

(Created September 2025)

## **Policy Statement:**

The Mueller College Outside School Hours Care (OSHC) Service seeks to ensure that all employees are managed in a consistent and professional manner, in accordance with the other policies of the Service which apply to regularly employed educators will be maintained for relief staff and vacation care support staff with modifications only to some study and training requirements.

## **Background:**

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:**

<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 which engage daily with the child or young person in the home environment.
<b>Approved Provider</b>	The legal entity responsible for operating the Service and ensuring compliance with the Education and Care Services National Law and Regulations.
<b>Nominated Supervisor</b>	The person with day-to-day responsibility for the operation of the Service, including ensuring volunteers and practicum students comply with policies and procedures.
<b>Relief Educator</b>	A casual or temporary educator employed to support the Service during staff leave periods or peak operational times such as Vacation Care.
<b>Ongoing professional development</b>	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**  
**5: Relationships with Children**  
**6: Collaborative partnerships with families and communities**  
**7: Governance and Leadership**

<b>4.2</b>	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
<b>4.2.2</b>	Professional standards	Professional standards guide practice, interactions and relationships.
<b>5.1</b>	Relationships between educators and children	Respectful and equitable relationships are maintained with each child.
<b>5.1.1</b>	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
<b>5.1.2</b>	Dignity and rights of the child	The dignity and rights of every child are maintained.
<b>6.2</b>	Collaborative partnerships	Collaborative partnerships enhance children's inclusion, learning and wellbeing.
<b>6.2.2</b>	Access and participation	Effective partnerships support children's access, inclusion and participation in the program.
<b>6.2.3</b>	Community engagement	The service builds relationships and engages with its community.
<b>7.1</b>	Governance	Governance supports the operation of a quality service.
<b>7.1.2</b>	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.

## Education and Care Services National Regulations

83	<p><b>Staff members and family day care educators not to be affected by alcohol or drugs</b></p> <p>(1) The approved provider of an education and care service must ensure that a nominated supervisor or a staff member of, or volunteer at, the service is not affected by alcohol or drugs (including prescription medication) so as to impair the person's capacity to supervise or provide education and care to children being educated and cared for by the service.</p> <p>Penalty: \$2200.</p> <p>(2) A nominated supervisor of an education and care service must not, while educating and caring for children for the service—</p> <ul style="list-style-type: none"> <li>(a) consume alcohol; or</li> <li>(b) be affected by alcohol or drugs (including prescription medication) so as to impair the supervisor's capacity to supervise or provide education and care to the children.</li> </ul> <p>Penalty: \$2200.</p> <p>(3) A family day care educator must not, while providing education and care for children as part of a family day care service—</p> <ul style="list-style-type: none"> <li>(a) consume alcohol; or</li> <li>(b) be affected by alcohol or drugs (including prescription medication) so as to impair the educator's capacity to provide education and care to the children.</li> </ul> <p>Penalty: \$2200.</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> <ul style="list-style-type: none"> <li>(a) the existence and application of the current child protection law; and</li> <li>(b) any obligations that the person may have under that law.</li> </ul> <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>
120	<p><b>Educators who are under 18 to be supervised</b></p> <p>The approved provider of a centre-based service must ensure that any educator at the service who is under 18 years of age—</p> <ul style="list-style-type: none"> <li>(a) does not work alone at the service; and</li> <li>(b) is adequately supervised at all times by an educator who has attained the age of 18 years.</li> </ul> <p>Penalty: \$1100.</p>
126	<p><b>Centre-based services—general educator qualifications</b></p> <p>(1) The qualification requirements for educators at a centre-based service educating and caring for children preschool age or under are as follows—</p> <ul style="list-style-type: none"> <li>(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</li> <li>(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.</li> </ul> <p>(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.</p> <p>(1B) Subregulation (1A) does not apply in relation to New South Wales.</p> <p>(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.</p> <p>(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).</p> <p>(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).</p>
137	<p><b>Approval of qualifications</b></p> <p>(1) The National Authority must publish on its website lists of qualifications it has approved for the purposes of the Law including—</p> <ul style="list-style-type: none"> <li>(a) a list of approved early childhood teaching qualifications; and</li> <li>(b) a list of approved diploma level education and care qualifications; and</li> <li>(c) a list of approved certificate III level education and care qualifications; and</li> <li>(d) a list of approved qualifications for suitably qualified persons; and</li> <li>(e) a list of approved first aid qualifications and anaphylaxis management and emergency asthma management training.</li> </ul> <p>(2) The National Authority must also publish on its website lists of qualifications it has approved for the purposes of Chapter 7 including—</p> <ul style="list-style-type: none"> <li>(a) a list of former qualifications approved as any of the following— <ul style="list-style-type: none"> <li>(i) early childhood teaching qualifications;</li> <li>(ii) diploma level education and care qualifications;</li> <li>(iii) certificate III level education and care qualifications; and</li> </ul> </li> <li>(b) for Queensland, a list of former qualifications approved as either of the following— <ul style="list-style-type: none"> <li>(i) diploma level education and care qualifications;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>(ii) certificate III level education and care qualifications; and</li> <li>(c) a list of qualifications for working with children over preschool age for each participating jurisdiction; and</li> <li>(d) a list of qualifications and former qualifications for family day care coordinators in Queensland.</li> <li>(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.</li> <li>(4) The National Authority may publish on its website the following for the purposes of the definition of <b>actively working towards</b> a qualification— <ul style="list-style-type: none"> <li>(a) units of approved certificate III level education and care qualifications;</li> <li>(b) the percentage of total units required for completion of an approved early childhood teaching qualification.</li> </ul> </li> </ul>
145	<p><b>Staff record</b></p> <ul style="list-style-type: none"> <li>(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.</li> <li>(2) The staff record must include— <ul style="list-style-type: none"> <li>(a) the information about nominated supervisors set out in regulation 146; and</li> <li>(b) the information about staff members set out in regulation 147; and</li> <li>(c) the information about the educational leader set out in regulation 148; and</li> <li>(d) the information about volunteers set out in regulation 149(1).</li> </ul> </li> </ul>
170	<p>The approved provider of a centre-based service must take reasonable steps to ensure that nominated supervisors and staff members of, and volunteers at, the service follow the policies and procedures required under regulation 168.</p> <p>Penalty: \$1100.</p> <ul style="list-style-type: none"> <li>(2) The approved provider of a family day care service must take reasonable steps to ensure that nominated supervisors and staff members of, and family day care educators engaged by or registered with, the service follow the policies and procedures required under regulations 168 and 169.</li> </ul> <p>Penalty: \$1100</p>
299	<p><b>General qualification requirements for educators—children over preschool age</b></p> <ul style="list-style-type: none"> <li>(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).</li> <li>(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— <ul style="list-style-type: none"> <li>(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</li> <li>(b) otherwise—at all times the service is educating and caring for children over preschool age.</li> </ul> </li> <li>(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.</li> <li>(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.</li> <li>(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.</li> <li>(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.</li> <li>(7) In this regulation— <p><b>relevant qualification</b> 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.</p> </li> </ul>

## Education and Care Services National Law

169	<p>Offence relating to staffing arrangements</p> <ul style="list-style-type: none"> <li>(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.</li> <li>(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.</li> <li>(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.</li> <li>(4) A nominated supervisor 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.</li> <li>(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.</li> </ul>
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	<p>(7) The National Authority may, on application, determine qualifications, including foreign qualifications, to be equivalent to the qualifications required by the national regulations.</p> <p>(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.</p>
170	<p>Offence relating to unauthorised persons on education and care service premises</p> <p>(1) This section applies to an education and care service operating in a participating jurisdiction that has a working with children law.</p> <p>(2) The approved provider of the education and care service must ensure that a person does not remain at the education and care service premises while children are being educated and cared for at the premises, unless—</p> <p>(a) the person is an authorised person; or</p> <p>(b) the person is under the direct supervision of an educator or other staff member of the service.</p> <p>Penalty:</p> <p>\$1100, in the case of an individual.</p> <p>\$5700, in any other case.</p> <p>(3) A nominated supervisor of the education and care service must ensure that a person does not remain at the education and care service premises while children are being educated and cared for at the premises, unless—</p> <p>(a) the person is an authorised person; or</p> <p>(b) the person is under the direct supervision of an educator or other staff member of the service.</p> <p>Penalty: \$1100.</p> <p>(4) A family day care educator must ensure that a person does not remain at the family day care residence or approved family day care venue at which the educator is educating and caring for children, unless—</p> <p>(a) the person is an authorised person; or</p> <p>(b) the person is under the direct supervision of the educator.</p> <p>Penalty: \$1100.</p> <p>(5) In this section— authorised nominee, in relation to a child, means a person who has been given permission by a parent or family member of the child to collect the child from the education and care service or the family day care educator; authorised person means a person who is—</p> <p>(a) a person who holds a current working with children check or working with children card; or</p> <p>(b) a parent or family member of a child who is being educated and cared for by the education and care service or the family day care educator; or</p> <p>(c) an authorised nominee of a parent or family member of a child who is being educated and cared for by the education and care service or the family day care educator; or</p> <p>(d) in the case of an emergency, medical personnel or emergency service personnel; or</p> <p>(e) a person who is permitted under the working with children law of this jurisdiction to remain at the education and care service premises without holding a working with children check or a working with children card.</p> <p>(6) A reference in subsection (5) to a parent or family member of a child does not include a person—</p> <p>(a) whose access to the child is prohibited or restricted by an order of a court or tribunal of which the approved provider, nominated supervisor or family day care educator (as the case requires) is aware; or</p> <p>(b) who is an inappropriate person within the meaning of section 171.</p>
171	<p>Offence relating to direction to exclude inappropriate persons from education and care service premises</p> <p>(1) The Regulatory Authority may direct an approved provider, a nominated supervisor or a family day care educator to exclude a person whom the Authority is satisfied is an inappropriate person from the education and care service premises while children are being educated and cared for at the premises for such time as the Authority considers appropriate.</p> <p>(2) A person to whom a direction is given under subsection (1) must comply with the direction. Penalty:</p> <p>\$11 400, in the case of an individual.</p> <p>\$57 400, in any other case.</p> <p>(3) In this section— inappropriate person means a person—</p> <p>(a) who may pose a risk to the safety, health or wellbeing of any child or children being educated and cared for by the education and care service; or</p> <p>(b) whose behaviour or state of mind or whose pattern of behaviour or common state of mind is such that it would be inappropriate for him or her to be on the education and care service premises while children are being educated and cared for by the education and care service.</p>
301 (3,h&i)	<p>(3) Without limiting subsection (1), the national regulations may provide for the following—</p> <p>Sch. s. 301(3)(a) amended by No. 9/2017 s. 53(6).</p> <p>(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;</p> <p>(i) requirements and standards about educators' relationships with children, interactions and behaviour guidance and inclusion policies and practice for education and care services;</p>

## **Principals:**

To ensure that all educators are of high quality and exceed the minimum staffing requirements as outlined by the National Regulations. All procedures of the Service which are applicable to regularly employed educators apply to relief and vacation care support staff except where expressly provided otherwise.

## **Procedure:**

### **Vacation Care Relief Educators will:**

- Abide by all staff and employee expectations, policy, procedure and child safe protocols.
- 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.
- Not use any personal mobile devices or the capture of video or photography of any persons, child or young person while at the Service.
- Demonstrate professional conduct consistent with Service values and regulatory expectations.

### **Lead Educators will:**

- Ensure relief and vacation care support staff are supported at all times to uphold all Service Policy and Procedure.
- Encourage children and young people to speak up if they feel uncomfortable with unknown adults and take their concerns seriously.

### **Approved Providers and Nominated Supervisors will:**

- Ensure all employees meet blue card and prohibited persons screening requirements before engaging with the Service.
- Give clear guidelines in relation to their responsibilities and code of conduct whilst at the Service.
- An induction process will be provided that outlines:
  - The Service's commitment to an environment which is safe and friendly to children and young people
  - The Service's policies and procedures, code of conduct
  - Procedures to follow when harm is disclosed
  - Employee rights and responsibilities
  - What is expected of them
  - 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
  - Grievance procedures

- Ensure all employees complete a WH&S test, including child safety before commencing.
- Take responsibility for ensuring the Service meets the staffing and qualification requirements under Regulation 126 of the *Education and Care Services National Regulations*.
- Share the 'Relief and Vacation Care Support Staff 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 relief and vacation care support staff are trained in recognising harm and are aware they must immediately report disclosures, suspicions, or incidents of harm to the Nominated Supervisor.

**See also:**

- Mueller OSHC Child Protection Policy & Procedure
- Mueller OSHC Employee Code of Conduct Policy & Procedure
- Mueller OSHC Child Safe Code of Conduct Policy & Procedure
- Mueller OSHC Notification & Reporting Policy & Procedure
- Mueller OSHC Privacy & Confidentiality Policy & Procedure
- Mueller OSHC Record Keeping Policy & Procedure
- Mueller OSHC Child and Youth Risk Minimisation Plan
- Mueller OSHC Supervision Policy & Procedure
- Mueller OSHC WH&S Policy & Procedure
- Mueller OSHC Child Youth Risk Minimisation Plan

**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
- National Quality Standard, Revised 1 February 2018
- Guide to the National Quality Standard, Revised May 2022
- Workplace Health and Safety Act 2011 (Current as at 29 Nov 2024)
- Education and Care Services Act 2013 (Current as at Feb 2024)
- Commission for Children and Young People and Child Guardian Act, 2000
- Child Services Award – State 2012



# RELIEF AND VACATION CARE SUPPORT STAFF POLICY & PROCEDURE

## REVIEW

POLICY REVIEWED BY:	Rachel Rose	OSHC Director	28/09/25
POLICY REVIEWED	SEPT 2025	NEXT REVIEW DATE	JAN 2026
VERSION NUMBER	V2.2		
MODIFICATIONS	<ul style="list-style-type: none"><li>• Formatting and responsibilities</li><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 review table</li></ul>		JAN 2025