

(Reviewed September 2025)

## **Policy Statement:**

The Mueller College Outside School Hours Care (OSHC) Service strives to obtain at least a satisfactory compliance of 'meeting' the National Quality Standards and the requirements for licensees of childcare services under the Education and Services Act. This is achieved by ensuring quality care is provided for all children and young people and by implementing the agreed policies and procedures of the Service.

## **Background:**

The Education and Care National Regulations require Service providers to have policies and procedures that support compliance, ensure consistent practice, and promote the safety, health, and well-being of all children and young people in care. This policy outlines the Service's commitment to meeting these requirements by maintaining compliance with all relevant legislation, regulations, and the National Quality Framework (NQF).

Through continuous reflection, evaluation, and improvement, the Service strives to enhance quality across all areas of operation. Families, educators, and management are encouraged to actively participate in this process to ensure that the Service continues to meet or exceed the National Quality Standards and reflect the values of our community.

## **Important terms:**

<b>Children and young people</b>	Refers to the children and young people present in the care environment.
<b>Educator</b>	Refers to the staff employed by the Service to provide care for children and young people attending.
<b>Parent/guardian</b>	Refers to the primary carer/s of the child or young person attending the Service.
<b>Family</b>	Refers to the group of people, including the primary carer, who engage daily with the child or young person in the home environment.
<b>Approved Provider</b>	The organisation that holds Service approval and ensures all safety and emergency management requirements are met.
<b>Nominated Supervisor</b>	The person responsible for daily Service operations and ensuring that this policy is implemented.
<b>Quality Improvement Plan (QIP)</b>	A document that identifies key areas for improvement and outlines actions the Service will take to achieve continuous quality outcomes.
<b>Management Committee</b>	The group or individuals responsible for governance and overall accountability of the Service.

## **Legislation:**

### **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**

<b>2.2</b>	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.
<b>3.1</b>	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.
<b>3.2</b>	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.
<b>4.2</b>	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.
<b>6.2</b>	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><b>Awareness of child protection law</b></p> <p>(1) The approved provider of an education and care service must ensure that a person specified in subregulation (2) who works with children is advised of—</p> <p>(a) the existence and application of the current child protection law; and</p> <p>(b) any obligations that the person may have under that law.</p>

	<p>Penalty: \$1100.</p> <p>(2) The following persons are specified—</p> <ul style="list-style-type: none"> <li>(a) a nominated supervisor of the service;</li> <li>(b) a staff member of the service;</li> <li>(c) a volunteer at the service;</li> <li>(d) a student who participates in the service.</li> </ul> <p><b>Note.</b></p> <p>A compliance direction may be issued for failure to comply with subregulation (1).</p>
123	<p><b>Educator to child ratios—centre-based services</b></p> <p>(1) 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> <ul style="list-style-type: none"> <li>(a) for children from birth to 24 months of age—1 educator to 4 children;</li> <li>(b) for children over 24 months and less than 36 months of age—1 educator to 5 children;</li> <li>(c) for children aged 36 months of age or over (not including children over preschool age)—1 educator to 11 children;</li> <li>(d) for children over preschool age, 1 educator to 15 children.</li> </ul> <p>(2) If children being educated and cared for at a centre-based service are of mixed ages the minimum number of educators for the children must meet the requirements of subregulation (1) at all times.</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>(4) If a centre-based service is required under regulation 130 or 131 to have access to an early childhood teacher for a period, subject to regulation 122 that teacher is counted as an educator at the service for the purposes of this regulation.</p> <p>(5) In subregulations (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><b>Examples.</b></p> <p><b>1</b></p> <p>A child is determined to be in need of protection under a child protection order.</p> <p><b>2</b></p> <p>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><b>Education and care service must have policies and procedures</b></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: \$1100.</p> <p><b>Note.</b></p> <p>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> <ul style="list-style-type: none"> <li>(a) health and safety, including matters relating to— <ul style="list-style-type: none"> <li>(i) nutrition, food and beverages, dietary requirements; and</li> <li>(ii) sun protection; and</li> <li>(iii) water safety, including safety during any water-based activities; and</li> <li>(iv) the administration of first aid; and</li> <li>(v) sleep and rest for children, including the matters set out in regulation 84B;</li> </ul> </li> <li>(b) incident, injury, trauma and illness procedures complying with regulation 85;</li> <li>(c) dealing with infectious diseases, including procedures complying with regulation 88;</li> <li>(d) dealing with medical conditions in children, including the matters set out in regulation 90;</li> <li>(e) emergency and evacuation, including the matters set out in regulation 97;</li> <li>(f) delivery of children to, and collection of children from, education and care service premises, including procedures complying with regulation 99;</li> <li>(g) excursions, including procedures complying with regulations 100 to 102;</li> <li>(ga) if the service transports or arranges transportation of children other than as part of excursions, transportation including procedures complying with Division 7 of Part 4.2 of Chapter 4;</li> <li>(gb) the safe arrival of children who travel between an education and care service and any other education or early childhood service within the meaning of regulation 102AA, including the matters set out in regulation 102AAB;</li> <li>(h) providing a child safe environment, including matters relating to the promotion of a culture of child safety and wellbeing within the service;</li> <li>(ha) the safe use of digital technologies and online environments at the service, including— <ul style="list-style-type: none"> <li>(i) the taking, use, storage and destruction of images and videos of children being educated and cared for by the service; and</li> <li>(ii) obtaining authorisation from parents to take, use and store images and videos of children being educated and cared for by the service; and</li> <li>(iii) the use of any optical surveillance device at the service; and</li> </ul> </li> </ul> <p><b>Example</b></p> <p>The use of closed-circuit television.</p> <ul style="list-style-type: none"> <li>(iv) the use of any digital device issued by the service; and</li> <li>(v) the use of digital devices by children being educated and cared for by the service;</li> <li>(i) staffing, including—</li> </ul>

	<ul style="list-style-type: none"> <li>(i) a code of conduct for staff members; and</li> <li>(ii) determining the responsible person present at the service; and</li> <li>(iii) the participation of volunteers and students on practicum placements;</li> <li>(j) interactions with children, including the matters set out in regulations 155 and 156;</li> <li>(k) enrolment and orientation;</li> <li>(l) governance and management of the service, including confidentiality of records;</li> <li>(m) the acceptance and refusal of authorisations;</li> <li>(n) payment of fees and provision of a statement of fees charged by the education and care service;</li> <li>(o) dealing with complaints, including matters relating to—</li> <li>(i) the provision of a complaint handling system at the service that is child focused; and</li> <li>(ii) the management of a complaint that alleges a child is exhibiting harmful sexual behaviours.</li> </ul>
185	<p>The law and regulations are to be available</p> <p>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.</p> <p>Note—</p> <p>A compliance direction may be issued for failure to comply with this regulation.</p>

## Education and Care Services National Law

167	<ul style="list-style-type: none"> <li>(1) The approved provider 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. Penalty: \$11 400, in the case of an individual. \$57 400, in any other case.</li> <li>(2) A 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. <b>Penalty: \$11 400.</b></li> </ul>
176	<p>Compliance directions</p> <p>(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.</p> <p>(2) The Regulatory Authority may give the approved provider a written direction (a compliance direction) requiring the approved provider to take the steps specified in the direction to comply with that provision.</p> <p>(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.</p> <p>Penalty: \$2200, in the case of an individual. \$11 400, in any other case.</p>

## Principles:

- 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:

### Children and Young People will:

- Be included, where appropriate, in discussions and decisions about the Service environment and practices that affect them.
- Benefit from a service that continually reviews and enhances the quality of education and care provided.
- Have their voices and experiences considered as part of the Service's reflection and planning processes.

### Families will:

- Participate in the Service's continuous improvement process by providing feedback and suggestions through meetings, surveys, and communication channels.
- Be informed of all Policies, Procedures, and the Service Philosophy through the Family Handbook, newsletters, and Service displays.
- Have opportunities to be involved in decision-making, policy reviews, and the development of the Quality Improvement Plan (QIP).
- Communicate any concerns, ideas, or feedback constructively to the Nominated Supervisor or Approved Provider.

**Educators will:**

- Follow all Service Policies, Procedures, and role statements, acknowledging that consistent or material non-compliance may result in disciplinary action.
- Engage in the continuous improvement process by providing feedback, participating in policy review, and supporting the implementation of updated practices.
- Access and understand the Staff Handbook and ensure they are familiar with the Service's Philosophy and operational expectations.
- Participate in informal and formal performance reviews conducted by the Nominated Supervisor to identify areas of professional growth.
- Reflect on their own practice and contribute to the Quality Improvement Plan (QIP) through ongoing discussions and team meetings.
- Promote open communication with families about the Service's philosophy, values, and quality improvement initiatives.

**The Nominated Supervisor and Approved Provider will:**

- Act as the Quality Officer for the Service, ensuring compliance with this policy and all legislative requirements under the NQF.
- Monitor, record, and act upon any non-compliances with policies, procedures, or quality areas.
- Stay informed about changes to the Education and Care Services National Law, Regulations, and National Quality Standards, updating relevant policies as required.
- Conduct regular informal assessments and annual performance reviews for all educators, addressing any identified non-compliances promptly.
- Oversee the development, implementation, and regular review of the Quality Improvement Plan (QIP) and ensure it remains up to date.
- Display the Service Philosophy in the Service environment, Staff Handbook, and Family Handbook.
- Report all quality matters and compliance updates to the Management Committee and seek their input as required.
- Ensure that all stakeholders—families, educators, and management—are kept informed about quality processes and opportunities for input.
- Share the 'Quality Compliance Policy and Procedure' with all employees upon their induction and ensure it is available to staff and families at all times.
- Additional professional development will be provided as needed and during review processes.
- All Service policy will be reviewed annually through consultation with all stakeholders or sooner should there be identified changes or updates to legislative requirement.

**See Also:**

- Mueller OSHC Record Keeping Policy & Procedure
- Mueller OSHC Risk Management Policy & Procedure
- Mueller OSHC Notifications and Reporting Policy & Procedure
- Mueller OSHC Governance and Management Policy & Procedure

## REFERENCES:

- Education and Care Services National Law Act 2010, Current as at October 2024
- Education and Care Services National Regulations, Current as at September 2025
- Education and Care Services National Law Act (QLD) 2011, Current as at September 2025
- Child Protection Act 1999 (Current as at 20 September 2025)
- Guide to the National Quality Framework, Revised September 2025
- 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. Ver 2.00, Revised 2022
- National Quality Standard, Revised 1 February 2018
- Guide to the National Quality Standard, Revised May 2022
- The Code of Ethics - Early Childhood Australia Inc. (2025 update)

## REVIEW

POLICY REVIEWED BY:	Rachel Rose	OSHC Director	12/09/25
POLICY REVIEWED	SEPT2025	NEXT REVIEW DATE	JAN 2026
VERSION NUMBER	V2.2		
MODIFICATIONS	<ul style="list-style-type: none"><li>• New legislation</li></ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		PAST REVIEW DATE
	<ul style="list-style-type: none"><li>• Updated references</li><li>• Addition of the review table</li></ul>		JAN 2025