

8.1 Role and Expectations of Educators Policy

The service encourages the building of skilled, qualified, motivated educators who are provided with adequate resources, training and support enabling them to engage in their role effectively as the educators of children at the service.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Family and Child Commission Act 2014
- Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011
- Child Protection Act 1999 and Regulations 2000
- Duty of Care
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 2.1 – Respect for Children, 2.3 – Educator Ratios, 3.3 – Educators Practice, 8.3 – Recruitment and Employment of Educators, 8.8 – Employee Performance Monitoring, Review and Management, 8.10 – Employee Orientation and Induction.



Procedures

****Please Note**** For the purposes of this policy document, the terms Coordinator and Nominated Supervisor have been used interchangeably as the roles and responsibilities of each position are similar.

The Education and Care National Services Law Act 2010 states that an Approved Provider must not operate a service without a Nominated Supervisor for that service. The Approved Provider, as holder of the service supervisor certificate, appoints an educator whom they deem to be suitably qualified and/or experienced, and with their consent, to be the Nominated Supervisor of a service.

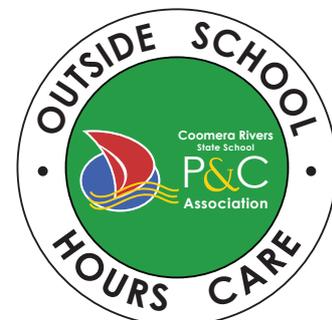
As the person responsible for the day-to-day management of an Approved Service, a Nominated Supervisor has a range of responsibilities including (but not limited to):

- Ensuring educational programs are delivered in accordance with approved frameworks, based on the developmental needs of children and designed to take into account the individual differences of each child;
- Ensuring children are adequately supervised, not subject to inappropriate discipline and protected from harm or hazards;
- Ensuring food and beverages provided by the service are healthy, nutritious and are chosen with regards to the dietary needs of children attending;
- Ensuring appropriate health and hygiene practices are developed, implemented and practiced by educators and children;
- Ensuring the prescribed levels of educator to child ratios are met and each educator at the service meets the qualification requirement relevant to their role.

The service shall require that all persons employed (whether for financial remuneration or as volunteers) in the service are fit and proper to undertake the work for which they are engaged in the service. It shall be a condition of all employment (including for volunteers) that their employment ceases immediately if they cease to be fit and proper for any reason.

A person is considered fit and proper if, in the reasonable opinion of the Nominated Supervisor (or other appropriate delegate of the Approved Provider of the service) they:-

- Are capable of providing an adequate standard of child care in the school age care setting;
- Are of good character and suitable to be entrusted with the care and protection of children; and
- Have obtained and provided to the Approved Provider of the service their current positive suitability notice, as per the Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011.



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The Approved Provider shall ensure that all educators have a current position description detailing their role and duties as per their position. The Coordinator shall ensure that educators are fully informed of the policies and procedures of the service, including all changes to them, by providing an Educator Handbook and appropriate forums to provide feedback and ideas for the ongoing improvement of the service.

The Coordinator shall ensure that there is an up-to-date copy of the Education and Care Services National Law Act 2010 and Regulations 2011 at the service (go to www.acecqa.gov.au to obtain a copy) for reference by educators and so that educators are made and kept aware of its relevance and application to them.

The Coordinator shall convene regular meetings with educators to keep them informed of all matters of concern relating to the service which is relevant or necessary for them to know in order to do their job confidently. Minutes of these meetings will be recorded.

Educators will not be permitted to consume alcohol, drugs or cigarettes, or be affected by them during the hours children are in their care.

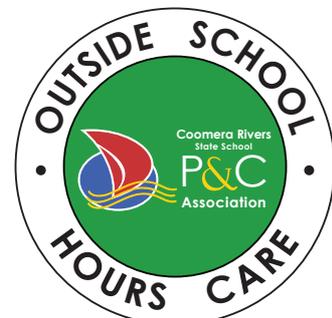
Educators who require regular medication will hold a medical certificate that confirms their ability to care for children.

Educators have a responsibility to:

- Adhere to the policies and procedures of the service as well as any direction given by the Coordinator in relation to their job role;
- Actively supervise children in all areas of the service by being within sight and/or hearing distance;
- Respect the diversity of all children's backgrounds and abilities and accommodate the individual needs of each child;
- Foster all children's self-esteem and confidence, empowering them to make choices and guide their own play;
- Promote children's sense of belonging, connectedness and wellbeing by interacting in a consistently positive and genuinely warm and nurturing manner;
- Treat all children equitably and respond positively to all children who require their attention;
- Communicate with children respectfully, taking the time to listen and value what they say;
- Work collaboratively to challenge, support, reflect and learn from other educators in order to further develop own skills and practices; and
- Consistently implement and reflect on professional practices as documented in the 'My Time, Our Place': Framework for School Age Care:
 - Holistic Approaches;
 - Collaboration with Children;
 - Learning Through Play;
 - Intentionality;
 - Environments;
 - Cultural Competence;
 - Continuity and Transitions; and
 - Evaluation for Wellbeing and Learning.

Educators have a right to:

- Be respected;
- Be treated courteously by children, parents, other educators and management;
- Work in a safe, clean and supportive environment;
- Be valued and supported as a professional;
- Be offered professional development opportunities; and
- Have their ideas and opinions valued.



8.2 Educational Leader Policy

The service acknowledges the need to have a suitably qualified and experienced educator to lead the development of the program and to ensure the establishment of clear goals and expectations for teaching and learning. The Nominated Supervisor (if not the Educational Leader) will oversee the development and implementation of the educational program for the service.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Duty of Care
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 2.1 – Respect for Children, 2.3 – Educator Ratios, 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.8 – Employee Performance Monitoring, Review and Management, 8.10 – Employee Orientation and Induction, 10.1 – Quality Compliance, 10.5 – Approval Requirements under Legislation.

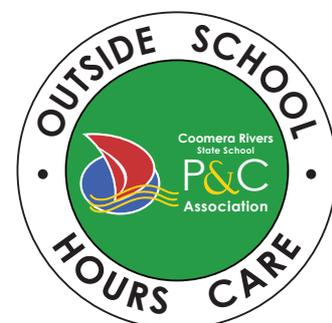


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The Approved Provider designate, in writing, a suitably qualified and experienced educator as the Educational Leader for the service, and to note this designation on the staff record.

The Educational Leader will be responsible to:

- Lead the development of the service program, using My Time, Our Place: Framework for School Age Care in Australia to inform and guide children’s learning and development, and ensure that clear goals and expectations have been established;
- Ensure that curriculum decision making is informed by the context, setting and cultural diversity of the families and the community;
- Ensure that the foundation for the program is based on the children’s current knowledge, ideas, culture and interests;
- Ensure that each child’s learning and development is assessed as part of an ongoing cycle of planning, documenting and evaluating;
- Ensure that critical reflection and evaluation of children’s learning and development is used for planning and to improve the effectiveness of the program;
- Mentor educators in the implementation of the program, providing professional support to assist with further skills and knowledge and provide opportunities for ongoing reflection and feedback on current practices.
- Ensure that families have opportunities and support to be involved in the program and service activities as well as contributing to the review of service policies and decisions



8.3 Recruitment and Employment of Educators Policy

The service strives to follow transparent processes to employ educators who are qualified and appropriate for the position. The service also strives to be an equal opportunity employer. To ensure the best possible outcomes through the recruitment and selection process, it is essential to implement procedures and follow practices to ensure suitable candidates for positions are employed.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Family and Child Commission Act 2014
- Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011
- Anti-Discrimination Act 1991 (QLD)
- Relevant Industrial Award/Agreement
- Fair Work Act 2009 and National Employment Standards (for services not operated by P&C Associations)
- Duty of Care
- National Quality Standard, Quality Area 4 – Staffing Arrangements; Quality Area 7 – Governance and leadership
- Policies: 2.3 – Educator Ratios, 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.2 – Educational Leader, 8.10 – Employee Orientation and Induction.



Procedures

Definitions

'Equal Employment Opportunity (EEO)': is ensuring that all employees are given equal access to promotion, appointment or other employment related issues without regard to any factor not related to their competency and ability to perform their duties.

'Discrimination': is treating an individual with a particular attribute less favourably than an individual without that attribute or with a different attribute under similar circumstances. It can also be seeking to impose a condition or requirement on a person with an attribute who does not or cannot comply while people without that attribute do or can comply.

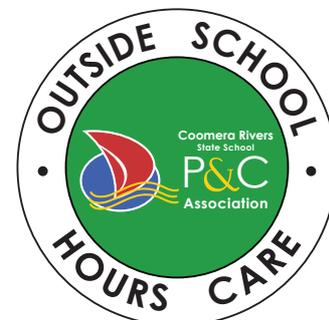
Service Responsibilities

Application of this policy is designed to facilitate the creation of a workplace culture that maximises performance through employment decisions. Employment decisions are based on real business needs without regard to non-relevant criteria or distinctions and will ensure that.

Every potential applicant/employee will be given a fair and equitable chance to compete for an appointment, promotion or transfer and to pursue their career as effectively as anyone else at the service. Consistent with this, the service will not condone and will regard as unfair, any form of unlawful discrimination or vilification including (but not limited to) that which relates to:

- Marital/domestic status, family responsibilities;
- Disability or physical features;
- Race, colour;
- Religious belief or activity;
- Gender and/or sexual persuasion; and/or
- Medical record.

Vacant permanent part-time positions may be offered internally if the Approved Provider in conjunction with the Coordinator/Nominated Supervisor feel there is a suitable candidate. All decisions relating to promotion and career development will be made without regard to any matters other than the individual's inherent capacity and ability to carry out the position including their performance history.



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If there are no suitable candidates for internal appointment, the position will be advertised through appropriate agencies or sources including:

- Local and district newspapers;
- Appropriate websites including student employment via tertiary institutions;
- School newsletters.

Suitable advertisements should include a description of the position, hours/days required, personal/ professional attributes, selection criteria, appropriate qualifications, closing date for applications and service address. Written applications should include a cover letter, resume and response to the selection criteria.

A letter confirming receipt of applications received on or before the due date shall be sent to all applicants.

Applications shall be reviewed by the Coordinator and management and suitable candidates short-listed and called to arrange for an interview. A letter shall be sent to unsuitable applicants to inform them that their application has been unsuccessful.

The interview process will include the appointment of a panel of up to three key personnel made up of either:

- Management representatives;
- Service representatives; and/or
- Appropriate school employees.

Selection criteria and interview questions based on requirements for the position will be developed and reviewed prior to the interview date by the selection panel.

The selection panel shall conduct the interview in a professional manner, using questioning techniques to ascertain the candidates' suitability for the position. All decisions relating to the appointment will be based on the individual's relevant qualifications (if required) and their deemed capacity and ability to carry out the duties of the position. Should the panel be unable to agree on a suitable candidate, further interviews will be considered.

Unsuccessful interviewees will be notified as soon as possible by a nominated person from the interview panel followed with written correspondence.

Educators will only be employed (including as volunteers) if, after reasonable enquiries, including reference checks conducted by a member of the panel, they are considered appropriate for the job, as articulated by the Role and Expectations of Educators Policy (see Policy 8.1).

The suitable candidate shall be contacted by a member of the selection panel to make an offer of the available position, to negotiate starting dates and to inform of the orientation and induction process.

A written letter of offer will be sent to the successful applicant informing them of the decision including the terms and conditions of employment.

Certified copies of staff qualifications, suitability notices and first aid qualifications will be requested and kept confidentially by the service in individual employee files.

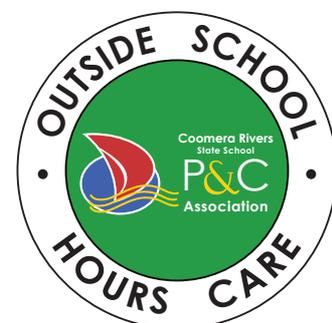
For candidates in receipt of a Blue card (working with children suitability notice), the service will complete and lodge an application form - Authorisation to confirm a valid card

For candidates not in receipt of a Blue Card (working with children suitability notice), an Application will be completed and lodged with Blue Card Services by the service prior to the candidate starting work.

If the candidate is a volunteer, a working with children Blue Card must be sighted prior to working at the service."

Casual educators may be employed and/or dismissed at the Approved Provider's discretion. The 'reasonable enquiries' required for employing casual educators will include (but not be limited to):

- Requesting an appropriate resume from the candidate, including three professional/character referees;
- The Coordinator interviewing the candidate;



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- Contacting at least two referees to check the person's character;
- Sighting a certified copy of a current working with children suitability notice (Blue Card); and
- Obtaining a copy of the appropriate qualifications of the person for the relevant job.

Prior to being selected for a job, whether as a paid employee or a volunteer, the person will be given a written job description and terms of employment (for paid employees), Educator handbook and access to a full copy of the service policies and procedures.

The successful candidate will be required to sign an employment agreement stating that:

- They have received and agree to accept the job on the basis of the materials given to them; and
- Agree to observe strictly the policies and procedures of the service, as amended from time to time.

All new educators (including volunteers) will be given an induction session, of at least 2 hours duration, by the Coordinator or other suitable educator nominated by the Coordinator, to ensure they are aware of and including the location of the following:

- Their terms of employment or engagement (including role description);
- Relevant pay award;
- All service policies and procedures (including child protection and grievance procedures);
- Information about the philosophy and goals of the service;
- The Educator Handbook;
- National Quality Standard for Education and Care Services;
- 'My Time, Our Place' Framework for School Age Care in Australia;
- The physical facilities of the service;
- The other educators in the service and their roles;
- The Duty of Care owed by educators at the service to children and others; and
- Any other matters which are necessary to enable the educator to properly do their job within the service, or which they reasonably wish to know.

The Coordinator shall, in conjunction with management and educators, review the relevant job descriptions and any other requirements relating to the job, against performance indicators which have been previously agreed upon, at least once each year and shall ensure that any resulting changes to the job description, performance indicators or terms of employment are recorded, and accepted by both parties.

The Approved Provider shall review the job description of the Nominated Supervisor and/or Coordinator and any other requirements relating to the job against agreed performance indicators, at least once each year and shall ensure that any resulting changes to the job description, performance indicators or terms of employment are recorded, and accepted by both parties.

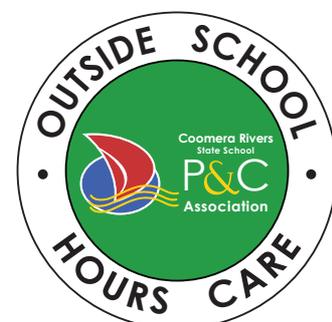
The Nominated Supervisor/Coordinator and the Approved Provider shall ensure that appropriate expert industrial relations advice is sought and obtained as necessary to deal with staffing issues within appropriate legal and industrial standards.

Employment of family members/personal friends

The service may at times employ family members or personal friends of employees or management members. In these instances, the following will apply in addition to the above employment procedures:

- The relationship will be disclosed on the job application;
- The interview and subsequent appraisal processes will not involve the relevant employee or management member;
- All reference checks will be made by an independent person;
- Disciplinary procedures will be applied consistently, with independent people overseeing and conducting the process; and

Timesheets will not be authorised by family members or associated persons. Where the Coordinator has a member of the family working in the service, timesheets will be authorised by a nominated representative of management.



8.4 Educator Professional Development and Learning Policy

The service endeavours to provide adequate and relevant ongoing training and development for educators to enable them to do their job confidently and to properly comply with service policies and procedures and other requirements of the service.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- 'My Time, Our Place' Framework for School Age Care in Australia
- Duty of Care
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.2 – Educational Leader, 8.8 – Performance Monitoring, Review and Management, 8.10 – Employee Orientation and Induction, 8.12 – Employee Qualifications – Monitoring Progress, 10.1 – Quality Compliance.



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The Coordinator will facilitate opportunities for educators to access professional development and learning opportunities on a regular basis relevant to:

- The operation of the service and its policies and procedures;
- Legal or other regulatory requirements; and
- Other issues of interest or benefit to educators to help them better do their job in the overall interests of the service and the children.

Professional development opportunities to learn or further enhance skills and access information relevant to their role may be made available through:

- Team meetings;
- Training/information sessions;
- External or internal workshops.

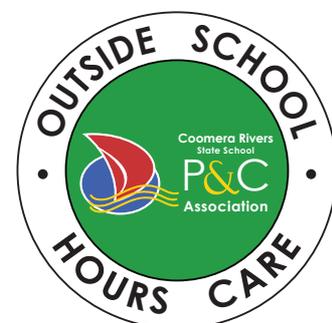
The Coordinator will, wherever possible within the resources of the service, bring in specialist or expert presenters to provide training to educators on issues requiring expert knowledge.

The Coordinator will ask educators on a regular basis to contribute suggestions for training topics.

The Coordinator will be responsible to ensure that a written record of all professional development of educators is kept and regularly reviewed in conjunction with the Approved Provider.

Educators will be paid for attendance at compulsory training sessions and service team meetings, in accordance with relevant awards.

The service shall allocate funds within the budget for training and professional development for educators.



8.5 Volunteers Policy

Volunteers are a valued and integral part of the service and are managed in a consistent and professional manner, in accordance with the other policies of the service which apply to employees, modified only as necessary to reflect the voluntary nature of the role.

For the purpose of this policy, volunteers also refer to students who are unpaid and volunteering for skill/knowledge acquisition.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011
- Duty of Care
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.10 – Educator Orientation and Induction, 10.1 – Quality Compliance, 10.9 – Risk Management and Compliance.



Procedures

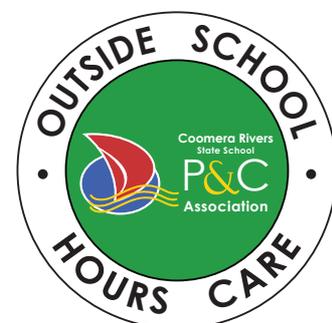
All procedures of the service which are applicable to employees, apply to volunteers except where expressly provided otherwise, or with such necessary modifications to reflect the voluntary nature of the role.

Volunteers must hold a current Blue Card before they begin volunteering at the service. Certified copies of their Suitability Card and/or Positive Notice will be kept on file for all volunteers who volunteer at the service. A Verification to Authorise Blue Card form will be completed by the volunteer.

Volunteer workers may be counted towards the educator to child ratios for the service provided they meet the qualification requirements. Volunteers under the age of 18 must be fully supervised. Risk assessments will be conducted, as necessary, when utilising volunteers.

An induction process, including volunteer handbook, will be given to provide an opportunity to help volunteers understand:

- The service's commitment to an environment which is safe and friendly to children;
- The service's policies, procedures and code of conduct;
- Procedures to follow when harm is suspected or disclosed;
- Their rights and responsibilities;
- What is expected of them in their role;
- The boundaries of their roles;
- The roles of key people in the service;
- What to expect if there is an allegation of harm made against them or to them;
- Reporting procedures; and
- Grievance procedures.



8.6 Employee and Volunteer Grievance Policy

The service aims to maintain a harmonious work environment through resolving employee grievances effectively and to the satisfaction of all concerned. The service is committed to addressing grievances in a prompt and effective manner, ensuring the rights of employees are respected. Both employer and employee will abide by their obligations under any relevant industrial award or agreement. The aim of this policy is to ensure that grievances are resolved through discussion between both parties however, the employer acknowledges that, from time to time, individual employees may have grievances which need to be resolved externally in the interest of positive relationships and transparency.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Privacy Act 1988 and Regulations 2013
- Work Health and Safety Act 2011 and Regulations 2011
- Duty of Care
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 8.3 – Recruitment and Employment of Educators, 8.5 – Volunteers Policy, 8.7 – Workplace Harassment and Bullying, 8.9 – Educator Code of Conduct, 8.10 – Employee Orientation and Induction.



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The Nominated Supervisor/Coordinator shall be the first contact for all complaints however, the employee will have direct access to the Approved Provider, and will be encouraged to do so, if:

- The complaint is about the conduct of the Coordinator/Nominated Supervisor;
- The employee is not comfortable to take the complaint to the Coordinator;
- The employee is not satisfied with the Coordinator's handling of the complaint; and/or
- The complaint is about a matter of management and administration policy.

For this purpose, employees will be kept informed of the current contact details of the Approved Provider through the Educator/Volunteer Handbook, or other appropriate form of communication, and otherwise will be available on request.

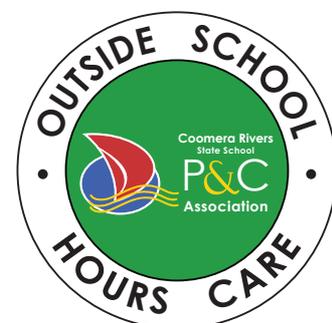
The Coordinator will seek to resolve all genuine and reasonable verbal grievances in the most appropriate way possible in consultation with the complainant. Discussions with the complainant are not to be conducted in the presence of children, other employees or parents, and heated discussions will be avoided.

Written records of discussions will be maintained following confidentiality procedures.

If the verbal grievance remains unresolved, at the complainant's discretion, a written grievance may be submitted to management for further action. This will instigate the following formal procedure:

- Complainant to meet with management to discuss complaint;
- Management to give opportunity, in writing, for other named parties to meet with management to discuss details of grievances tabled; and

Management may seek the services of a professional association for advice, support and/or assistance.



8.7 Workplace Harassment and Bullying Policy

All employees have the right to work in a place where they are valued, respected and appreciated by their colleagues, supervisors and employers. Workplace harassment and bullying can be detrimental to the ongoing health, wellbeing and sense of safety for employees. The following guidelines shall be implemented by the service to ensure workplace bullying and harassment is not tolerated and that appropriate procedures for managing reports of bullying and harassment are in place.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Duty of Care
- Family and Child Commission Act 2014
- Work Health and Safety Act 2011
- Prevention of Workplace Harassment Advisory Standard 2004
- Anti-Discrimination Act 1991 (QLD)
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 8.1 – Role and Expectations of Educators, 8.5 – Volunteers Policy, 8.9 – Employee Code of Conduct, 8.10 – Employee Orientation and Induction.



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Definition

Workplace harassment/bullying is verbal, physical, social or psychological abuse by your employer (or manager), another person or group of people at work. Workplace harassment and bullying occurs when a person is subjected to repeated behavior, that:

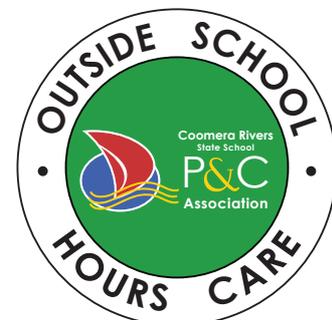
- Is unwelcome and unsolicited;
- The person considers to be offensive, humiliating, intimidating or threatening; and
- A reasonable person would consider to be offensive, humiliating, intimidating or threatening.

For the purpose of this policy, workplace bullying and/or harassment means behavior that is repeated or occurs as part of a pattern of behavior and may include:

- Abusing a person loudly, usually when others are present;
- Repeated threats of dismissal or other severe punishment for no reason;
- Constant ridicule and being put down;
- Leaving offensive messages via text, email or phone;
- Sabotaging a person's work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages and getting a person into trouble in other ways;
- A manager setting unreasonable timelines or constantly changing deadlines for an employee to meet, or setting tasks that unreasonably below or beyond a person's skill level;
- Maliciously excluding and isolating a person from workplace activities;
- Persistent and unjustified criticisms, often about petty, irrelevant or insignificant matters;
- Humiliating a person through gestures, sarcasm, criticism and insults, often in front of customers, management or other workers; and/or
- Spreading gossip or false, malicious rumours about a person with an intent to cause the person harm.

It shall be acknowledged that the impacts of bullying and harassment can be traumatic and may result in employees suffering stress, feelings of isolation at work, anxiety, loss of self-esteem, loss of financial security, loss or deterioration of personal relationships, physical symptoms of stress such as headaches, backaches, stomach cramps, and depression.

Some types of workplace bullying are criminal offences therefore any instances of violence, physical assault and/or stalking will be reported to the Queensland Police Service immediately.



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Scope

Workplace bullying and harassment shall not be tolerated or accepted by any employee or member of management of the service. This policy relates to such incidents as they may occur at the workplace during working hours, and all work related events including but not limited to:

- Team meetings;
- Family events organised by the service;
- Celebratory functions; and/or
- Other events organised by the service in public or private locations;

This policy also relates to, but is not limited by the following types of communication:

- Verbal communication, either via phone or in person in the workplace, and outside of it;
- Written communication including letters, notes, minutes of meetings etc.; and/or
- Internal and external communication including emails and/or text messages.

Standards of behavior

In line with the service's commitment to creating a workplace that is free from workplace health and safety risks and one which strives to create positive working relationships, all those covered by this policy are expected to observe the following minimum standards of behavior, including:

- Being polite and courteous to others;
- Being respectful of the differences between people and their circumstances;
- Ensuring they do not engage in any bullying behavior towards others in, or connected with the workplace. This includes hurtful remarks or attacks and making fun of a person or their work (including references to family, sex, sexuality, gender identity, race or culture, education and economic background);
- Ensuring they do not assist, or encourage others in the workplace, or in connection with the workplace to engage in bullying behavior of any type;
- Adhering to the service's grievance procedures, as listed further in this policy, if they experience any bullying behaviours personally;
- Reporting any bullying behaviours they see happening to others in the workplace, or connected with the workplace in line with the grievance procedure in this policy; and
- Keeping information confidential if involved in any investigation of bullying.

Responsibilities

It is the responsibility of all employees to not participate in discriminatory or harassing behaviour within the workplace. The Approved Provider/Coordinator is accountable for ensuring professional standards of conduct are observed at all times and to take immediate preventative action in any situation that has the potential to be construed as harassment. This means acting as a role model for staff to demonstrate appropriate behaviour.

Incidents of harassment are to be treated seriously and immediate action must be taken to deal with complaints.

Employees who believe they are being harassed in any way, are to be informed of their right to **not ignore it** but to take action

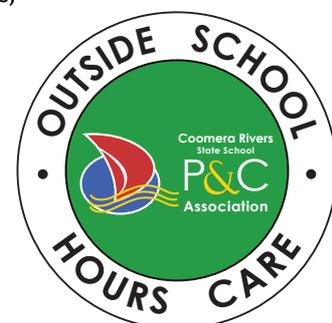
- Tell the other person in a direct and firm manner that their behaviour is offensive and unacceptable. However, telling the person may not be enough to stop the unwelcome behaviour so be prepared to take further action.
- Keep diary notes of all incidents with details of the harassment, dates and times, name(s) of offending party (i.e.), and any response you made.
- Discuss the situation with the Coordinator or member of management; and
- Adhere with Consultation and Dispute Resolution Clause in the Award.

Grievance procedure

Grievance procedures shall be made available to employees and clearly articulated in the Educator Handbook.

All reports of harassment and/or bullying behaviour shall be managed in accordance with the service's grievance procedures which include:

- Reporting the grievance to the Coordinator /Approved provider through the appropriate channels;
- Arranging for a meeting with the complainant to discuss the nature of the alleged complaint and or grievance; and



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- Documenting all conversations regarding the grievance and all alleged instances of harassment or bullying, when they occurred, who was involved, what actually happened and any witnesses or other relevant information.

The Approved Provider may seek expert advice from their employer association in managing any alleged instances of harassment or bullying in the workplace with appropriate dispute resolution services accessed as required and upon professional advice.

If the complainant chooses to bring a support person with them to any meetings, they too are bound by confidentiality.

Gossiping and/or the spreading of rumours as a result of, or in connection with, a process followed under this policy will not be tolerated under any circumstances and may lead to further disciplinary action for those concerned.

All meetings will be documented with minutes recorded and treated in a confidential manner. Information including letters of complaint and meeting minutes will be stored confidentially.

Outcomes

The outcomes of formal or informal complaint procedures will depend on the nature of the complaint, its severity and what is deemed appropriate in the relevant circumstances.

Where the results of an investigation procedure suggest that an individual is guilty of bullying, appropriate disciplinary procedures will be followed in line with the Employee Counselling and Disciplinary Procedures Policy (Policy 8.15).

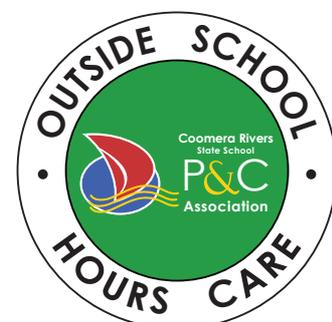
Disciplinary action will depend on the nature and severity of the behaviour and may include termination of employment, which may be instant dismissal where serious misconduct is deemed to have occurred.

In addition to procedures articulated in the Employee Counselling and Disciplinary Procedures Policy, other action may be deemed necessary to resolve or remedy the behaviour complained of, including but not limited to:

- Providing training to employees concerned regarding bullying;
- Requiring employees who have breached this policy to apologise to appropriate person(s);
- Adjusting working arrangements where appropriate;
- Providing counselling to employees (complainant and the person complained of);
- Placing employees on performance improvement plans to ensure improved behaviour; and/or
- Providing coaching and mentoring.

References

CMS - Community Management Solutions – Workplace Bullying Toolkit



8.8 Employee Performance Monitoring, Review and Management Policy

The service acknowledges that to ensure the provision of high quality child care, an active approach is needed in relation to monitoring and managing the ongoing performance of employees to ensure that appropriate knowledge, skill and capacity to perform the position effectively is maintained.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.4 – Educator Professional Development and Learning, 8.5 – Volunteers, 8.9 – Employee Code of Conduct, 8.10 – Employee Orientation and Induction, 10.1 – Quality Compliance.



Procedures

Employee performance shall be managed by the Nominated Supervisor/Coordinator, and for the Nominated Supervisor/Coordinator, performance will be managed by the Approved Provider/ executive office bearers.

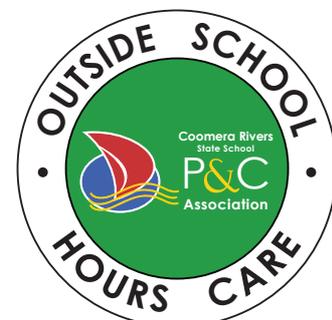
Employee performance shall be managed in accordance with indicators which have been developed in relation to their position description.

Employee performance shall be monitored through implementing an annual review process. Such a process shall involve:

- The employee completing a performance review self-assessment prior to an interview with Coordinator and/or management;
- A performance review assessment conducted by the Coordinator and/or management;
- A formal interview where aspects of performance assessments are discussed and will include the identification of strengths, aspirations and areas for improvement; and
- Individual development plans are developed and documented to support performance improvement for each employee.

Commitment to ongoing professional development and opportunities to enhance knowledge and skill based on the needs and goals of the service and its stakeholders are discussed and implemented.

Ongoing feedback about performance will be provided and professional development opportunities monitored and reviewed throughout the forthcoming year. Individual performance progress will be noted on individual performance and/or training plans.



8.9 Employee Code of Conduct Policy

The service acknowledges that to ensure the provision of high quality child care, an active approach is needed in relation to monitoring and managing the ongoing performance of employees to ensure that appropriate knowledge, skill and capacity to perform the position effectively is maintained.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Family and Child Commission Act 2014
- Anti-Discrimination Act 1991 (QLD)
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.5 – Volunteers, 8.7 – Workplace Harassment and Bullying, 8.10 – Employee Orientation and Induction, 8.19 – Employee Counselling and Disciplinary Procedures.



Procedures

This policy applies to all employees while in the workplace, or off site at work-related functions (including social functions and celebrations), while on excursions or attending work-related training and conferences.

The (insert name of Approved Provider) believes that all employees should be able to work in an environment free from discrimination, victimisation, sexual harassment, vilification and the seeking of unnecessary information on which discrimination might be based. We consider these behaviours unacceptable and they will not be tolerated.

Employees are expected to conduct themselves in a manner which respects the rights and welfare of all employees, volunteers, families and children and to show competence, care, good faith and compliance with instructions and policies and procedures in the performance of their duties.

Employees shall be provided with a copy of the service's code of conduct, code of practice or code of ethics (see 8.9.1) prior to commencing employment.

Employees shall be expected to read the document and indicate that they have understood all of the conduct requirements by signing the agreement.

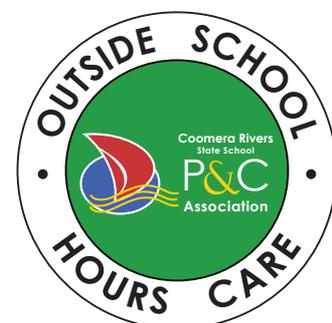
Educators shall be expected to consistently uphold the agreement during their employment with the service, contributing to the creation of a discrimination free and inclusive workplace and a healthy workplace culture.

Breaches to the agreement shall be taken seriously which may result in appropriate action taken on behalf of the employer/service. Action will be appropriate to the breach and may include:

- Counselling;
- An official warning and note on the employee's file;
- A formal apology;
- Demotion; or
- Dismissal for serious misconduct.

References

ACSEA. employee manual. brisbane: ASCEA, 2006.



8.10 `Employee Orientation and Induction Policy

The service assumes responsibility in ensuring that all employees receive appropriate orientation and induction which prepares, supports and facilitates their working performance and ongoing capacity for employment within the service.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Work Health and Safety Act 2011
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.6 – Employee and Volunteer Grievance, 8.9 – Employee Code of Conduct.

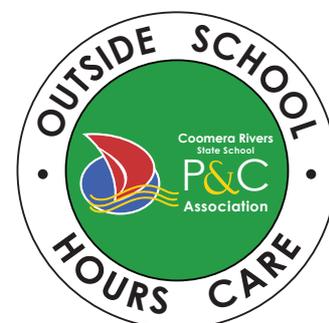


Procedures

The Coordinator (or other appointed educator) shall take responsibility for the appropriate and ongoing induction and orientation for new employees. The orientation and induction process shall include (but not be limited to):

- A meeting with the new employee prior to engagement to complete all paperwork relating to their suitability for employment. (This will involve completing appropriate documentation to validate the new employee's blue card and qualifications);
- An information package given to the new employee, which highlights key aspects of the role, must be known and understood prior to commencing work at the service;
- A minimum 2 hour induction/orientation session where the Coordinator will introduce the new employee to other staff, familiarise the new employee with the service facilities, and work through the Induction and Orientation Checklist (see 8.10.1) with the new employee;
- During the first session of employment, the new employee will be partnered with an experienced educator;
- Within the first two weeks of employment, the Coordinator will work closely with the new employee to ensure all Induction and Orientation training is provided and a checklist completed and signed off by the new employee and Coordinator/relevant training officer.
- Feedback on the effectiveness of the induction and orientation process will be sought from the new employee by the Coordinator.

Date of Development	Date Ratified	Date of Review



8.10.1 Educator/staff Orientation and Induction Checklist

This service provides all educators/staff with a 2 hour, paid Orientation and Induction. This process is designed to help you start your job with a good background of how we operate and what we expect from you as an employee.

EMPLOYEE NAME:

Have you received:

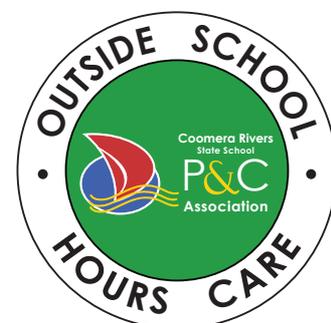
- Personal Information Form
- Confidentiality Agreement
- Position Description
- Employment Contract
- Letter of Employment
- Tax Declaration form
- Blue Card Application (if no current card held)
- Authority to verify valid blue card (if card is current)
- Superannuation Membership Form
- Service Information Sheet
- Educator/staff Roster
- Educator/staff Handbook
- Family Information Package
- Policy and Procedure Document
- Uniform Shirt
- Union information

Have you completed, signed and returned:

- Personal Information Form
- Confidentiality Agreement
- Employment Contract
- Tax Declaration form
- Blue Card Application (if no current card held)
- Authority to verify valid blue card (if card is current)
- Superannuation Membership Form

Have you been shown:

- Location of educator/staff and children's toilets
- Location of First Aid Kit
- Telephone
- Fire extinguishers
- Whole of service and school tour
- Educator/staff parking procedures
- Staff noticeboard area



Policy Group 8: Educators, Staff Members and Volunteers

Have you met:

- Rest of educator/staff
- Children
- Families

I have received information and have an understanding of:

- Role of key personnel
- Service rules, behaviour management and anti-bullying procedures
- Supervision and duty of care
- Injury/illness procedures
- First aid procedures
- Fire evacuation and lockdown procedures
- Medication administering procedures
- Workplace health and safety procedures
- Risk management and hazard reporting
- Daily routines
- Excursion procedures
- Staff rosters and timesheets
- Current pay award
- Educator/staff communication
- Food preparation and hygiene procedures
- Toileting procedures for children and educators
- Children sign in/out and collection procedures
- Service statement of philosophy
- My Time, Our Place, the program and expectation of practice
- Child Protection Policy and the reporting of harm
- Grievance management

Have you been given an over view of Service Policies, Handbooks and expectations?

Have you been given an opportunity to ask questions?

To be completed by new employee within one week of commencement

Form to be photocopied, original retained by Service and placed in Educator/staff File.

Employee name and signature:

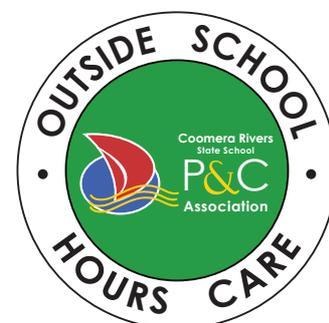
.....

Date:

Coordinator name and signature:

.....

Date:



8.11 Employee Leave Policy

The service management seeks to ensure that all employee leave and entitlements are managed in accordance with clearly articulated guidelines so as not to negatively impact on the operations of the service. This policy shall include all applicable forms of leave and relevant entitlements.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Work Health and Safety Act 2011
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 3.3 – Educators Practice, 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.6 – Employee and Volunteer Grievance, 8.9 – Employee Code of Conduct.



Procedures

All employees seeking to take extended leave such as annual leave or leave without pay shall submit their request in writing to the Approved Provider at least two weeks prior to such leave.

Employees requesting long service leave must submit their request, in writing to the Approved Provider, at least 3 months prior to the leave being taken.

Management shall approve such leave unless the impact of leave is detrimental towards the successful operations of the service.

Should leave not be approved, the employee shall be entitled to have notification and rationale within 3 working days of the original request for leave.

All sick leave shall be reported to the immediate supervisor of that employee to ensure a suitable replacement can be obtained.

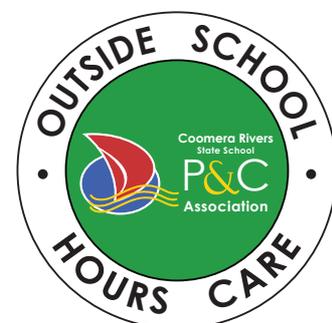
Pre-planned arrangements for replacement staff will be in place.

In the event of sick leave of the Coordinator/Nominated Supervisor, a report shall be made to the Approved Provider with the name of the person expected to assume responsibility for the service on that day or throughout the duration of their leave period.

Management shall ensure that employees do not accrue any more than 6 weeks annual leave per annum. This shall be monitored through providing a balance sheet with annual audited reports documenting leave accruals.

Employees shall receive notification of their holiday and personal leave accruals on their weekly or fortnightly pay slip.

All types of leave shall be appropriately recorded on rosters and timesheets.



8.12 Employee Qualifications – Monitoring Progress Policy

The service seeks to ensure that all employees enrolled and studying towards relevant qualifications are monitored and supported as they progress through their studies. This ensures that the service strives towards providing a suitably qualified level of educators.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Children’s Services Award (State) 2012 (P&C managed services only), Children’s Services Award 2010, National Employment Standards.
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 2.3 – Educator Ratios, 8.3 – Recruitment and Employment of Educators, 8.4 – Educator Professional Development and Learning, 8.8 – Employee Performance Monitoring, Review and Management, 10.1 – Quality Compliance.



Procedures

Employees recruited as qualified staff, shall provide the service with certified copies of their certificate of accredited and approved training, or, of enrolment in an approved course and available transcripts of coursework as completed.

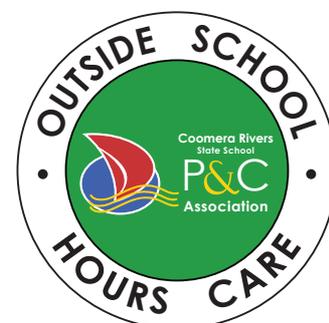
Records shall be attached to a study monitoring form and maintained in the employee’s confidential file held at the service.

The employer’s representative (manager, director or Coordinator) shall monitor and track the employee’s progress through the course, particularly observing that the course will be completed within the required time frame being twice the scheduled course duration.

The employee shall be required to submit a statement of progress, result or other evidence such as a transcript, to demonstrate completion of course components on a regular basis. This information will be gathered every 6 months or as details are released from the training provider or higher education institution.

In the event that necessary progress through the course is observed by the Coordinator to be delayed and/or jeopardised for any reason, then a meeting shall be scheduled between the employee to discuss an appropriate course of action. Management will be informed of the outcomes of this discussion and shall have authority to approve the required course of action.

The employee may jeopardise their ongoing employment at the service if they fail to meet the progress in study requirements or complete the course within the prescribed finishing period.



8.13 Employee Health Policy

The service expects that employees shall take a conscientious approach to managing their own health and in protecting the health and wellbeing of children, colleagues and others engaged in the service's program and activities.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Work Health and Safety Act 2011 and Regulations 2011
- Duty of Care
- National Quality Standard, Quality Area 4 – Staffing arrangements; Quality Area 2 – Children's health and safety
- Policies: 2.3 – Educator Ratios, 4.1 – General Health and Safety, 4.2 – Infectious Diseases, 4.4 – Preventative Health and Wellbeing, 8.10 – Employee Orientation and Induction, 8.16 – Employee Immunisation, 8.17 – Fit For Work Policy



Procedures

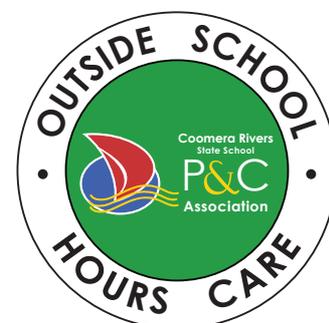
Employees shall not report to work under the influence of any drug or alcohol which may impact on their individual capacity to perform duties as expected of them in their job role.

Employees who are unwell should not report to work and should notify their supervisor at their earliest convenience that they are unfit for work. (Medical certificates may be required)

Employees may be requested to undertake a health check or medical to verify that they are fit for work as expected of them in their role. This process will be non-discriminatory and implemented without bias or prejudice.

Employees who become unwell whilst on the job shall report immediately to their supervisor and may be relieved from duties. Employees who have been diagnosed with or suspect that their illness is due to infectious disease shall follow the guidelines as specified by the service in regards to exclusion periods.

Employees should maintain current immunisation status and may be required to provide the employer with a medical report detailing such status.



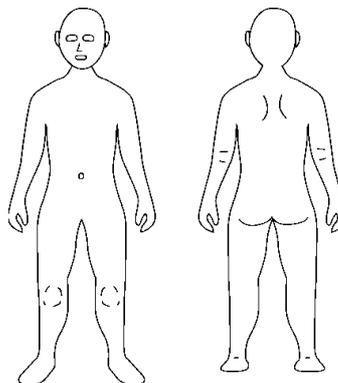
8.13.1 Employee Injury, Accident, Incident and Illness Record

Employee name: _____ Time: _____ Date: _____

Details of accident:

Details of injury/trauma:

- Cut Abrasion/scrape Bruise Bite
 Sprain Break/fracture Swelling Burn
 Rash Concussion **(Indicate area on diagram)**



of

Details of action taken including first aid and/or administration medications

Medical advice sought:

- NO YES

Details: _____

Treatment:

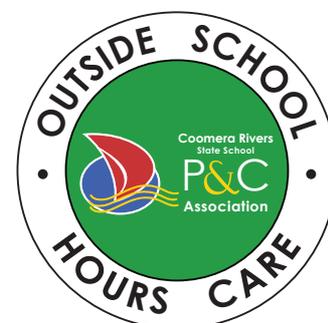
Other comments/witnesses:

Staff member signature: _____

Coordinator name and signature: _____

Workcover claim submitted: NO YES

It is essential for the safety and wellbeing of employees that all accidents be accurately documented for future reference. Copies of any Workcover documentation should be attached to this form.



8.14 Employee Online Social Networking

The service acknowledges that employees may access online social networking sites or platforms to interact with friends, family, colleagues or others. This policy aims to establish guidelines on the access and outside work usage of online social networking, with the aim of:

- preventing misrepresentations of the service and/or its stakeholders; or
- reputation damage from the conduct of the service's employees; or
- creating high risk or vulnerable situations for children, families and employees.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Work Health and Safety Act 2011
- Privacy Act 1988 and Regulations 2013
- Duty of Care
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 2.8 – Anti-bullying, 8.1 – Role and Expectations of Educators, 8.7 – Workplace Harassment and Bullying, 8.9 – Employee Code of Conduct, 8.22 - Educator Interactions with Families - Professional Boundaries Policy.



Procedures

Definition

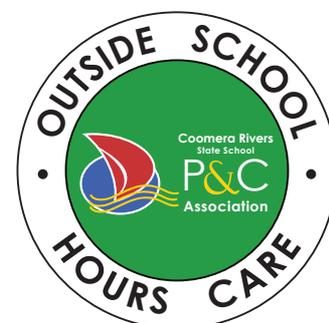
For the purposes of this policy 'social media' and online communication will refer to any online tool, functions or platform that allow people to communicate via the internet. This includes, but is not limited to, applications such as:

- Social networking sites (e.g Facebook, Pinterest, LinkedIn, Instagram);
- Video and photo sharing (e.g YouTube)
- Messaging platforms (Snapchat, Messenger)
- Blogging sites, forum or discussion boards (e.g. Twitter, Reddit)
- Online gaming

Responsibilities

All employees have a duty to uphold the reputation of the service (see *Code of Conduct*). Communication and information sharing via social media/the internet have the potential to harm a stakeholder of the service or harm the service's reputation.

Employees are to recognise their employment relationship extends beyond the hours of work; therefore it is the responsibility of employees to ensure their conduct is consistent with the policies and guidelines of the service when using social media for personal use. Demonstrating professionalism and management of social boundaries is the responsibility of the employee. Interactions with employees and other stakeholders that harasses, threatens, jeopardises trust, or harms the reputation of the services will be treated seriously. Employees engaging in this conduct will be subject to disciplinary action, up to and including termination.



Policy Group 8: Educators, Staff Members and Volunteers

Guidelines

Employees are expected to display conduct consistent with the following guidelines to ensure safety and protection of others, themselves and the service:

- There should not be any personal interaction with children of the service via social media, including being 'friends' or following accounts etc. If a child of the service attempts to interact with you online, *do not respond*. Review your privacy settings and notify the Nominated Supervisor or Approved Provider who will communicate the service's expectation with the family directly¹;
- Harmful, threatening, suggestive or harassing comments are not to be made about fellow employees or stakeholders. This will be viewed as cyberbullying (unlawful conduct) and will prompt disciplinary action;
- The service name cannot be mentioned in online posts or other online commentaries (either directly or implied).
- Privacy and confidentiality must be maintained at all times. Employees should not discuss or disclose work-related matters in any capacity.
- Photos of employees in work uniform are not to be placed online; and
- If anything is posted online by others which may harm the reputation of the service, its employees or stakeholders, and you have the capacity to delete such information, the Approved Provider asks that you do so immediately.

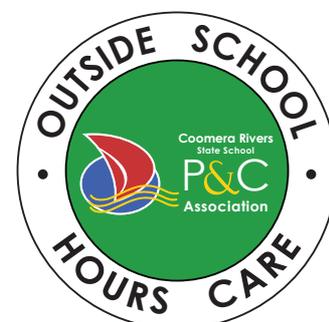
Reporting Breaches

If any employees become aware of:

- conduct or communication that breaches this policy; or
- finds any online material that is potentially dangerous or damaging to the image or people of the service;

Then, the employee should immediately report this information to either the Coordinator or Approved Provider. This disclosure should not be shared with others.

¹ Employees who are also family members of children/service users may be excluded from this condition. Disclosure of the relationship with families and children of the service is essential. In these extenuating circumstances, the social media responsibilities will be managed on a case-by-case basis by the *Nominated Supervisor* or Approved Provider.



8.15 Children of Employees Policy

The service strives to provide a supportive environment for all families and children using the service. This is extended to children of employees who attend the service however, the service also acknowledges the complexities that may arise when children of employees are participating in the service's program and activities. This policy strives to articulate a model for best practice when employees are providing direct care to their own children in the course of their employment within the service.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Duty of Care
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 2.6 - Behaviour Support and Management, 2.7 - Exclusion for Behavioural Reasons, 8.1 - Role and Expectations of Educators,, 8.3 - Recruitment and Employment of Educators, 8.10 – Employee Orientation and Induction.



Procedures

Children of employees shall be permitted to be enrolled in and attend the service using the priority of access guidelines.

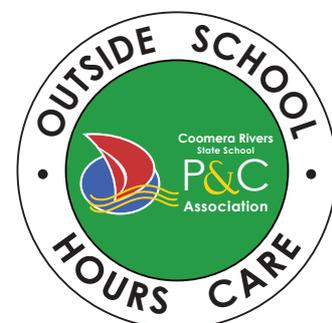
Children of employees must be eligible to attend a school age care program, that is, "children over pre-school age" as defined in the Education and Care Services National Law 2010 and Regulations 2011.

Employees shall be expected to professionally carry out all duties as expected of them while they are employed in the service regardless of the attendance of their own children.

Children of employees shall be provided with consistent care, consideration and involvement in the service as any other child participating in the program. The behaviour of children of employees shall be managed as it would any other child participating in the program.

For services located on a school site, if the employee's child has been excluded from the school, the coordinator will:

- Contact the school to confirm exclusion;
- Speak with the Principal to confirm if exclusion applies at the service; and
- Contact the employee to confirm exclusion from the service (in accordance with Principal's direction).



8.16 Employee Immunisation Policy

The service acknowledges their obligation as an employer under the Work Health and Safety Act 2011, in ensuring the health and safety of employees and others. This extends to limiting exposure to health and safety risks that may arise from the incidence of vaccine-preventable diseases in the workplace. Vaccination of employees and volunteers is not a mandatory requirement under relevant legislation, however is considered by this service as a best practice approach to prevention of vaccine-preventable diseases outbreak.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Work Health and Safety Act 2011
- Duty of Care
- Staying Healthy in Childcare
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 4.2 – Infectious Diseases, 4.4 – Preventative Health and Wellbeing, 4.14 – Infectious Diseases Response Strategy, 8.10 – Employee Orientation and Induction, 8.13 – Employee Health.



Procedures

All employees and volunteers working with children in the service should be up to date with all the vaccinations as recommended for adults.

All employees and volunteers working with children in the service should consider additional/special vaccinations, recommended due to an increased risk of exposure in the workplace.

Information sheets from Queensland Health provide further guidance regarding recommended immunisations for adults, including but not limited to:

- Hepatitis A;
- Measles, Mumps and Rubella (MMR);
- Varicella (Chickenpox);
- Pertussis (Whooping Cough); and
- Hepatitis B - (may be recommended in specific circumstances, such as when providing child care to populations who have a higher prevalence of hepatitis B).

Employees/volunteers will be required to complete an Employee Immunisation Record (see 8.16.1) as part of the service employment process.

Each record shall be maintained confidentially in the employee/volunteer's file.

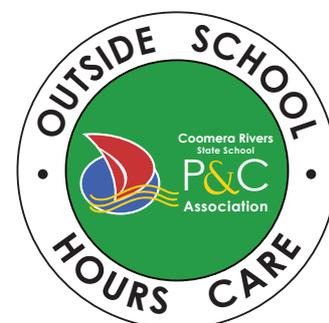
Any expenses associated with completing the immunisation record such as blood tests and medical fees shall be incurred solely by the employee/volunteer.

Any employee or volunteer conscientiously objecting to vaccination shall articulate their position in writing, accepting responsibility for their own individual choice to do so. This document will be maintained confidentially in the employee/volunteer's file.

Conscientious objectors may be required to seek further advice from a medical authority to support their clear understanding of such objection. In such cases additional procedures will be relevant to those employees/volunteers should an outbreak of any vaccine-preventable disease occur in the workplace, this will include, but not be limited to:

- Exclusion from the workplace; and/or;
- Restrictions as advised by the relevant health authority.

Such exclusion would be without pay if that person is a paid employee of the service.



Policy Group 8: Educators, Staff Members and Volunteers

Please note:

The service is encouraged to access the information sheets available for child care from:

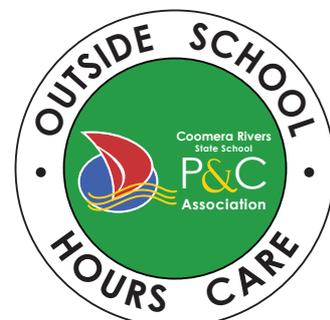
<http://www.deir.qld.gov.au/workplace/business/childcare/index.htm>

These may be provided to educators for further information and should be sourced and dated in the policy when accessed.

The Australian Immunisation Handbook is available from <http://www.immunise.health.gov.au/>

References

<http://www.health.qld.gov.au/immunisation/consumers/babies.asp#centres> accessed 08/08/11.



8.16.1 Employee Immunisation Record

****Please Note**** This document remains strictly private and confidential and will be filed in your employee file.

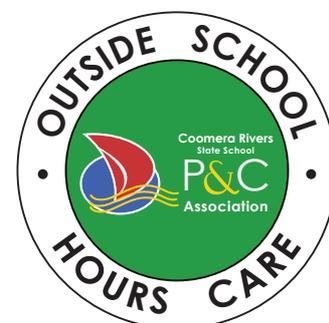
Employee Name	Date of Birth
Position in Service	Date of Employment

The National Health and Medical Research Council (NHMRC) recommends that all educators and other employees are immunised against:

- Pertussis (Whooping cough) – this is especially important for educators and other employees caring for the youngest children who are not fully vaccinated.
- Measles/mumps/rubella (MMR) – for educators and other employees born during or since 1966 who do not have vaccination records of two doses of MMR, or do not have antibodies against rubella.
- Varicella (chickenpox) – for employees who have not previously had chicken pox.
- Hepatitis A – young children may not show any symptoms however, they may be infectious. Additional vaccinations are recommended for special categories of educators and other employees:
- Hepatitis B – for educators and other employees who care for children with intellectual disabilities. Although the risk is low, seek advice about hepatitis B immunization if the children are unimmunized. Immunisation of the children should be encouraged.
- Japanese encephalitis – for educators and other employees who work in the outer Torres Strait Islands for one month or more during the wet season.

Immunisation history

Vaccine	Immunity Status (immune/not immune)	Date vaccine given	Date vaccine given	Date vaccine given	Date vaccine given	Revision date
Hepatitis A						
Hepatitis B						
Pertussis (whooping cough)						
Influenza						
MMR						
Varicella (chickenpox)						
Other						



Policy Group 8: Educators, Staff Members and Volunteers

Immunisation acknowledgement

I, acknowledge that I have received information about the risks of infectious diseases that my position at the service poses. I have been provided with written information about service procedures and I understand and acknowledge the implications of being exposed to such diseases as part of my work duties.

Employee Name	Date of Birth
Position in Service	Date of Employment

Immunisation objection

I do not wish to (please tick the appropriate statements):

- disclose my previous vaccination history
- undertake any recommended vaccinations ****Please Note**** - A Conscientious Objection letter, signed by a Medical Practitioner, MUST be provided

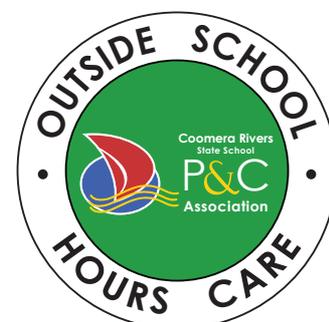
Consent to discuss immunisation history

I, do / do not consent for the Nominated supervisor to discuss my immunisation history, with relevant stakeholders, in relation to my work duties and the risks posed if there is an outbreak.

Employee: _____

Signature: _____

Date: _____



8.17 Fit for Work Policy

The service believes that the safety of employees at work and any persons involved within the service (including children) is of paramount importance. In order to ensure the health and safety of all individuals associated with its operations, the service will take all reasonable steps to ensure that employees are in a fit and competent state to work safely.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Work Health and Safety Act 2011
- Duty of Care
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 4.4 – Preventative Health and Wellbeing, 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.10 – Employee Orientation and Induction, 8.13 – Employee Health, 10.8 – Information Handling (Privacy and Confidentiality)



Procedures

****PLEASE NOTE**** some content of this policy has been adapted from the Australian Children's Services Employers Association (ACSEA) as best practice.

Interpretation

'Fit for Work': an employee is fit for work if they:

- Have a blood alcohol level of 0.00 and test negative for drug use: and
- Are physically able to carry out their duties, as per their job description.

'On duty': An employee is on duty at any time they are undertaking the duties and responsibilities associated with their contract of employment.

Responsibilities

The Approved Provider/Coordinator will:

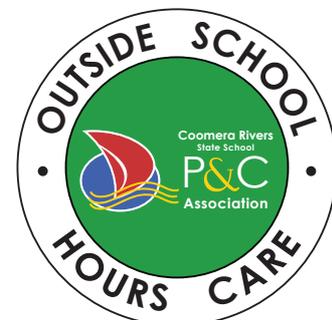
- Be responsible for assessing the fitness for work of employees under their control, while they are on duty;
- Immediately stand down any employee suspected to be under the influence of alcohol or other drugs; and/or
- Consider light duty options and/or stand down any employee who is not physically fit and capable of performing their duties.

Any such employees must not return to work until they are able to demonstrate that they are fit to work.

Each employee will:

- Ensure that they are not in an unfit state for any reason, including physical limitations and/or under the adverse effects of alcohol or other drugs;
- Notify the Coordinator of any concerns that their fitness for work may be impaired;
- Ensure that any prescription or non-prescription medication is taken safely and in accordance with the requirements as listed further in this policy; and
- Notify the Coordinator, or other responsible person, of any situation in which this policy has been breached, including:
 - Any situation in which other individuals are believed to be unfit for work;
 - The unauthorised possession or consumption of alcohol or other drugs on site or during work; and
 - Any other apparent breach of this policy.

All disclosed information will be dealt with in strictest confidence.



Policy Group 8: Educators, Staff Members and Volunteers

Employees should also be aware that rights to workers compensation or a common law claim may be affected if they are involved in a work related accident while under the influence of alcohol or drugs.

Alcohol

An employee must not be under the influence of or be affected by alcohol while on duty. This means that all employees are expected to have a 0.00 blood alcohol content at all times they are required to undertake the duties and responsibilities associated with their contract of employment.

If any employee becomes aware of behaviours from which they might draw the conclusion that another employee is intoxicated, the Coordinator or approved provider **MUST** be contacted immediately. Such behaviours may include, but not be limited to:

- Slurred or impaired speech;
- Being aggressive in manner;
- Staggered, jerky movements, could seem uncoordinated;
- Heavy eyes and/or flushed face; and/or
- Dull, tired appearance

If the above concerns are raised regarding an employee, the Approved Provider may request a blood alcohol test, at the management expense. If the employee's blood alcohol content is higher than 0.00 they will be considered unfit for work immediately.

For the employee to return to work, the Approved Provider/Coordinator must be satisfied that they are fit for work and that they have a blood alcohol content of 0.00. Proof of which may include the undergoing of another blood alcohol test, at the employees expense.

An employee is prohibited from operating any machinery or equipment, including any motor vehicle, if they are under the influence of alcohol.

Alcohol must not be consumed anywhere within the grounds of the service, during work time. There may be occasions when alcohol may be consumed as part of a work function, or other recognised work event. Where the consumption of alcohol has been properly approved, employees must continue to act in a sensible and responsible manner and with due care for their own and other people's safety and wellbeing. Failure to act in a sensible and responsible manner or to follow any directions with regards to the consumption of alcohol may result in disciplinary action as listed further in this policy.

The unauthorised possession or consumption of alcohol at the workplace will result in disciplinary action as listed further in this policy.

Drugs

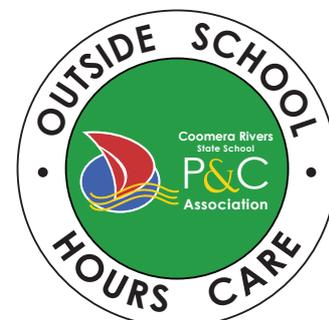
Employees must not consume or be under the influence of any unlawful drug anywhere on the service premises or grounds or while on duty.

If any employee becomes aware of behaviours from which they might draw the conclusion that another employee is under the influence of drugs, the Coordinator or Approved Provider must be contacted immediately.

If concerns of this nature are raised regarding an employee, the Approved Provider may request a drug test, at the management expense. This means that employees are expected to return a negative urine test for the following substances:

- Amphetamines;
- Cannabinoids/THC/Marijuana;
- Opiates/Barbiturates;
- Benzodiazepines;
- Cocaine/Methadone; or
- LSD.

If an employee tests positive for any other substance, the Approved Provider may obtain relevant expert advice to determine whether the employee will be considered fit for work.



Policy Group 8: Educators, Staff Members and Volunteers

If an employee tests positive for drugs they will be considered unfit for work immediately. For the employee to return to work, the Approved Provider must be satisfied that they are fit for work. Proof of which may include the undergoing of another urine drug test, at the employees expense.

An employee must not cultivate, sell or have in their possession or control any unlawful drug or drug taking implement anywhere on the education and care service premises or grounds or while on duty.

If the Approved Provider becomes aware that you have, or have had, in your possession or control, or are cultivating or supplying unlawful drugs or drug taking implements, whether for profit or otherwise on the service premises or grounds or while on duty, they will notify the police and actively assist them in their enquiries.

Any drugs prescribed by a medical practitioner must be used in accordance with medical advice. Any non-prescription drugs must be used in accordance with manufacturers' recommendations. If an employee is taking prescription or non-prescription drugs, which could cause drowsiness or otherwise affect their fitness for work, they must advise the Coordinator so that their ability to work safely can be monitored. If necessary, a medical opinion may be obtained.

The unauthorised possession or consumption of illegal drugs at the workplace will result in termination of employment.

Alcohol and Drug Testing Requirements

Testing may be carried out when/where:

- An employee is involved in an incident or accident;
- An employee displays:
 - Unsafe behavior;
 - Causes injury to any other person;
 - Commits an act of negligence or carelessness; and/or
 - Shows disregard for safety.
- There is reason to believe that an employee is affected by alcohol or drugs; and/or
- Evidence of alcohol or drug use at the workplace is discovered and the employee or employees concerned can be identified with reasonable certainty.

An employee who does not co-operate fully with the administration of an alcohol or drug test without a legitimate reason will not be able to return to work until they have co-operated and provided a breath and/or urine sample for analysis.

Employees who refuse will be required to take unpaid leave until they co-operate. Refusal to co-operate will result in disciplinary action.

Interference with testing – the actual or attempted adulteration, substitution or other interference by a person with a test sample or result, will result in disciplinary action which may include termination of employment.

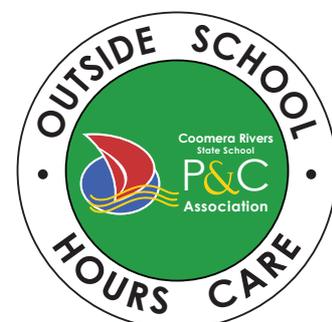
Disciplinary Procedures

The Approved Provider may take the following disciplinary action where an employee is found to be under the influence of alcohol or other drug;

- Immediate termination;
- Final warning; and/or
- Warning.

The appropriate disciplinary action will depend on the individual circumstances of each matter. In making any decisions, the Approved Provider will take into account factors including, but not limited to:

- The seriousness of the employees behavior;
- The risk posed to the safety of employees and others; and
- Any previous breaches of this policy.



Policy Group 8: Educators, Staff Members and Volunteers

An employee who receives a warning will be counseled by the Approved Provider regarding:

- The 'Fit for Work Policy' and the obligations and responsibilities under it;
- The serious and unacceptable nature of the person's behavior;
- The risk posed for the safety of the employee and others;
- The employee's responsibility to demonstrate that the problem has been effectively addressed;
- The consequences for future breaches of this policy; and
- The reasons why the person has used alcohol or other drugs to the extent that they are in an unfit state.

The employee will be advised that they may be monitored for a period of time to ensure that the problem has been addressed and that during this period they may be subject to periodic alcohol and drug testing.

The employee will receive a written warning which will reflect the key points covered in this process. A copy of this will be placed on their personnel file.

Employees will not be paid for the period which they are unfit for work.

An employee who receives a final written warning will be counselled by the Approved Provider as set out above and will be required to demonstrate that the threat to work performance and/or safety has been effectively addressed before they are permitted to return to work.

The final written warning will have the effect that any further breaches of this policy may result in termination of their employment. A copy of the warning will be placed on their personnel file.

Fatigue

Work related fatigue may arise from situations requiring concentration for extended periods during work hours, working in extreme temperatures or working in high-risk situations.

Non-work related fatigue is generally the result of poor quality or inadequate sleep which may be caused by a number of reasons, including sleep disruption, ill family members, distress, domestic responsibilities or a second job.

The Coordinator is responsible for ensuring roster cycles are monitored and reviewed to address the potential for fatigue, especially among employees engaged in split shifts and/or potentially hazardous activities.

The Coordinator is responsible for ensuring shift lengths are monitored to prevent excessive time working. Provision will be made on all shifts for appropriate rest breaks during and between shifts to ensure that employees have adequate opportunity for rest.

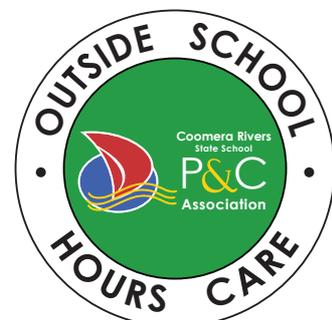
The Coordinator will take all practical steps to assess and manage the work environment to minimise the impact of fatigue. The service will provide appropriate information and education on the causes and management of fatigue, and will arrange for all individuals to be made aware of their responsibility to prevent impairment of their fitness for work through fatigue.

Physical Ability

The Coordinator is responsible for ensuring that all employees are fit and able to perform their duties, when arriving for their shift.

To be considered physically capable of performing their duties, the employee must be able to move about freely, particularly in the case of emergency or risk of harm to others.

As per their job description, the employee must be able to interact with the children and actively contribute to the activities, experiences and routines of the service. This may include, but not be limited to physical activities such as walking, running, standing, crouching and kneeling.



Policy Group 8: Educators, Staff Members and Volunteers

Confidentiality

Confidentiality is vital in promoting the effectiveness of this policy and all reasonable efforts, consistent with safety, legal requirements and common sense, must be made to maintain an individual's privacy.

Information relating to an employees' fitness for work must be transmitted, used and stored in a confidential manner in accordance with the Information Handling Policy (policy 10.8).

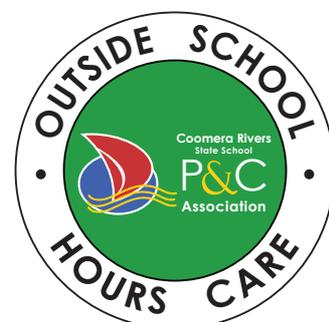
The disclosure of confidential information may be required to those persons who have a legitimate 'need to know'. Typically this will be only to those persons who have a responsibility for ensuring the employees' safety and performance. Disclosure will be limited to the information necessary to address the situation. The Approved Provider/Coordinator will inform the employee as to:

- The reason or need for disclosure;
- To whom the disclosure will or has been made; and
- The extent of information that will or has been disclosed.

References

(ACSEA, 2006)

<http://acsea.org/media/Documents/employment%20documents/fitness%20for%20work%20policy.pdf>



8.18 Employee Retention Policy

The service recognises the importance of retaining quality employees who demonstrate ongoing commitment to their work with children and families and use professional standards to guide their practice. The development and retention of quality employees ensures continuity and that the school age care program is responsive to the needs of children as individuals and in groups.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

Date of Development	Date Ratified	Date of Review

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Relevant Industrial Awards
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.4 – Educator Professional Development and Learning, 8.8 – Employee Performance Monitoring, Review and Management, 8.10 – Employee Orientation and Induction, 8.12 – Employee Qualifications – Monitoring Progress.



Procedures

The service will develop clear policies and procedures in relation to employee vacancies to ensure key values, skills and attributes are identified when advertising vacancies.

The service will ensure policies and procedures are developed and implemented in relation to employee orientation and induction with individual checklists completed to ensure all aspects of the employee’s job role are discussed.

The service will develop clear policies and procedures in relation to employee performance reviews with identified strategies in place to manage ongoing learning and professional development.

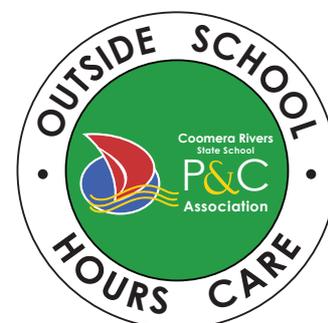
The service will develop exit interview strategies to ascertain reasons for staff turnover with the intention to develop strategies to promote job satisfaction for existing employees.

The service will actively work towards supporting educators to develop professionally through:

- Encouraging attendance at workshops;
- Supporting networking opportunities;
- Supporting higher education and qualification attainment;
- Enabling ‘on the job’ development and learning through coaching, mentoring and effective leadership; and
- Providing regular opportunities for team members to come together and share thoughts and ideas enabling critically reflective practice.

The service may provide benefits for employees who demonstrate an ongoing commitment to their role and use professional standards effectively to guide their practice through employee acknowledgement programs which may include:

- Employee of the month;
- Appreciation certificates;
- Career advancement/promotion;
- Staff fee discount;
- Other rewards as deemed appropriate by management.



8.19 Employee Counselling and Disciplinary Procedures Policy

The service acknowledges that, from time to time, employee behaviour and performance may fall below the expected standards as detailed in the specific job description and orientation/induction processes. The purpose of this policy is to establish an equitable and consistent approach to addressing unsatisfactory work performance and/or conduct by:

- Ensuring counselling takes place to reinforce the expected performance or conduct standards;
- Establishing a process under which warnings may be issued and discussed; and
- Providing for disciplinary action when performance or conduct does not improve.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Duty of Care
- Privacy Act 1988 and Regulations 2013
- Fair Work Act and Regulations 2009
- Prevention of Workplace Harassment Advisory Standard 2004
- Relevant Industrial Award or Agreement
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 8.1 – Role and Expectations of Educators, 8.5 – Volunteers, 8.6 – Employee and Volunteer Grievance, 8.8 – Employee Performance, Review and Management, 8.9 – Employee Code of Conduct, 8.10 – Employee Orientation and Induction, 8.17 – Fit for Work, 10.8 – Information Handling (Privacy and Confidentiality)



Procedures

Definitions

'Counselling': The discussion and analysis of issues which affect an employee's conduct and/or work performance. Counselling is used to improve an employee's performance where their behaviour or performance doesn't meet required expectations.

'Unacceptable performance': Is when the employee's performance remains unacceptable following a reasonable period of performance improvement.

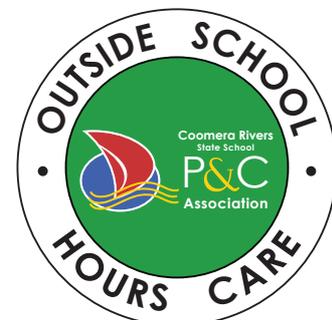
'Misconduct': When an employee breaches their obligations under their contract of employment. Examples of misconduct may include but are not limited to:

- Breaches of policies, codes of conduct and other reasonable instructions;
- Unauthorised absence from work;

'Serious Misconduct': When an employee breaches their obligations under their contract of employment to an extent that it is reasonable to discontinue their employment. Examples of serious misconduct may include but are not limited to:

- Dishonesty and fraud;
- Bullying, fighting or abusive behaviour;
- Sexual harassment;
- Drunkenness and drug use;
- Acting in an unsafe manner;
- Misusing confidential information;
- Damage or misuse of service equipment and resources;
- Breach of any act or legislation relating to their employment.

'Disciplinary action': Action taken by the organisation to deal with any actual, alleged or perceived breach of legislation, policies, codes or other standards of work performance and/or conduct.



Policy Group 8: Educators, Staff Members and Volunteers

Service responsibilities

The service acknowledges that the principle objective of counselling employees is to draw allegedly inappropriate behaviour and/or unacceptable performance to the attention of an employee and, where proven, explain to the employee the potential and/or actual consequences of that performance and/or behaviour and assist them in achieving and maintaining behaviour and performance that is consistent with the services policies, procedures and practices.

The service has developed disciplinary procedures designed to address employee conduct that impedes the operation of the service whilst ensuring all parties receive procedural fairness and due process in a timely and effective manner. Service management reserve the right to amend procedures depending on the facts of each situation and the nature of the offense.

The service will treat all allegations of unacceptable performance and/or misconduct as serious and take prompt action to address identified issues, irrespective of whether they be minor or more serious. If action (as per the counselling and disciplinary procedures) cannot be taken immediately, the employee concerned should be advised as soon as possible of when and where that follow-up action will take place.

The Approved Provider/Coordinator may conduct a workplace investigation in cases of allegations of serious misconduct. The employee who has been accused of the allegation will be informed of the matter verbally, and in writing, and will be advised that they may be stood down on full pay until the workplace investigation has been completed. The workplace investigation will include the gathering of relevant information, written statements, interviews, documents and other records. Other employees may be required to be interviewed as part of the investigation. Further disciplinary action will depend on the results of the investigation.

All persons involved in any way with the counselling and disciplinary processes must retain confidentiality at all times. The employee may choose to discuss the matter with a nominated support person and may elect to bring them along to any interview or counselling session conducted under the formal components of the process.

The service counselling and disciplinary procedures will have three distinct, but not necessarily sequential components:

- Informal counselling (face to face feedback);
- Formal counselling; and
- Disciplinary procedures (including warnings).

The decision as to which of the three components initially apply will be based on the seriousness of the employee's behaviour and/or performance and will depend on the facts and circumstances as identified by, or conveyed to, the service Coordinator.

Where the service Coordinator has not identified the behaviour and/or performance issue first hand, sufficient facts must be gathered to determine the seriousness of the behaviour and the appropriate action. Direct observations may be undertaken by the service Coordinator to determine validity of allegations. Immediate action must be taken if there are serious concerns about an employee's conduct. As part of the process of establishing the facts, the service coordinator may:

- Assess relevant documentation;
- Interview person/s who may (or should) have knowledge of the employee's behaviour; and
- Document what has occurred.

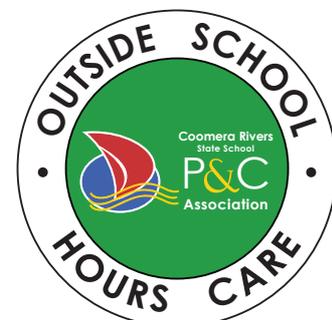
Informal counselling

Informal counselling and/or face to face feedback given by the Approved Provider/Coordinator will normally occur when the employee's behaviour is such that formal disciplinary action is not appropriate.

Where it is established during the informal discussion that the behaviour expectations have not been met, feedback given must be constructive and delivered to encourage the employee to achieve and maintain expected behaviour/performance standards.

If the discussion confirms that misconduct has occurred, the employee should be:

- Advised of how the behaviour and/or performance is inconsistent with the service expectations and their employment contractual obligations;
- Provided with an opportunity to respond to the concern and to raise any other matter that they consider relevant; and



Policy Group 8: Educators, Staff Members and Volunteers

- Engaged in jointly identifying a plan of action to improve performance standards or outline the appropriate conduct expected.

After the informal counselling session the service the Approved Provider/Coordinator will keep a diary note of the discussion and where appropriate, plan a subsequent discussion with the employee to review the behaviour or performance.

Formal counselling

Formal counselling will normally occur when:

- The employee has previously been counselled informally but behaviour has not improved to the expected standard (unacceptable performance);
- The employee's misconduct is such that formal counselling is appropriate.

The formal counselling session will take place as soon as possible after the behaviour and/or performance issue is identified with the employee being advised in writing of:

- When and where the interview will take place;
- The matter/s that will be discussed (i.e. specific details of the alleged unacceptable performance/misconduct);
- Their opportunity to respond; and
- The opportunity for them to bring a support person/observer to the interview.

At the meeting the Coordinator and employee will review and discuss the allegations of unacceptable performance and their responses to these allegations as well as any additional incidents, information and prior relevant corrective action plans.

At the conclusion of the formal counselling session the coordinator will complete an employee counselling report, to be signed and dated by the employee as a true and correct record of discussions, agreed actions and timeframes. A record of the meeting will be provided to the employee by way of a letter confirming:

- The issue of concern;
- Any assistance/support to be provided (if relevant);
- Date and time for subsequent meeting; and
- Disciplinary action taken with the possibility of further action should the required expectations for behaviour and/or performance not be achieved.

Disciplinary action

Disciplinary action may be taken where the alleged misconduct and/or unacceptable performance continues, or is of a serious nature. Disciplinary action may include written warnings and/or termination of employment.

Written warnings

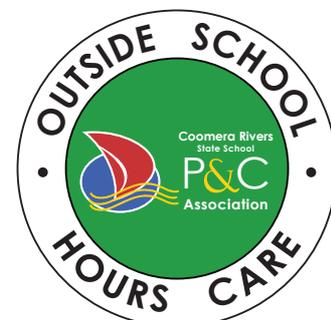
The purpose of a written warning is to emphasis to the employee that their misconduct or performance is unacceptable and to make clear that further disciplinary action may be taken. A written warning may be given to an employee when:

- The employee has previously been through the formal counselling process and has not met the required standards or expectations; or
- The employee's performance or misconduct is of a serious nature and requires immediate action.

Written warnings must also detail the support and/or training to be provided to the employee as well as the expected timeframes for review of the identified issue/s.

Show cause meeting

The purpose of this meeting is to ask the employee to show cause as to why their employment should not be terminated. Depending on the circumstances, the employee may be stood down on full pay until a meeting is scheduled. Employees will be required to respond, in writing and prior to the scheduled meeting, addressing the allegations and their reasons why employment should not be terminated.



Policy Group 8: Educators, Staff Members and Volunteers

Requests for an employee to attend a show cause meeting shall be made in writing outlining:

- When and where the meeting will take place;
- Who else will be involved in the meeting (i.e. management representative)
- The specific issue that will be discussed (i.e. alleged unacceptable performance /misconduct);
- Their opportunity to respond; and
- The opportunity for them to bring a support person/observer to the meeting.

At the meeting the management representative, Coordinator and employee will review and discuss the allegations and their responses to these allegations as well as any additional incidents, information and prior relevant corrective action plans. A decision surrounding the employee's continued employment will be made at this meeting.

Employees terminated as a result of misconduct or unacceptable performance will be given notice as per their Industrial Award and will receive any outstanding leave and/or TOIL entitlements (if applicable). Terminated employees will be issued with a statement of service.

Management reserve the right to seek independent industrial relations advice to assist in this process.

Instant dismissal

Serious misconduct, (as identified at the beginning of this policy) will not be tolerated and may result in the instant termination of employment.

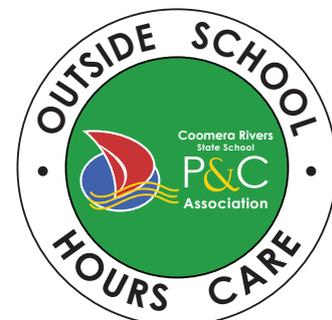
Management responsibilities

The (insert name of Approved Provider) is responsible for ensuring that the service adheres to the disciplinary process and that reasonable support is provided to ensure the process is fair and that the employee has every reasonable opportunity to change the unsatisfactory pattern of their behaviour.

At each stage of the disciplinary process, management may obtain advice, particularly in the preparation of written warnings and/or termination. This process shall be implemented within the context of the appropriate industrial awards and in accordance with relevant State and/or Commonwealth legislation.

References

ACSEA. (2006). employee manual. brisbane: ASCEA.



8.20 Workplace Sexual Harassment Policy

The Coomera Rivers State School Out of School Hours Care is committed to ensuring the working environment is free from sexual harassment where all employees are treated with dignity, courtesy and respect. This includes any work-related activities such as conferences, work functions and/or excursions.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Work Health and Safety Act 2011 and Regulations 2011
- Sexual Discrimination Act 1984
- Anti-Discrimination Act 1991 (QLD)
- Fair Work Act and Regulations 2009
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.6 – Employee Volunteer and Grievance 8.9 – Employee Code of Conduct, 8.10 – Employee Orientation and Induction, 8.19 – Employee Counselling and Disciplinary Procedures, 10.8 – Information Handling (Privacy and Confidentiality)



Procedures

Definition

'Sexual Harassment' is any unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended.

Sexual harassment in the workplace can take many different forms and may include:

- Staring, leering or unwelcome touching;
- Suggestive comments or jokes;
- Unwanted invitations or requests for sex;
- Intrusive questions about a person's private life or body;
- Insults or taunts based on sex;
- Sexually offensive communications (phone, email, SMS or other social media).

Sexual harassment is not behaviour which is based on mutual attraction, friendship and respect. If the interaction is consensual, welcome and reciprocated it is not sexual harassment.

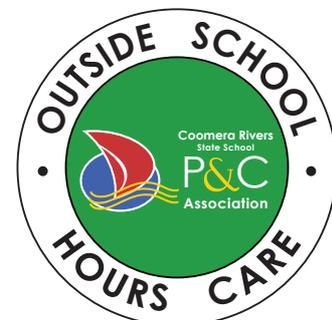
Sexual harassment doesn't have to be repeated or continuous to be against the law.

Examples of sexual harassment being offences under criminal law include:

- Physical molestation or assault;
- Indecent exposure;
- Stalking;
- Obscene communications (telephone calls, letters, etc.).

The service has a legal responsibility to prevent sexual harassment in the workplace, therefore the Coordinator and other members of management have a particular obligation to:

- Model appropriate behaviour;
- Promote this policy;
- Treat all complaints seriously and attend to them promptly;
- Monitor the work environment; and
- Seek expert help for complex or serious matters.



Policy Group 8: Educators, Staff Members and Volunteers

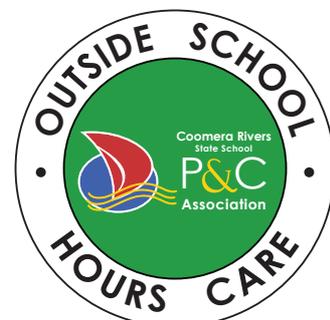
The service will take disciplinary action against any employee found to have breached this policy, which may include:

- An official warning and note on the employee's file;
- A formal apology;
- Counselling;
- Demotion; or
- Dismissal for serious misconduct.

Complaints of sexual harassment will be dealt with as per the Employee and Volunteer Grievance Policy and will be dealt with as per the Employee Counselling and Disciplinary Procedures Policy.

References

ACSEA. (2006). employee manual. brisbane: ASCEA.



8.21 Educator Uniform and Personal Presentation Policy

The Approved Provider requires that educators and other staff, engaged to work with children at their SAC service, present themselves and wear a standard of dress appropriate to the circumstances and environment in which they will be working. In administering this policy, consideration will be given to any work, health and safety requirements as well as the need to ensure that clothing worn by educators is neither offensive nor hazardous.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Work Health and Safety Act 2011 and Regulations 2011
- Relevant Industrial Agreement
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 8.1 - Role and Expectations of Educators, 8.3 - Recruitment and Employment of Educators, 8.5 – Volunteers, 8.6 – Employee and Volunteer Grievance, 8.9 – Code of Conduct, 8.10 - Employee Orientation and Induction



Procedures

A high standard of personal presentation is required from all educators and other staff at all times whilst on duty at the service. Educators are required to maintain a high level of personal hygiene and all clothing should be clean, pressed and in good condition.

Failure to follow the coordinator's direction and/or blatant violation or repeated violations of this policy may result in disciplinary action.

Dress Code

Educator's dress and appearance should be professional and conducive to active participation with children. Clothing worn to comply with cultural or religious standards is allowable as long as it does not pose a foreseeable risk to health and safety at work. Upon employment, educators and other staff may be issued with a service uniform shirt which must be kept laundered and in good condition. Educators will receive a weekly laundry allowance, as per the relevant industrial award.

All educators and other staff will be required to wear the service uniform shirt while on duty at the service. The service uniform shirt can be worn prior to, and after their designated shift however, whilst in the public view, the educator will be required to conduct themselves in a manner that will not be detrimental to the reputation of the service.

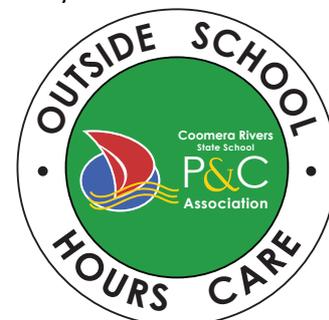
Prior to receiving their allocated service uniform shirt, educators will not be permitted to wear clothing that is:

- Tight or revealing (i.e. midriff tops, clothing that reveals undergarments, shirts with spaghetti straps, low-cut tops); or
- Displaying inappropriate images or words; or
- Damaged, including clothing that is ripped or torn.

Educators will be required to supply their own shorts or pants with consideration given to the appropriateness of such clothing when actively working with the children. Shorts and/or pants are required to be no shorter than mid-thigh length with consideration given to ensuring that no part of their buttocks are exposed.

Where educators are required to attend special events, conferences, courses or seminars the service uniform requirements still apply unless specifically directed by the Coordinator or Approved Provider.

Educators will be provided with a service name badge and/or identification card which must be worn whilst on duty at the service. Name badges and/or identification cards must be kept clean and should be worn so that they are clearly visible.



Policy Group 8: Educators, Staff Members and Volunteers

In some circumstances it may not be practicable for educators or other staff to wear the service uniform such as during pregnancy or for religious requirements. In such cases, educators and other staff should comply with the general presentation requirements and seek approval from the Coordinator or Approved Provider.

If the Coordinator determines that the educator's dress or appearance does not comply with this policy, a determination will be made as to whether the educator is allowed to remain at work or must leave work to change his/her dress. In any circumstance that an educator is requested to return home and change the Coordinator will ensure that the educator to child ratios of the service are maintained.

Educators who leave the employ of the service will be required to return all service uniform shirts in a clean and laundered state. Old or unwanted uniform items should not be given to charities, other people or organisations but should be returned to the Coordinator for disposal.

Personal Protection Clothing

The service will ensure that uniform shirts supplied comply with recommended SunSmart guidelines and include a collar and mid-length sleeve.

In order to comply with the SunSmart Policy of the service, educators and other staff will be required to wear a broad-brimmed hat when outdoors. Educators will be responsible for supplying their own broad-brimmed hat and ensuring it is at the service when required.

Educators will be required to wear enclosed and protective footwear at all times. The standard requirement will be a sandshoe or jogger however, consideration may be given to other types of footwear provided that it encloses the foot and is not a strap-on type of footwear. All footwear must meet the work, health and safety requirements of the service and be conducive to active participation with the children.

Personal Safety

Educators or other staff with long hair are required to secure their hair and tie it back when working with the children and/or handling and preparing food.

Work, health and safety requirements must be considered when determining if jewelry, body piercings and/or other accessories worn by educators are appropriate when working with children. Educators will be encouraged to:

- Wear small sleeper or stud type earrings;
- Minimise the wearing of large or protruding rings; and
- Minimise the wearing of long, dangly necklaces;

To ensure their safety and that of the children and colleagues, educators are requested to maintain their fingernails at a safe and workable length and to minimise any nail decorations and/or embellishments.

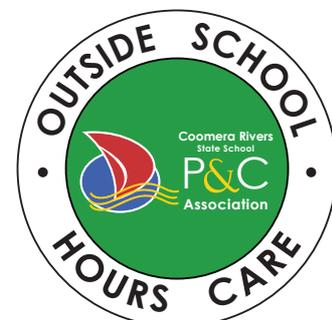
Personal Appearance

Educators are expected to maintain a high standard of personal care, ensuring that their:

- Hair is clean and tidy;
- Personal hygiene includes deodorant and/or antiperspirant; and
- Choice of clothing is laundered and kept in good repair.

The service acknowledges the educator's' right to individual cultural and creative expression through piercings (facial, tongue or body) and/or tattoos however, there is an expectation for educators to ensure that:

- All piercings comply with the service's work, health and safety requirements; and
- Tattoos visible to children and families are non-offensive.



8.22 Educator Interactions with Families - Professional Boundaries Policy

The service acknowledges that throughout the course of providing education and care to children, educators develop trusting and supportive relationships with families. These relationships have been known to extend beyond the professional boundaries of the service. This policy outlines the procedure for managing the connection between professional boundaries and personal relationships to ensure the safety and wellbeing of all stakeholders.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Family and Child Commission Act 2014
- Child Protection Act 1999 and Regulations 2000
- Duty of Care
- Code of Conduct
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies; 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.9 – Employee Code of Conduct, 8.10 – Employee Orientation and Induction, 8.14 – Employee Online Social Networking, 9.3 – Communication with Families.



Procedures

Educators who are personally friendly or are in existing relationships with family members of children who attend the service (such as brother, sister, aunt, uncle, etc.) shall declare such relationships to the Coordinator so that professional boundaries and expectations can be clarified.

On occasion, educators may be requested by families to attend personal events (such as birthday parties) or to provide services for their children such as babysitting. To this end, the following protocols shall apply:

- Educators who are requested to attend personal family events or to provide services (such as those mentioned above) will be required to disclose these to their employer (date, location and time) and whether they choose to attend;
- Any employee/employer arrangements made between an educator and the family shall be completely independent of the relationship between the service and the employee;
- The conduct of the educator is not guaranteed by the service for any work conducted outside of the service. This includes references to suitability checks and employment history; and
- Educators will be cautioned about taxation and income declaration implications should the engagement of services involve payment.

Educators engaged by families to provide private child care services outside the service operating hours will be encouraged to maintain ethical practices and standards including:

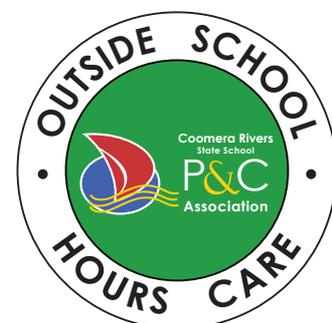
- Maintaining confidentiality, respect and the families right to privacy; and
- Demonstrating behavior that enriches the provision of care and advances the SAC profession

Families will be provided with information (by way of fact sheet) about 'child grooming' to ensure they are able to make an informed decision. This may include undertaking independent suitability checks.

Families will be encouraged to use reputable babysitting/child minding agencies to provide such services should they need care outside of service operating hours.

References

- <http://www.health.gov.au/internet/publications/publishing.nsf/Content/drugtreat-pubs-front11-fa-toc~drugtreat-pubs-front11-fa-secb~drugtreat-pubs-front11-fa-secb-2~drugtreat-pubs-front11-fa-secb-2-3>
- <http://careers.socialworkers.org/documents/Professional%20Boundaries.pdf>



8.23 Equal Opportunity and Anti-discrimination Policy

The service works to ensure that all decisions made promote equality of opportunity for everyone by protecting them from unfair discrimination in certain areas of activity, and from sexual harassment and certain associated objectionable conduct. This document details the procedures and steps taken to promote both equal opportunity and anti-discrimination in the workplace.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Anti-Discrimination Act 1991 (QLD)
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.5 – Volunteers, 8.7 – Workplace Harassment and Bullying, 8.10 – Employee Orientation and Induction, 8.19 – Employee Counselling and Disciplinary Procedures.



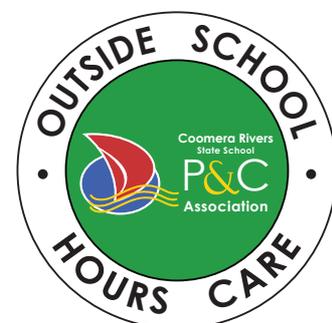
Procedures

In accordance with the Anti-Discrimination Act 1991 (Qld) the prohibited grounds of discrimination on the basis of certain attributes includes discrimination on the basis of the following attributes:

(a) sex; (b) relationship status; (c) pregnancy; (d) parental status; (e) breastfeeding; (f) age; (g) race; (h) impairment; (i) religious belief or religious activity; (j) political belief or activity; (k) trade union activity; (l) lawful sexual activity; (m) gender identity; (n) sexuality; (o) family responsibilities; (p) association with, or relation to, a person identified on the basis of any of the above attributes.

When making decisions in regards to the workplace and workers, the executive and managers will demonstrate thoughtful decision making processes to minimise the potential for discriminatory practices of either a direct or indirect nature.

The executive and managers will ensure that all workers are treated on an equal opportunities basis having regard to the need and capacity of the business and any unreasonable hardship that may result as either an intended or unintended outcome of decisions.



8.24 Payment of Employees Policy

The Approved Provider as the employer acknowledges the importance of ensuring that employees receive their correct payment of wages in a timely and efficient manner.

Date of Development	Date Ratified	Date of Review



Relevant Laws and other Provisions

- Relevant Awards including:
 - Children’s Services Award 2010
 - Parents and Citizens Associations Award – State 2016
 - Education Services (Schools) General Staff Award 2010
- Fair Work Act 2009
- Policies: 8.3 - Recruitment and Employment of Educators, 8.11 - Employee Leave Policy, 8.12 -Employee Performance Monitoring, Review and Management



Procedures

Award compliance

A current copy of the relevant award shall be available at the service in a location accessible to employees.

All minimum conditions prescribed under the award shall be complied with.

The service may seek membership with an appropriate advisory body in dealing with industrial relations matters.

Payments to employees

Employees will be required to submit a timesheet for approval to the employer or the employer’s delegate by (insert timeframe e.g. each fortnight on a Friday).

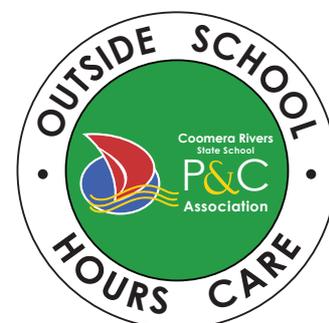
The timesheet will be reviewed within a 24 hour period and processed once approved.

Incomplete and inaccurate timesheets will not be approved and the employee will be requested to rectify the oversights within a reasonable timeframe.

Intentionally inaccurate timesheets may be considered fraudulent when hours claimed to have been worked, have not been worked.

Claims for additional hours must be approved by the employer prior to being worked, other than in the event of an emergency or unforeseen event such as a parent being late to collect a child. Additional hours will be accrued as TOIL and taken in accordance with the award.

Pay slips will be forwarded to an employee within one day of their pay being processed.



8.25 Employee Remuneration and Entitlements Policy

The Approved Provider recognises the value of a high quality workforce and acknowledges the contribution that pay and conditions have on employee satisfaction and performance. The Approved Provider/Employer will ensure that all employees are appropriately remunerated and receive entitlements in accordance with conditions that are no less than those prescribed in the relevant award.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Family and Child Commission Act 2014
- Relevant Awards including:
 - Children's Services Award 2010
 - Parents and Citizens Associations Award – State 2016
 - Education Services (Schools) General Staff Award 2010
- Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.18 – Employee Retention Policy, 10.1 – Quality Compliance, 10.6 – Service Nominated Supervisor Policy, 10.5 – Approval Requirements under Legislation, 10.9 – Information Handling (Privacy and Confidentiality).



Procedures

Award compliance

A current copy of the relevant award shall be available at the service in a location accessible to employees.

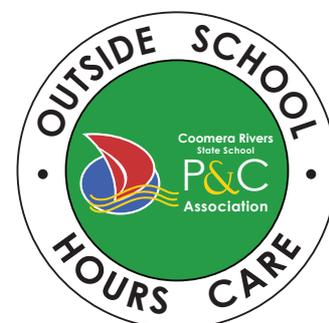
All minimum conditions prescribed under the award shall be complied with.

The service may seek membership with an appropriate advisory body in dealing with industrial relations matters.

Negotiated above award conditions

To ensure the Approved Provider is able to provide a competitive employment arrangement recognising outstanding and/ or exemplary performance including the capacity to retain qualified, experienced and skillful employees, as the employer, they may enter into negotiated arrangements with above award conditions for employees. In making such a decision, the employer will consider:

- Performance;
- Experience;
- Qualifications;
- Skills and knowledge;
- Efforts;
- Quality;
- Client satisfaction;
- Compliance history;
- Business, educational and change leadership; and
- Innovation and strategic planning.



Policy Group 8: Educators, Staff Members and Volunteers

Remuneration of the Responsible Person

Generally, remuneration as the Responsible Person is taken into account for award payments aligned to Coordinator/Director and Assistant Coordinator/Director roles.

Employees remunerated at lower levels who are asked to, are deemed capable of and agree to act as the Responsible Person-in-Charge, shall be remunerated an hourly award-based payment for acting in such a role as determined appropriate.

Entitlements and allowances management

Employees shall be paid entitlements and allowances in accordance with the Award. Employees shall be required to submit an entitlement and allowance claim form with their timesheet in the relevant pay period.



8.26 Higher Duties Policy

The Approved Provider acknowledges that educators will from time to time be requested to act as the Responsible Person in Charge. In accordance with the service's policy for determining the Responsible Person, it is acknowledged that an educator must provide informed consent prior to undertaking this additional responsibility. Those educators who provide consent to act in this position shall be remunerated at a level consistent with the additional responsibilities.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Family and Child Commission Act 2014
- Relevant Awards including:
 - Children's Services Award 2010
 - Parents and Citizens Associations Award – State 2016
 - Education Services (Schools) General Staff Award 2010
- Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.18 – Employee Retention Policy, 10.1 – Quality Compliance, 10.6 – Service Nominated Supervisor Policy, 10.5 – Approval Requirements under Legislation, 10.9 – Information Handling (Privacy and Confidentiality).

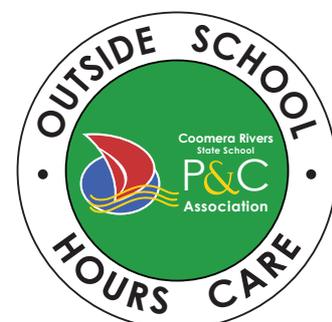


Procedures

The educator shall be provided with a clear position description that defines the differences in the responsibilities between the role of the educator and the additional duties of the responsible person in charge.

The educators performing higher duties must give their signed consent to undertaking this additional responsibility and this will be maintained on the service's Staff Record.

Remuneration for educators performing higher duties will be calculated as per the relevant award.



8.27 Employee Assistance Program Policy

The Approved Provider acknowledges that educators may from time to time need emotional or psychological support. An Employee Assistance Program (EAP) will be accessed and made available to employees when/as the need for counselling arises. This service will be free, professional and confidential for employees.



Relevant Laws and other Provisions

- Education and Care Services National Law Act, 2010 and Regulations 2011
- Family and Child Commission Act 2014
- Relevant Awards including:
 - Children's Services Award 2010
 - Parents and Citizens Associations Award – State 2016
 - Education Services (Schools) General Staff Award 2010
- Working with Children (Risk Management and Screening) Act 2000 and Regulations 2011
- National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community
- Policies: 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.18 – Employee Retention Policy, 10.1 – Quality Compliance, 10.6 – Service Nominated Supervisor Policy, 10.5 – Approval Requirements under Legislation, 10.9 – Information Handling (Privacy and Confidentiality).



Procedures

Professional counselling from the designated Employee Assistance Program (EAP) will be sought to assist staff members through both personal and work related problems, including:

- Work pressure issues;
- Emotional stress, anxiety, conflict, tension, and depression;
- Separation, divorce, or relationship difficulties;
- Child and family issues;
- Personal trauma;
- Grief and bereavement;
- Health and lifestyle issues (including drugs, alcohol and gambling); and
- Financial and legal referral.

All support will be provided by qualified, experienced professionals with extensive training in counselling and workplace consulting.

