback from staff and families may inform improvements to staffing systems and governance processes.

Review

This policy will be formally reviewed at least every two years, or earlier if:

- legislation or regulations change,
- child safe standards or regulatory guidance are updated,
- staffing-related incidents identify procedural gaps, or
- service structure or staffing arrangements change.

All staff are consulted as part of the review process, and families are invited to contribute feedback.

The Management Committee endorses all updates and ensures staff re-sign to confirm awareness.

Version control is maintained on the policy. Families are informed of significant changes in accordance with Regulation 172, and related procedures and documentation are updated accordingly.