

(Reviewed April 2026)

Policy Statement:

The Mueller College Outside School Hours Care (OSHC) Service seeks to ensure that all employees enrolled or studying 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 staffing.

Background statement:

The Education and Care Services National Regulations require Service providers to ensure that all educators engaged in the education and care of children meet the qualification and staffing requirements outlined in the National Quality Framework. This policy ensures that all educators at the Service are suitably qualified or actively engaged in study, and participate in ongoing professional development to maintain compliance with National Regulations and uphold the highest standards of care and education for children and young people. The Service is committed to employing skilled, knowledgeable, and well-supported educators who are provided with opportunities for growth and who reflect the values and objectives of Mueller College OSHC.

Important terms:

Children and young people	Refers to the children and young people present in the care environment.
Educator	Refers to the staff employed by the Service to provide care for children and young people attending.
Parent/guardian	Refers to the primary carer/s of the child or young person attending the Service.
Family	Refers to the group of people, including the primary carer, who engage daily with the child or young person in the home environment.
Approved Provider	The organisation that holds Service approval and ensures all safety and emergency management requirements are met.
Nominated Supervisor	The person responsible for daily Service operations and ensuring that this policy is implemented.
Relief Educator	A casual or temporary educator employed to support the Service during staff leave periods or peak operational times such as Vacation Care.
Ongoing professional development	Annual or continuous training provided to educators to maintain and enhance their professional knowledge and skills.

Legislation:

National Quality Standard (NQS)

Quality Area **4: Staffing arrangements**

7: Governance and Leadership

4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.
7.1	Governance	Governance supports the operation of a quality service that is child safe.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.
7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.1	Continuous improvement	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.2.2	Educational leadership	The educational leader is supported and leads the development and implementation of the educational program and assessment and planning cycle.
7.2.3	Development of professionals	Educators, co-ordinators and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.

Education and Care Services National Regulations

118	Educational leader The approved provider of an education and care service must designate, in writing, a suitably qualified and experienced educator, co-ordinator or other individual as educational leader at the service to lead the development and implementation of educational programs in the service. Note. A compliance direction may be issued for failure to comply with this regulation.
120	Educators who are under 18 to be supervised

	The approved provider of a centre-based service must ensure that any educator at the service who is under 18 years of age— (a) does not work alone at the service; and (b) is adequately supervised at all times by an educator who has attained the age of 18 years. Penalty: \$1100.
126	Centre-based services—general educator qualifications (1) The qualification requirements for educators at a centre-based service educating and caring for children preschool age or under are as follows— (a) at least 50 per cent of the educators who are required to meet the relevant educator to child ratios for the service must hold, or be actively working towards, at least an approved diploma level education and care qualification; and (b) all other educators who are required to meet the relevant educator to child ratios for the service must hold, or be actively working towards, at least an approved certificate III level education and care qualification. (1A) The qualification requirements in subregulation (1)(b) do not apply to an educator if the educator has been employed by an approved provider on a probationary basis for not more than 3 months, at one or more centre-based services operated by the approved provider. (1B) Subregulation (1A) does not apply in relation to New South Wales. (2) The qualification requirements for educators at a centre-based service educating and caring for children over preschool age in a jurisdiction are the qualification requirements (if any) set out in Chapter 7 for that jurisdiction. (3) If Division 5 requires an early childhood teacher to be in attendance at a centre-based service, that teacher, or a person taken to be an early childhood teacher under regulation 135(1), is to be counted as meeting the requirements of subregulation (1)(a). (4) If Division 5 requires a second early childhood teacher or a suitably qualified person to be in attendance at a centre-based service, that person, or a person taken to be a second early childhood teacher or a suitably qualified person under regulation 135(2), is to be counted as meeting the requirements of subregulation (1)(a).
137	Approval of qualifications (1) The National Authority must publish on its website lists of qualifications it has approved for the purposes of the Law including— (a) a list of approved early childhood teaching qualifications; and (b) a list of approved diploma level education and care qualifications; and (c) a list of approved certificate III level education and care qualifications; and (d) a list of approved qualifications for suitably qualified persons; and (e) a list of approved first aid qualifications and anaphylaxis management and emergency asthma management training. (2) The National Authority must also publish on its website lists of qualifications it has approved for the purposes of Chapter 7 including— (a) a list of former qualifications approved as any of the following— (i) early childhood teaching qualifications; (ii) diploma level education and care qualifications; (iii) certificate III level education and care qualifications; and (b) for Queensland, a list of former qualifications approved as either of the following— (i) diploma level education and care qualifications; (ii) certificate III level education and care qualifications; and (c) a list of qualifications for working with children over preschool age for each participating jurisdiction; and (d) a list of qualifications and former qualifications for family day care coordinators in Queensland. (3) The National Authority may publish on its website qualifications and training that it has approved as equivalent to an approved qualification or training for the purposes of the Law. (4) The National Authority may publish on its website the following for the purposes of the definition of actively working towards a qualification— (a) units of approved certificate III level education and care qualifications; (b) the percentage of total units required for completion of an approved early childhood teaching qualification.
145	Staff record (1) The approved provider of a centre-based service must ensure that a staff record is kept for that service in accordance with this Division. (2) The staff record must include— (a) the information about nominated supervisors set out in regulation 146; and (b) the information about staff members set out in regulation 147; and (c) the information about the educational leader set out in regulation 148; and (d) the information about volunteers set out in regulation 149(1).
146	Nominated supervisor The staff record must include the following information in relation to each nominated supervisor— (a) the full name, address and date of birth of the nominated supervisor; (b) evidence— (i) of any relevant qualifications held by the nominated supervisor; or (ii) if applicable, that the nominated supervisor is actively working towards that qualification as provided under regulation 10; (c) evidence of any approved training (including first aid training) completed by the nominated supervisor; (d) if the education and care service is located in a jurisdiction with a working with children law or a working with vulnerable people law, a record of the identifying number of the current check conducted under that law and the expiry date of that check, if applicable, unless paragraph (e) applies; (e) if the nominated supervisor is a teacher registered under an education law of a participating jurisdiction and has provided proof of that registration, a record of the identifying number of the teacher registration and the expiry date of that registration; (f) in relation to Tasmania, a record of the identifying number of the nominated supervisor's current working with

	vulnerable people registration and the expiry date of that registration.
147	Staff members The staff record must include the following information in relation to staff members— (a) the full name, address and date of birth of the staff member; (b) evidence— (i) of any relevant qualifications held by the staff member; or (ii) if applicable, that the staff member is actively working towards that qualification as provided under regulation 10; (c) evidence of any approved training (including first aid training) completed by the staff member; (d) if the education and care service is located in a jurisdiction with a working with children law or a working with vulnerable people law, a record of the identifying number of the current check conducted under that law and the expiry date of that check, if applicable, unless paragraph (e) applies; (e) except in the case of New South Wales, Queensland and Tasmania, if the staff member has provided proof of the staff member's current teacher registration under an education law of a participating jurisdiction, a record of the identifying number of the teacher registration and the expiry date of that registration; (f) in relation to Tasmania, a record of the identifying number of the staff member's current working with vulnerable people registration and the expiry date of that registration.
148	Educational leader The staff record must include the name of the person designated as the educational leader in accordance with regulation 118.
150	Responsible person The staff record must include the name of the responsible person at the centre-based service for each time that children are being educated and cared for by the service.
151	Record of educators working directly with children The approved provider of a centre-based service must keep a record of educators working directly with children that includes the following information— (a) the name of each educator who works directly with children being educated and cared for by the service; (b) the hours that each educator works directly with children being educated and cared for by the service.
243A	Persons taken to hold an approved diploma level education and care qualification for regulation 128 in Queensland Without limiting regulation 243, a person is taken to hold an approved diploma level education and care qualification for the purposes of regulation 128 if, immediately before the scheme commencement day, the person, in Queensland, held a qualification that is published under regulation 137(2)(d) in the list of qualifications and former qualifications for family day care coordinators.
299	General qualification requirements for educators—children over preschool age (1) This regulation sets out the qualification requirement for educators at a centre-based service educating and caring for children over pre-school age for the purposes of regulation 126(2). (2) On any day that the centre-based service educates and cares for children over preschool age, at least one educator who holds or is actively working towards a minimum 2 year relevant qualification must be present at the education and care service premises— (a) if the service educates and cares for children over preschool age for more than 7 hours and 15 minutes on that day—for at least 7 hours and 15 minutes of the time the service is educating and caring for children over preschool age; or (b) otherwise—at all times the service is educating and caring for children over preschool age. (3) The qualification requirements in subregulation (2) do not apply to an educator if the educator is at least 18 years of age and has been engaged at the education and care service for not more than 6 months. (4) If the centre-based service educates and cares for 30 or more children over preschool age at least one educator for every 30 children over preschool age must hold, or be actively working towards, at least a 1 year relevant qualification. (5) The qualification requirements in subregulation (4) do not apply to an educator if the educator is at least 18 years of age and has been engaged at the education and care service for not more than 3 months. (6) All educators who are under 18 years of age must hold or be actively working towards at least a minimum 1 year relevant qualification. (7) In this regulation— relevant qualification means a qualification that is published under regulation 137(2) in the list of approved qualifications for educators working with children over preschool age for Queensland.

Education and Care Services National Law

169	Offence relating to staffing arrangements (1) An approved provider of an education and care service must ensure that, whenever children are being educated and cared for by the service, the relevant number of educators educating and caring for the children is no less than the number prescribed for this purpose. Penalty: \$11 400, in the case of an individual. \$57 400, in any other case. (2) An approved provider of an education and care service must ensure that each educator educating and caring for children for the service meets the qualification requirements relevant to the educator's role as prescribed by the national regulations. Penalty: \$11 400, in the case of an individual. \$57 400, in any other case. (3) A nominated supervisor of an education and care service must ensure that, whenever children are being educated and cared for by the service, the relevant number of educators educating and caring for the children is no less than the number prescribed for this purpose. Penalty: \$11 400. (4) A nominated supervisor of an education and care service must ensure that each educator educating and caring for
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	children for the service meets the qualification requirements relevant to the educator's role as prescribed by the national regulations. Penalty: \$11 400. (5) A family day care educator must ensure that the number of children being educated and cared for by the family day care educator at any one time is no more than the number prescribed for this purpose. Penalty: \$11 400. (6) Subsections (1), (2), (3), (4) and (5) do not apply in respect of an education and care service— (a) to the extent that it holds a temporary waiver under Division 6 of Part 3 in respect of this requirement; or (b) to the extent that it holds a service waiver under Division 5 of Part 3 in respect of this requirement. (7) The National Authority may, on application, determine qualifications, including foreign qualifications, to be equivalent to the qualifications required by the national regulations. (8) If a determination is made under subsection (7), any person holding the qualification is to be taken to be qualified in accordance with the national regulations.
301 (3,h&i)	(3) Without limiting subsection (1), the national regulations may provide for the following— Sch. s. 301(3)(a) amended by No. 9/2017 s. 53(6). (h) requirements and standards for the staffing of education and care services including the recruitment (and conduct of criminal history or other security checks) and the appointment of staff, performance improvement, professional standards, professional development, numbers and qualifications of educators (including minimum age and requirements concerning groups of children of different ages and composition) and staffing rosters and arrangements; (i) requirements and standards about educators' relationships with children, interactions and behaviour guidance and inclusion policies and practice for education and care services;

Principles:

To ensure that all educators are of high quality and exceed the minimum staffing requirements as outlined by the National Regulations.

Procedure:

Vacation Care Relief Educators will:

- Provide evidence of prior study in a child-related field **or** relevant experience in child-related industries (e.g., education, youth work, health, sports coaching, community work).
- Be permitted to substitute experience with children and young people for current study only at the discretion of the Nominated Supervisor and Approved Provider, however, compliance with current National Regulations and Award requirements will always be maintained.
- Always work under the supervision of a qualified or lead educator.
- Undertake mandatory induction and annual refresher training, including:
 - CPR and First Aid
 - Child Protection
 - Food Safety
 - Workplace Health and Safety
- Follow all supervision, ratio, and duty requirements as per the Service's Policies and Procedures.
- Demonstrate professional conduct consistent with Service values and regulatory expectations.

Educators will:

- Hold, or be actively working towards, an Australian Children's Education and Care Quality Authority approved qualification in accordance with the National Regulations.
- Ensure that at least 50% of educators on shift hold a minimum of a one-year qualification (Certificate III or equivalent).
- Provide a certified copy of their enrolment or qualification certificate during the probationary period.
- Submit evidence of academic progress every six (6) months (e.g., transcript, progress report, or statement of results).

- Participate in a meeting with the Nominated Supervisor if progress is delayed or at risk, to determine an appropriate action plan.
- Maintain enrolment and complete studies within the required timeframe — twice the scheduled course duration — to ensure compliance with Regulation 126.
- Undertake annual refresher training in:
 - First Aid, Asthma, and Anaphylaxis management (every 3 years);
 - CPR (updated annually);
 - Child Protection from an accredited training provider.
 - Workplace Health and Safety; and
 - Food Handling;
 - Any other relevant training as deemed by the Nominated Supervisor.
- Attend additional transportation or bus safety training where needed as required by the *Mueller College OSHC Excursions, Transportation, Bus Safety & Vehicle Restraint Policy*.
- Understand that failure to maintain study progress or qualification requirements may affect ongoing employment.
- Acknowledge that staff under 18 years of age must provide evidence of enrolment before commencing work.

Nominated Supervisor and Approved Provider will:

- Take responsibility for ensuring the Service meets the staffing and qualification requirements under Regulation 126 of the *Education and Care Services National Regulations*.
- Verify and retain evidence of each educator's qualifications, enrolments, and progress within their confidential staff file.
- Track and monitor study progress, requesting regular evidence of advancement (e.g., every six months).
- Schedule meetings with educators whose study progress is delayed and report any significant concerns to the Approved Provider.
- Approve short-term substitutions of "working towards" educators for qualified staff for up to 30 days within a 12-month period, where necessary to maintain ratios.
- Facilitate and record all professional development and annual training requirements, including:
 - CPR (annual)
 - First Aid, Asthma, and Anaphylaxis (every 3 years)
 - Child Protection (annual accredited training)
 - Child safety (mandatory training prior to employment, then refreshed every two years)
 - Food Safety and WHS (annual)
- Ensure all records of professional development are updated, filed, and available for inspection by the Approved Provider or Regulatory Authorities.
- Maintain oversight of the qualification mix within staffing rosters to ensure the Service continues to meet and exceed National Regulation standards.
- Share the 'Employee Qualifications & Study Policy and Procedure' with all employees, volunteers and practicum students upon their induction and ensure that copies of the policy and procedures are readily accessible to nominated supervisors, co-ordinators, educators and staff, and available for inspection.

- All Service policy will be reviewed annually through consultation with all stakeholders or sooner should there be identified changes or updates to legislative requirement.
- Additional professional development will be provided as needed and during review processes.
- Ensure educators' relevant information is provided and transferred onto the 'National Worker Register' before commencement of duties.

See also:

- Mueller OSHC Roles and Expectations of Staff and Staff Under 18 Policy & Procedure
- Mueller OSHC Recruitment and Employment of Staff Policy & Procedure
- Mueller College OSHC Excursions, Transportation, Bus Safety & Vehicle Restraint Policy & Procedure
- Mueller College OSHC Staff handbook
- Mueller College OSHC Staff Code of Conduct Policy & Procedure
- Mueller College OSHC Staff Child Safe Code of Conduct Policy & Procedure
- Mueller College OSHC Role statements

REFERENCES:

- Education and Care Services National Law Act 2010, Current as of February 2026
- Education and Care Services National Regulations and Amendments, Current as of February 2026
- Education and Care Services National Law Act (QLD) 2011, Current as of April 2026
- Guide to the National Quality Framework, Revised March 2026
- My Time, Our Place – Framework for School Age Care in Australia – Produced by the Australian Government Department of Education, Employment and Workplace Relations for the Council of Australian Governments. Ver2.0, Revised 2022
- National Quality Standard, Revised January 2026
- Guide to the National Quality Standard, 2017.
- The Code of Ethics - Early Childhood Australia Inc. (2025 update)
- Children's Services Award – State 2012
- <https://www.acecqa.gov.au/sites/default/files/2018-01/ACECQAApprovedQualificationListOSHC.pdf>, Accessed August 2020

REVIEW

POLICY REVIEWED BY:	Rachel Rose	OSHC Director	28/04/26
POLICY REVIEWED	APRIL 2026	NEXT REVIEW DATE	JUNE 2026
VERSION NUMBER	V2.3		
MODIFICATIONS	New legislation		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	PAST REVIEW DATE	
	- Updated references - Addition of review table	JAN 2025	
	- Updated references - Updated Quality area 7 wording regarding new updates and legislation. - Updated wording in regard to changes to child safety and child protection legislation	FEB 2026	