

(Reviewed October 2023)

Policy Statement:

The Mueller College Outside School Hours Care Service strives to obtain at least a satisfactory compliance of ‘meeting’ the National Quality Standards and the requirements for licensees of child care services under the Education and Services Act. This is achieved by ensuring quality care is provided for all students and by implementing the agreed policies and procedures of the Service.

National Quality Standard (NQS):

- Quality Area 2: Children’s Health & Safety**
3: Physical environment
4: Staffing arrangements
6: Collaborative partnerships with families and communities
7: Governance and Leadership

2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
3.1	Design	The design of the facilities is appropriate for the operation of a service.
3.1.2	Upkeep	Premises, furniture and equipment are safe, clean and well maintained.
3.2	Use	The service environment is inclusive, promotes competence and supports exploration and play-based learning.
3.2.3	Environmentally responsible	The service cares for the environment and supports children to become environmentally responsible.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.
6.2	Collaborative partnerships	Collaborative partnerships enhance children’s inclusion, learning and wellbeing.
6.2.3	Community engagement	The service builds relationships and engages with its community.
7.1	Governance	Governance supports the operation of a quality service.
7.1.1	Service philosophy and purpose	A statement of philosophy guides all aspects of the service’s operations.
7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.1	Continuous improvement	There is an effective self-assessment and quality improvement process in place.

Education and Care Services National Regulations

55	<p>Quality improvement plans</p> <p>(1) The approved provider of an education and care service must ensure that, within 3 months of the grant of the service approval, a quality improvement plan is prepared for the service that—</p> <p>(a) includes an assessment by the provider of the quality of the practices of the service against the National Quality Standard and these Regulations; and</p> <p>(b) identifies any areas that the provider considers may require improvement; and</p> <p>(c) contains a statement of the philosophy of the service.</p> <p>(2) The approved provider must submit the quality improvement plan to the Regulatory Authority on request.</p> <p>Note— A compliance direction may be issued for failure to comply with subregulation (1).</p>
56	<p>Review and revision of quality improvement plans</p> <p>(1) The approved provider of an education and care service must review and revise the quality improvement plan for the service having regard to the National Quality Standard—</p> <p>(a) at least annually; and</p> <p>(b) at any time when directed by the Regulatory Authority.</p> <p>(2) The approved provider must submit the current quality improvement plan to the Regulatory Authority on request.</p> <p>Note— See regulation 31 for the conditions on the service approval requiring the current quality improvement plan to be kept available.</p>
63	<p>Assessing approved education and care services</p> <p>(1) Subject to subregulation (3), for the purposes of assessing an approved education and care service under section 133(1) of the Law, the Regulatory Authority—</p> <p>(a) must consider—</p> <p>(i) the current quality improvement plan for the service; and</p> <p>(ii) any rating assessment history of the service, including any records of previous rating assessments made under the Law; and</p> <p>(iii) the service’s history of compliance—</p>

	<p>(A) with the Law as it applies in any participating jurisdiction in which the service operates; and</p> <p>(B) in the period of 3 years preceding 1 January 2012, with a former education and care services law of a participating jurisdiction in which the service operates or has operated; and</p> <p>Note— The date specified in sub-subparagraph (B) does not apply in Western Australia. The applicable date in Western Australia is 1 August 2012—see regulation 63(1)(a)(iii)(B) of the <i>Education and Care Services National Regulations 2012</i> of Western Australia.</p> <p>(C) with an education law of a participating jurisdiction in which the service operates or has operated; and</p> <p>(D) with a children’s services law of a participating jurisdiction in which the service operates or has operated; and</p> <p>(b) must arrange for a site visit by an authorised officer—</p> <p>(i) in the case of a centre-based service, of the education and care service premises; and</p> <p>(ii) in the case of a family day care service, of one or more approved family day care venues or family day care residences.</p> <p>(2) In addition to subregulation (1), the Regulatory Authority may consider the following—</p> <p>(a) any relevant information disclosed to the Regulatory Authority by—</p> <p>(i) a government department, public authority or local authority under section 271 of the Law; or</p> <p>(ii) the Regulatory Authority of another participating jurisdiction under section 271 of the Law as applying in that jurisdiction or a person acting for that Authority; or</p> <p>(iii) the relevant Commonwealth Department or a person acting for the relevant Commonwealth Department;</p> <p>(b) any information available to the Regulatory Authority about any steps taken by the approved education and care service to rectify any matters identified during the rating assessment;</p> <p>(c) information relating to any other quality assurance or registration process under an education law applicable to the approved education and care service;</p> <p>(d) in the case of an education and care service that provides education and care to children in the year that is 2 years before grade 1 of school, whether the service facilitates access to a preschool program as set out in regulation 62(2).</p> <p>(3) This regulation does not apply to a reassessment of an education and care service or an aspect or element of an education and care service under section 138 or 139 of the Law.</p> <p>Note—See Division 2 of this Part.</p>
84	<p>Requires the approved provider of an education and care service must ensure that nominated supervisors and staff members at the service who work with children are advised of: the existence and application of the current child protection law; and any obligations that they may have under that law.</p>
123	<p>(1) Requires the minimum number of educators required to educate and care for children at a centre-based service is to be calculated in accordance with the following ratios:</p> <p>(d)for children over preschool age, 1 educator to 15 children.</p> <p>(3) If an early childhood teacher or a suitably qualified person is required under Division 5 to be in attendance at a centre-based service, subject to regulation 122 that early childhood teacher or suitably qualified person is counted as an educator at the service for the purposes of this regulation.</p> <p>(5) In sub regulations (1) and (2) a reference to children does not include a child who is, or 2 or more children from the same family who are, educated and cared for at a centre-based service in an emergency for a period of not more than 2 consecutive days on which the service operates.</p> <p>Examples.</p> <p>1 A child is determined to be in need of protection under a child protection order.</p> <p>2 The parent of a child needs urgent health care that prevents them caring for the child.</p> <p>(6) An approved provider of a centre-based service must not permit an additional child or additional children to be educated and cared for at the service in an emergency in the circumstances set out in subsection (5) unless the approved provider is satisfied on reasonable grounds that this will not affect the health, safety and wellbeing of all the children attending the service.</p>
168	<p>Education and care service must have policies and procedures</p> <p>(1) The approved provider of an education and care service must ensure that the service has in place policies and procedures in relation to the matters set out in subregulation (2).</p> <p>Penalty: \$1000.</p> <p>Note— These may include policies and procedures prepared by the approved provider in accordance with an education law of the participating jurisdiction.</p> <p>(2) Policies and procedures are required in relation to the following—</p> <p>(a) health and safety, including matters relating to—</p> <p>(i) nutrition, food and beverages, dietary requirements; and</p> <p>(ii) sun protection; and</p> <p>(iii) water safety, including safety during any water-based activities; and</p> <p>(iv) the administration of first aid; and</p> <p>(v) sleep and rest for children;</p> <p>(b) incident, injury, trauma and illness procedures complying with regulation 85;</p> <p>(c) dealing with infectious diseases, including procedures complying with regulation 88;</p> <p>(d) dealing with medical conditions in children, including the matters set out in regulation 90;</p> <p>(e) emergency and evacuation, including the matters set out in regulation 97;</p> <p>(f) delivery of children to, and collection of children from, education and care service premises, including procedures complying with regulation 99;</p> <p>(g) excursions, including procedures complying with regulations 100 to 102;</p> <p>(h) providing a child safe environment;</p> <p>(i) staffing, including—</p> <p>(i) a code of conduct for staff members; and</p> <p>(ii) determining the responsible person present at the service; and</p>

	<p>(iii) the participation of volunteers and students on practicum placements; (j) interactions with children, including the matters set out in regulations 155 and 156; (k) enrolment and orientation; (l) governance and management of the service, including confidentiality of records; (m) the acceptance and refusal of authorisations; (n) payment of fees and provision of a statement of fees charged by the education and care service; (o) dealing with complaints. Note— A compliance direction may be issued for failure to comply with subregulation (1).</p>
185	<p>Law and regulations to be available The approved provider of an education and care service must ensure that a copy of the Law and these Regulations is accessible at the education and care service premises at all times for use by nominated supervisors, staff members, volunteers, parents of children enrolled at the service and any person seeking to make use of the service. Note— A compliance direction may be issued for failure to comply with this regulation.</p>

Education and Care Services National Law

167	<p>Requires The approved provider and Nominated supervisor of an education and care service must ensure that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury.</p>
176	<p>Compliance directions</p> <ol style="list-style-type: none"> (1) This section applies if the Regulatory Authority is satisfied that an education and care service has not complied with a provision of this Law that is prescribed by the national regulations. (2) The Regulatory Authority may give the approved provider a written direction (a <i>compliance direction</i>) requiring the approved provider to take the steps specified in the direction to comply with that provision. (3) An approved provider must comply with a direction under subsection (2) within the period (being not less than 14 days) specified in the direction. Penalty: \$2000, in the case of an individual. \$10 000, in any other case.

Objective:

- Make certain that all educators have access to the Regulations and Law and that they are aware of their responsibilities under these.
- Be involved in regularly reviewing and discussing policy and procedures and consider improvements that need to be made.

Procedure:

- The Service has developed, and will regularly review and update, written policies and improvement plans for the conduct of the Service as part of an active and ongoing process of Quality improvement annually.
- The Management Committee requires the Nominated supervisor to act as Quality Officer to:
 - ensure and monitor the implementation of this Quality Compliance Policy;
 - check for, record and act on any non-compliances by the Service or its educators with this Quality Compliance Policy or any Quality Areas; and
 - to monitor changes in the Education and Care Services Act and the National Quality Standards (or any specific Quality Principles) which may affect or require a change to any of the Policies and Procedures of the Service.
- The Nominated supervisor is to report on all such matters, who will, in turn, report to the Management Committee.
- The Service adopts a statement of ‘Service Philosophy’ as part of its Policies and Procedures, which reflects a minimum ‘meeting’ compliance with the National Quality Standards, but which truthfully reflects the values promoted by Management and the Nominated supervisor within the Service.
- Educators are an important part of the Service and:
 - are consulted as appropriate in the development and modification of all Policies and Procedures;

- are provided with up-to-date Staff Handbook, containing relevant information necessary to enable educators to abide by Service Policies and Procedures;
- agree to adhere to all values, Policies and Procedures, and role statements, including acceptance that material or repeated failure to comply may result in termination of employment.
- The Nominated supervisor in conjunction with the Management Committee is responsible to conduct regular informal assessments, and formal annual performance reviews, of all educator's adherence to Policies and Procedures and to take immediate appropriate steps to address non-compliances.
- The Statement of 'Service Philosophy' is displayed on the wall of the Service, in the Staff Handbook, and in the parent handbook/enrolment materials.
- Students and families are an important part of the Service and:
 - are actively invited to participate in decision-making and Policy development wherever appropriate;
 - are kept informed of all Policies and Procedures, and are informed of the means by which they can communicate with the Service through a Parent Handbook and regular communications via the Service newsletter and other notices.
- In addition to this General Quality Compliance Policy, the Quality Principles and quality requirements of the Qld legislation are incorporated into the specific Policies and Procedures of the Service.

REFERENCES:

- Education and Care Services National Law Act 2011, Current as at March 2023
- Education and Care Services National Regulations, Current as at October 2023
- Guide to the National Quality Framework, Revised July 2023
- National Quality Standard, Revised 1 February 2018
- Guide to the National Quality Standard, Revised May 2022

See Also:

- Mueller OSHC Record Keeping Policy & Procedure
- Mueller OSHC Risk Management Policy & Procedure
- Mueller OSHC Notifications Required by the Regulatory Authority Policy & Procedure
- Mueller OSHC Governance and Management Policy & Procedure