



Policy Manual

Children's Services

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Overview

Introduction and Background

Open Arms Care Incorporated provides Early Childhood Education and Care to children aged 0-12 years old through;

- Family Day Care
- Out of School Hours Care

Funding for these programs is provided by the Australian Government Department of Education and Training and the NSW Department of Education.

National Quality Standard

Concept		Descriptor
QA1		Educational program and practice
1.1	Program	The educational program enhances each child's learning and development.
1.1.1	Approved learning framework	Curriculum decision-making contributes to each child's learning and development outcomes in relation to their identity, connection with community, wellbeing, confidence as learners and effectiveness as communicators.
1.1.2	Child-centred	Each child's current knowledge, strengths, ideas, culture, abilities and interests are the foundation of the program.
1.1.3	Program learning opportunities	All aspects of the program, including routines, are organised in ways that maximise opportunities for each child's learning.
1.2	Practice	Educators facilitate and extend each child's learning and development.
1.2.1	Intentional teaching	Educators are deliberate, purposeful, and thoughtful in their decisions and actions.
1.2.2	Responsive teaching and scaffolding	Educators respond to children's ideas and play and extend children's learning through open-ended questions, interactions and feedback.
1.2.3	Child directed learning	Each child's agency is promoted, enabling them to make choices and decisions that influence events and their world.
1.3	Assessment and planning	Educators and co-ordinators take a planned and reflective approach to implementing the program for each child.
1.3.1	Assessment and planning cycle	Each child's learning and development is assessed or evaluated as part of an ongoing cycle of observation, analysing learning, documentation, planning, implementation and reflection.
1.3.2	Critical reflection	Critical reflection on children's learning and development, both as individuals and in groups, drives program planning and implementation.
1.3.3	Information for families	Families are informed about the program and their child's progress.

QA2		Children's health and safety
2.1	Health	Each child's health and physical activity is supported and promoted.
2.1.1	Wellbeing and comfort	Each child's wellbeing and comfort is provided for, including appropriate opportunities to meet each child's need for sleep, rest and relaxation.
2.1.2	Health practices and procedures	Effective illness and injury management and hygiene practices are promoted and implemented.
2.1.3	Healthy lifestyle	Healthy eating and physical activity are promoted and appropriate for each child.
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.
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practised and implemented.
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.
QA3		Physical environment
3.1	Design	The design of the facilities is appropriate for the operation of a service.
3.1.1	Fit for purpose	Outdoor and indoor spaces, buildings, fixtures and fittings are suitable for their purpose, including supporting the access of every child.
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.
3.2.1	Inclusive environment	Outdoor and indoor spaces are organised and adapted to support every child's participation and to engage every child in quality experiences in both built and natural environments.
3.2.2	Resources support play-based learning	Resources, materials and equipment allow for multiple uses, are sufficient in number, and enable every child to engage in play-based learning.
3.2.3	Environmentally responsible	The service cares for the environment and supports children to become environmentally responsible.

QA4		Staffing arrangements
4.1	Staffing arrangements	Staffing arrangements enhance children's learning and development.
4.1.1	Organisation of educators	The organisation of educators across the service supports children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.
QA5		Relationships with children
5.1	Relationships between educators and children	Respectful and equitable relationships are maintained with each child.
5.1.1	Positive educator to child interactions	Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.
5.1.2	Dignity and rights of the child	The dignity and rights of every child are maintained.
5.2	Relationships between children	Each child is supported to build and maintain sensitive and responsive relationships.
5.2.1	Collaborative learning	Children are supported to collaborate, learn from and help each other.
5.2.2	Self-regulation	Each child is supported to regulate their own behaviour, respond appropriately to the behaviour of others and communicate effectively to resolve conflicts.

QA6		Collaborative partnerships with families and communities
6.1	Supportive relationships with families	Respectful relationships with families are developed and maintained and families are supported in their parenting role.
6.1.1	Engagement with the service	Families are supported from enrolment to be involved in the service and contribute to service decisions.
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected and families share in decision-making about their child's learning and wellbeing.
6.1.3	Families are supported	Current information is available to families about the service and relevant community services and resources to support parenting and family wellbeing.
6.2	Collaborative partnerships	Collaborative partnerships enhance children's inclusion, learning and wellbeing.
6.2.1	Transitions	Continuity of learning and transitions for each child are supported by sharing information and clarifying responsibilities.
6.2.2	Access and participation	Effective partnerships support children's access, inclusion and participation in the program.
6.2.3	Community engagement	The service builds relationships and engages with its community.
QA7		Governance and Leadership
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.
7.1.3	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	There is an effective self-assessment and quality improvement process in place.
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.

Governance and Leadership

Constitution

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Part 1
1

Preliminary
Definitions

(1) In these rules:

The association means Open Arms Care Incorporated.

Object of the association means – to identify and support the provision of inclusive Community Services.

Commissioner means the Commissioner of the Office of Fair Trading.

Board member means a member of the Board who is not an office-bearer of the association, as referred to in rule 14(2).

secretary means:

- (a) the person holding office under these rules as secretary of the association, or
- (b) if no such person holds that office – the public officer of the association.

Special general meeting means a general meeting of the association other than an annual general meeting.

the Act means the *Associations Incorporation Act 1984*.

the regulation means the *Associations Incorporation*

Regulation 1999.

(2) In these rules:

- (a) a reference to a function includes a reference to a power, authority and duty, and
- (b) a reference to the exercise of a function includes, if the function is a duty, a reference to the performance of the duty.

(3) The provisions of the *Interpretation Act 1987* apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

Part 2 Membership

2

Membership qualifications

A person is qualified to be a member of the association if, but only if:

- (a) the person is a person referred to in section 15(1) (a), (b) or (c) of the Act and has not ceased to be a member of the association at any time after incorporation of the association under the Act,
or
- (b) the person is a natural person:

- (i) who has been nominated for membership of the association as provided by rule 3, and
- (ii) who has been approved for membership of the association by the Board of the association.

3 Nomination for membership

- (1) A nomination of a person for membership of the association:
 - (a) must be made by a member of the association in writing in the form set out in Appendix 1 to these rules, and
 - (b) must be lodged with the secretary of the association.
- (2) As soon as practicable after receiving a nomination for membership, the secretary must refer the nomination to the Board which is to determine whether to approve or to reject the nomination.
- (3) As soon as practicable after the Board makes that determination, the secretary must:
 - (a) notify the nominee, in writing, that the Board approved or rejected the nomination (whichever is applicable), and
 - (b) if the Board approved the nomination, request the nominee to pay (within the period of 28 days after receipt by the nominee of the notification) the sum payable under these rules by a member as entrance fee and annual subscription.
- (4) the secretary must, on payment by the nominee of the amounts referred to in clause (3) (b) within the period referred to in that provision, enter the nominee's name in the register of members and, on the name being so entered, the nominee becomes a member of the association.

4 Cessation of membership

A person ceases to be a member of the association if the person:

- (a) dies, or
- (b) resigns membership, or
- (c) is expelled from the association.
- (d) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth.

5 Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the association:

- (a) is not capable of being transferred or transmitted to another person, and
- (b) terminates on cessation of the person's membership.

6 Resignation of membership

- (1) A member of the association is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the association who has paid all amounts payable by the member to the association in respect of the member's

membership may resign from membership of the association by first giving to the secretary written notice of at least one month (or such other period as the Board may determine) of the member's intention to resign and, on the expiration of the period of notice, the member ceases to be a member.

- (3) If a member of the association ceases to be a member under clause (2), and in every other case where a member ceases to hold membership, the secretary must make an appropriate entry in the register of members recording the date on which the member ceased to be a member.

7 Register of members

- (1) The public officer of the association must establish and maintain a register of members of the association specifying the name and address of each person who is a member of the association together with the date on which the person became a member.
- (2) The register of members must be kept at the principal place of administration of the association and must be open for inspection, free of charge, by any member of the association at any reasonable hour.
- (3) A member of the association may obtain a copy of any part of the register on payment of a fee of \$1 for each page copied or, if some other amount is determined by the Board, that other amount.

8 Fees and subscriptions

- (1) A member of the association must, on admission to membership, pay to the association a fee determined at the previous AGM.
- (2) In addition to any amount payable by the member under clause (1), a member of the association must pay to the association an annual membership fee determined at the previous AGM.
 - (a) except as provided by paragraph (b), before 1 July in each calendar year, or
 - (b) if the member becomes a member on or after 1 July in any calendar year – on becoming a member and before 1 July in each succeeding calendar year.
 - (c) Members who have not paid annual membership fees by the 31 July of each calendar year will be deemed to no longer be members of the association, and will have to reapply for membership as per clause 3 (1).

9 Members' liabilities

The liability of a member of the association to contribute towards the payment of the debts and liabilities of the association or the costs, charges and expenses of the

winding up of the association is limited to the amount, if any, unpaid by the member in respect of membership of the association as required by rule 8.

10 Resolution of internal disputes

- (1) Disputes between members (in their capacity as members) of the association, and disputes between members and the association, are to be referred to the secretary of the Board in writing.
- (2) The secretary is to notify all Board members in writing within seven days of receipt of a written complaint. The Secretary will notify, by appropriate means (see clause 41 Service of Notices), that a dispute has been received along with a copy of the dispute.
- (3) A dispute between members of the association requires the Secretary to forward a copy, within seven days of receipt of the written complaint, to the other party along with a written request for a reply. The other party is to send their reply to the secretary within fourteen days of receipt.
- (4) The secretary is to forward a copy of the reply to the complainant and to all members of the Board within seven days of receipt of the reply. The secretary is to add the consideration of the issue to the agenda of the next scheduled Board meeting.
- (5) Disputes between members (in their capacity as members) of the association, and disputes between members and the association will be considered at the next scheduled Board meeting. The Board will pass a resolution to address the dispute.
- (6) In the case that the dispute is not resolved to the satisfaction of either or both parties, the party who is dissatisfied shall notify the Board in writing of the specifics of their dissatisfaction. The dispute can then be referred to a community justice centre for mediation in accordance with the *Community Justice Centres Act 1983*. At least 7 days before a mediation session is to commence, the parties are to exchange statements of the issues that are in dispute between them and supply copies to the mediator.

11 Disciplining of members

- (1) A complaint may be made in writing to the Board by any person, that a member of the association:
 - (a) has persistently refused or neglected to comply with a provision or provisions of these rules, or
 - (b) has persistently and wilfully acted in a manner prejudicial to the interests of the association.
- (2) On receiving such a complaint, the Secretary is to notify all Board members in writing within seven days of receipt of a written complaint. The Secretary:-
 - (a) must cause written notice of the complaint to be served on the member concerned; and
 - (b) must give the member at least fourteen days from the time the notice is served within which to make written

- submissions to the Board in connection with the complaint, and
 - (c) must present to the Board any written submissions made by the member in connection with the complaint, within fourteen days of receipt of the reply.
 - (3) The Board may allow the member to address the Board. The Board shall require the member, if present, to leave the meeting whilst the complaint is deliberated. The Board may, by resolution, expel the member from the association or suspend the member from membership of the association if, after considering the complaint and any submissions made in connection with the complaint, it is satisfied that the facts alleged in the complaint are proven.
 - (4) If the Board expels or suspends a member, the secretary must, within seven days after the action is taken, cause written notice to be given to the member of the action taken, of the reasons given by the Board for having taken that action and of the member's right of appeal under rule 12.
 - (5) The expulsion or suspension does not take effect:
 - (a) until the expiration of the period within which the member is entitled to appeal against the resolution concerned (see section 12 (1)), or
 - (b) if within that period the member exercises the right of appeal, unless and until the association confirms the resolution under rule 12(5), whichever is the later.

12 Right of appeal of disciplined member

- (1) A member may appeal to the association in general meeting against a resolution of the Board under rule 11, within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.
- (2) The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purposes of the appeal.
- (3) On receipt of a notice from a member under clause (1), the secretary must notify the Board, which is to convene a general meeting of the association to be held within 28 days after the date on which the secretary received the notice.
- (4) At a general meeting of the association convened under clause (3):
 - (a) no business other than the question of the appeal is to be transacted, and
 - (b) the Board and the member must be given the opportunity to state their respective cases orally or in writing, or both, and
 - (c) the members present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

- (5) If at the general meeting the association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

Part 3 The Board

13 Powers of the Board

The Board is to be called the Board of the association and, subject to the Act, the Regulation and these rules and to any resolution passed by the association in general meeting:

- (1) is to control and manage the affairs of the association, and
- (2) may exercise all such functions as may be exercised by the association, other than those functions that are required by these rules to be exercised by a general meeting of members of the association, and
- (3) has power to perform all such acts and do all such things as appear to the Board to be necessary or desirable for the proper management of the affairs of the association.

14 Constitution and membership

- (1) Subject in the case of the first members of the Board to section 21 of the Act, the Board is to consist of:
 - (a) the office-bearers of the association, and
 - (b) 3 ordinary members,each of whom is to be elected at the annual general meeting of the association under rule 15.
- (2) The office-bearers of the association are to be:
 - (a) the president
 - (b) the vice-president
 - (c) the treasurer, and
 - (d) the secretary
- (3) Each member of the Board is, subject to these rules, to hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.
- (4) In the event of a casual vacancy occurring in the membership of the Board, the Board may appoint a member of the association to fill the vacancy and the member so appointed is to hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

15 Election of members

- (1) To be eligible for nomination as a member of the Board, a member:
 - (a) Must have been a financial member of the Association for

- three months immediately prior to election; and
- (b) Must not at the time of nomination be:
 - (i) be an employee of the Association; or
 - (ii) a contractor registered or engaged by the Association to provide care services.
- (c) Nominations of candidates for election as office-bearers of the association or as ordinary members of the Board: must be made in writing, signed by 2 members of the association and accompanied by the written consent of the candidate (which may be endorsed on the form of the nomination), and
- (d) must be delivered to the secretary of the association at least 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place.
- (2) A member of the Board cannot for the duration of their membership of the Board be employed in any capacity by the Association. Task undertaken by a board member as an independent contractor to the association, will not be considered as employment for the purposes of this clause, if the scope and remuneration of the project are approved at a meeting of the board.
- (3) If insufficient nominations are received to fill all vacancies on the Board, the candidates nominated are taken to be elected, and further nominations are to be received at the annual general meeting.
- (4) If insufficient further nominations are received, any vacant positions remaining on the Board are taken to be casual vacancies.
- (5) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (6) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (7) The ballot for the election of office-bearers and ordinary members of the Board is to be conducted at the annual general meeting in such usual and proper manner as the Board may direct.

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President

- (1) The President, or in the president's absence the vice president, shall act as chairperson at each general meeting and Board meeting of the association.
- (2) If the President and vice president are absent, or unwilling to act, the members present at the meeting shall elect one of their number to act as chairperson.

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Secretary

- (1) The Secretary of the association must, as soon as practicable after being appointed as secretary, lodge notice with the association of his or her address.
- (2) It is the duty of the secretary to keep minutes of:

- (a) all appointments of office-bearers and members of the Board,
 - (b) the names of members of the Board present at a Board meeting or a general meeting, and
 - (c) all proceedings at Board meetings and general meetings.
- (3) Minutes of proceedings at a meeting must be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.
- (4) The Secretary shall ensure all notices, as prescribed in these rules, are served within the timeframes specified in these rules.

18

Treasurer

It is the duty of the treasurer of the association to ensure:

- (1) that all money due to the association is collected and received and that all payments authorised by the association are made, and
- (2) that correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the association.

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Casual vacancies

For the purposes of these rules, a casual vacancy in the office of a member of the Board occurs if the member:

- (1) dies, or
- (2) ceases to be a member of the association, or
- (3) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth, or
- (4) resigns office by notice in writing given to the secretary, or
- (5) is removed from office under rule 19, or
- (6) becomes a mentally incapacitated person, or
- (7) is absent without the consent of the Board from all meetings of the Board held during a period of 6 months.

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Removal of member

- (1) The association in general meeting may by resolution remove any member of the Board from the office of member before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.
- (2) If a member of the Board to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representation be notified to the members of the association, the secretary or the president may send a copy of the

representations to each member of the association or, if the representations are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

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Meetings and quorum

- (1) The Board must meet at least six times in each period of 12 months at such place and time as the Board may determine.
- (2) Additional meetings of the Board may be convened by the President or by any two members of the Board.
- (3) Oral or written notice of a meeting of the Board must be given by the secretary to each member of the Board at least 48 hours (or such other period as may be unanimously agreed on by the members of the Board) before the time appointed for the holding of the meeting.
- (4) Notice of a meeting given under clause (3) must specify the general nature of the business to be transacted at the meeting and no business other than that business is to be transacted at the meeting, except business, which the Board members present at the meeting unanimously agree to treat as urgent business.
- (5) Any 3 members of the Board, present in person, constitute a quorum for the transaction of the business of a meeting of the Board.
- (6) No business is to be transacted by the Board unless a quorum is present and if, within half an hour of the time appointed for the meeting, a quorum is not present, the meeting is to stand adjourned to the same place and at the same hour of the same day in the following week.
- (7) If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the meeting, the meeting is to be dissolved.
- (8) At a meeting of the Board:
 - (a) the president or, in the president's absence, the vice-president is to preside, or
 - (b) if the president and the vice-president are absent or unwilling to act, such one of the remaining members of the Board as may be chosen by the members present at the meeting is to preside.

22

Delegation by Board to sub-Board

- (1) The Board may, by instrument in writing, delegate to one or more sub-Boards (consisting of such member or members of the association as the Board thinks fit) the exercise of such of the functions of the Board as are specified in the instrument, other than:
 - (a) this power of delegation, and
 - (b) a function which is a duty imposed on the Board by the Act or by any other law.

- (2) A function the exercise of which has been delegated to a sub - Board, under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-Board in accordance with the terms of the delegation.
- (3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function, or as to time or circumstances, as may be specified in the instrument of delegation.
- (4) Despite any delegation under this rule, the Board may continue to exercise any function delegated.
- (5) Any act or thing done or suffered by a sub-Board acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the Board.
- (6) The Board may, by instrument in writing, revoke wholly or in part any delegation under this rule.
- (7) A sub-Board may meet and adjourn, as it thinks proper.

23 Voting and decisions

- (1) Questions arising at a meeting of the Board or of any sub- Board appointed by the Board are to be determined by a majority of the votes of members of the Board or sub-Board present at the meeting.
- (2) Each member present at a meeting of the Board or of any sub- Board appointed by the Board (including the person presiding at the meeting) is entitled to one vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.
- (3) Subject to rule 21(5), the Board may act despite any vacancy on the Board.
- (4) Any act or thing done or suffered, or purporting to have been done or suffered, by the Board or by a sub-Board appointed by the Board, is valid and effectual despite any defect that may afterwards be discovered in the appointment or qualification of any member of the Board or sub-Board.

Part 4 General meeting

24 Annual general meetings – holding of

- (1) With the exception of the first annual general meeting of the association, the association must, at least once in each calendar year and within the period of 6 months after the expiration of each

- financial year of the association, convene an annual general meeting of its members.
- (2) The association must hold its first annual general meeting:
 - (a) within the period of 18 months after its incorporation under the Act, and
 - (b) within the period of 6 months after the expiration of the first financial year of the association.
 - (3) Clauses (1) and (2) have effect subject to any extension or permission granted by the Commissioner under section 26(3) of the Act.

25 Annual general meetings – calling of and business at

- (1) The annual general meeting of the association is, subject to the Act and to rule 24, to be convened on such date and at such place and time as the Board thinks fit.
- (2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting is to include the following:
 - (a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting,
 - (b) to receive from the Board reports on the activities of the association during the last preceding financial year,
 - (c) to elect office-bearers of the association and ordinary members of the Board,
 - (d) to receive and consider the statement which is required to be submitted to members under section 26(6) of the Act.
- (3) An annual general meeting must be specified as such in the notice convening it.

26 Special general meetings – calling of

- (1) The Board may, whenever it thinks fit, convene a special general meeting of the association.
- (2) The Board must, on the requisition in writing of at least 5 per cent of the total number of members, convene a special general meeting of the association.
- (3) A requisition of members for a special general meeting:
 - (a) must state the purpose or purposes of the meeting, and
 - (b) must be signed by the members making the requisition, and
 - (c) must be lodged with the secretary, and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the Board fails to convene a special general meeting to

be held within 1 month after that date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.

- (5) A special general meeting convened by a member or members as referred to in clause (4) must be convened as nearly as is practicable in the same manner as general meetings are convened by the Board and any member who consequently incurs expenses is entitled to be reimbursed by the association for any expense so incurred.

27 Notice

- (1) Except if the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 14 days before the date fixed for the holding of the general meeting, give a notice to each member specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) If the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the association, the secretary must, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be given to each member specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting is to be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted under rule 25(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who must include that business in the next notice calling a general meeting given after receipt of the notice from the member.

28 Procedure

- (1) No item of business is to be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.
- (2) Five members present in person (being members entitled

under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

- (3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting:
 - (a) if convened on the requisition of members, is to be dissolved, and
 - (b) in any other case, is to stand adjourned to the same day in the following week at the same time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.
- (4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting, the members present (being at least 3) is to constitute a quorum.

29 Presiding member

- (1) The president or, in the president's absence, the vice-president, is to preside as chairperson at each general meeting of the association.
- (2) If the president and the vice-president are absent or unwilling to act, the members present must elect one of their number to preside as chairperson at the meeting.

30 Adjournment

- (1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
- (2) If a general meeting is adjourned for 14 days or more, the secretary must give written or oral notice of the adjourned meeting to each member of the association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (3) Except as provided in clauses (1) and (2), notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

31 Making of decisions

- (1) A question arising at a general meeting of the association is to be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution. At a general meeting of the association, a poll may be demanded by the chairperson or by at least 3 members present in person at the meeting.
- (2) If a poll is demanded at a general meeting, the poll must be taken;
 - (a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment, or
 - (b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs,and the resolution of the poll on the matter is taken to be the resolution of the meeting on that matter.

32 Special resolution

A resolution of the association is a special resolution:

- (a) if it is passed by a majority which comprises at least three- quarters of such members of the association as, being entitled under these rules so to do, vote in person at a general meeting of which at least 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules, or
- (b) where it is made to appear to the Commissioner that it is not practicable for the resolution to be passed in the manner specified in paragraph (a) if the resolution is passed in a manner specified by the Commissioner.

33 Voting

- (1) On any question arising at a general meeting of the association a member has one vote only. No member of the association, who is also an employee of the association, shall be eligible to vote at any meeting of

the association.

- (2) All votes must be given personally.
- (3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.
- (4) A member is not entitled to vote at any general meeting of the association unless all money due and payable by the member to the association has been paid, other than the amount of the annual subscription payable in respect of the then current year.

34 Appointment of proxies

All votes shall be given personally and there shall be no voting by proxy.

Part 5 Miscellaneous

35 Sitting Fees

- (1) The Association will make a bona fide payment of remuneration of not less than \$100 and not more than \$250 to Board members for attendance at each Board meeting. The amount of the payment will be determined by a general resolution of the members of the Association at each annual general meeting, with the amount determined to apply in respect of all board meetings occurring on a date after that annual general meeting and before the next annual general meeting.
- (2) Any resolution passed in relation to clause 35.1 that is for an amount less than \$100 shall be deemed to be a resolution for the amount of \$100.
- (3) Any resolution passed in relation to clause 35.1 that is for an amount more than \$250 shall be deemed to be a resolution for the amount of \$250.

36 Insurance

The association shall effect and maintain insurance, which may be required by law or regarded as necessary by the association.

37 Funds – source

- (1) The funds of the association are to be derived from entrance fees and annual subscriptions of members, donations and, subject to any resolution passed by the association in general meeting, such other sources as the Board determines.
- (2) All money received by the association must be deposited as soon as practicable and without deduction to the credit of the association's bank account.

- (3) The association must, as soon as practicable after receiving any money, issue an appropriate receipt.

38 Funds – management

- (1) Subject to any resolution passed by the association in general meeting, the funds of the association are to be used in pursuance of the objects of the association in such manner as the Board determines.
- (2) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by any 2 members of the Board, or employees of the association, being members or employees authorised to do so by the Board.

39 Dissolution

In the event that the association for any reason is unable to continue to operate or voluntarily winds up its affairs, any surplus assets or funds will be distributed according to the provisions of sections 50, 51, 52 and 53 of the Associations Incorporations Act 1984.

40 Deductible Gift Recipient (DGR) Status

- (1) The association will create and maintain a special gift fund in our banking system for deposit of DGR donations.
- (2) In the event that the association is wound up, the funds held in the special gift fund account will go to another charitable organisation with DGR status, that the Board thinks fit.

41 Alteration of objects and rules

The statement of objects and these rules may be altered, rescinded or added to only by a special resolution of the association.

42 Common seal

- (1) The common seal of the association must be kept in the custody of the public officer, or at the registered offices of the association.
- (2) The common seal must not be affixed to any instrument except by the authority of the Board and the affixing of the common seal must be attested by the signatures either of 2 members of the Board or of 1 member of the Board and of the public officer or secretary.

43 Custody of books

Except as otherwise provided by these rules, the public officer must keep in his or her custody or under his or her control all records, books

and other documents relating to the association. For the purposes of this clause, the records, books and other documents relating to the association will be taken to be in the custody or control of the public officer so long as they are kept at the premises of the Association.

44 Inspection of books

The records, books and other documents of the association must be open to inspection, free of charge, by a member of the association at any reasonable hour.

45 Service of notices

- (1) For the purpose of these rules, a notice may be served on or given to a person:
 - (a) by delivering it to the person personally, or
 - (b) by sending it by pre-paid post to the address of the person, or
 - (c) by sending it by facsimile transmission or some other form of electronic transmission to an address specified by the person for giving or serving the notice.
- (2) for the purpose of these rules, a notice is taken, unless the contrary is proved, to have been given or served:
 - (a) in the case of a notice given or served personally, on the date on which it is received by the addressee, and
 - (b) in the case of a notice sent by pre-paid post, on the date when it would have been delivered in the ordinary course of post, and
 - (c) in the case of a notice sent by facsimile transmission or some other form of electronic transmission, on the date it was sent, or if the machine from which the transmission was sent produces a report indicating that the notice was sent on a later date, on that date.

Mission, Vision & Values

Mission

Provide Quality Care Valued By Our Community



Vision

A Caring Community



Values



Community Understanding and Engagement

Purpose

- 1.1 This policy outlines how Open Arms Care Inc. will engage with the community and adapt services to meet changing needs.

Objectives

- 1.2 Open Arms Care Inc. will ensure that it engages with the community and that this is reflected in service planning and development.

Commencement of Policy

- 1.3 This Policy will commence from 01/02/2020. It replaces all other policies of Open Arms Care Incorporated ('Open Arms Care Inc.'), if any, relating to employee input (whether written or not).

Scope

- 1.4 The Policy applies to all service users, contractors, full-time, part-time and casual employees and volunteers of Open Arms Care Inc.

Community Engagement

- 1.5 Open Arms Care Inc. will undertake the following processes which support community understanding and engagement:
 - a) Monitor the profile of the community;
 - b) Continue to adapt the service to meet the needs of those with special needs people from Aboriginal and Torres Strait Islander communities;
 - (i) people from non-English speaking (culturally and linguistically diverse) backgrounds;
 - (ii) people who live in rural or remote areas;
 - (iii) people who are financially or socially disadvantaged;
 - (iv) people who are veterans, including the spouse, widow or widower of a veteran;
 - (v) people who are homeless, or at risk of becoming homeless;
 - (vi) people who are care leavers; and/or
 - (vii) people from the Lesbian, Gay, Bisexual, Transgender and Intersex community.
 - c) Continue to monitor the funding agreement and contractual obligations and notify the department where there may be barriers to services
 - d) Engage consumers and the community in Annual Planning and service development where possible
 - e) Survey of the community to determine specific needs
 - f) Staff attending interagency and network meetings in the community where possible
 - g) Survey of consumers on an annual basis.

- 1.6 Open Arms Care Inc. Will engage in community events, expo's and information days where possible to ensure the community is aware of the service available. It will have a presence in the community and will continue to promote and market the service appropriately to ensure access for all.

Variations

- 1.7 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.8 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.9 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Confidentiality Management Policy

Aim

The Approved Provider, Nominated Supervisors, staff, and educators of Open Arms Care Inc. Children's Services Division, have a responsibility to keep confidential, all records and information obtained relating to staff, educators, educator's family members, children enrolled in the services and their family members.

Parents, visitors to the services and other persons who live at the residence or venue, should at all times, respect the service's regulatory requirement to keep records and information confidential.

Prescribed bodies and agencies can exchange information in accordance with legislation only when the information relates directly to the safety, welfare, and well-being of the child or young person.

COMMENCEMENT OF POLICY

This Policy will commence from 1/02/2020. It replaces all other Confidentiality Management policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment

Relevant Legislation

- Education and Care Services National Law 2010
- Education and Care services National Regulations 2011
- Childcare Service Handbook 2017/2018
- *Privacy Amendment (Enhancing Privacy Protection) Act 2012*
- *National Quality Standards-Quality Area 7*

Implementation

Personal information will only be collected in so far as it relates to the service's activities and functions, and in line with relevant legislation.

Collection of personal information will be lawful, fair, reasonable and unobtrusive. The use or disclosure of personal information will only be for its original collected purpose, unless the individual consents, or unless it is needed to prevent a health threat, or is required or authorised under law. The consent must be written and by the person who provided the information.

Any verbal information obtained by Educators or staff in relation to the Educators, staff or the families of children enrolled for the service must be treated confidentially.

Confidential conversations that educators, coordinators or Nominated Supervisor have with parents, or the Approved Provider/Nominated Supervisor has with educators and other staff, will be conducted in a quiet area away from other children, parents and staff. Such conversations are to be written up and stored in a confidential folder.

Records and information are to be stored appropriately by the service to ensure confidentiality, and be maintained in accordance with legislative requirements. This includes families, Educator and Staff personal forms.

Disposal of records after the elapse of the mandatory period of retention will be through shredding or incineration.

The Approved Provider and/Nominated Supervisor will deal with privacy complaints promptly and in a consistent manner, following the Grievance Procedures.

Every Educator, Coordinator, Staff and Nominated Supervisor is required to sign a Confidentiality statement.

All matters discussed at staff/committee meetings will be treated as confidential.

Students/people of work experience/volunteers will not make educators/children or families at the Services an object for discussion outside of the Service, nor will they at any time use family names in recorded or tutorial information. They will also gain written permission from the families and Nominated Supervisor before they use any information on the child or Service to complete their studies and will not divulge the names of persons.

The Approved Provider/Nominated Supervisor will ensure that this policy is maintained and implemented at all times.

Sources

Education and Care Services National Law 2010

Childcare Service Handbook retrieved January 2020

<https://docs.education.gov.au/documents/child-care-service-handbook>

Privacy fact sheet 17: Australian Privacy Principles <https://www.oaic.gov.au/individuals/privacy-fact-sheets/general/privacy-fact-sheet-17-australian-privacy-principles> retrieved January 2020

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Continuous Improvement

Purpose

- 1.1 This policy outlines Open Arms Care Inc.'s expectations and commitment to improving service delivery and consumer outcomes supported by a demonstrated continuous improvement process in all aspects of service management and delivery.

Commencement of Policy

- 1.2 This Policy will commence from 01/02/2020. It replaces all other policies of Open Arms Care Incorporated ('Open Arms Care Inc.'), if any, relating to employee input (whether written or not).

Scope

- 1.3 The Policy applies to all service users, contractors, full-time, part-time and casual employees and volunteers of Open Arms Care Inc.

Improvement process

- 1.4 Open Arms Care Inc. will strive for ongoing improvement in some of the following ways:
 - a) Ongoing consultation with community, staff, consumers and volunteers;
 - b) Encouraging ongoing feedback from the community, consumers, staff and volunteers;
 - c) Maintain a Feedback Register;
 - d) Maintain a Continuous Improvement Register and a standing agenda item at all Board meetings;
 - e) Regularly discuss areas for improvement and set goals which are achievable at the Annual Planning day;
 - f) Maintain registers of complaints, WHS incidents/accidents and areas for improvement.
- 1.5 As well as the above, Open Arms Care Inc. will maintain records of achievements, awards, audits and other positive activities undertaken by the service. It will actively engage in Assessment and Ratings and other audits as necessary and in line with regulatory requirement to ensure improvement is a focus. See Quality Improvement Plans.

Variations

- 1.6 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.7 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

- 1.8 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Dealing with Complaints Policy

Aim

The Open Arms Care Inc. Children's Services have formal arrangements for handling complaints and ensuring they are dealt with fairly and promptly, to foster positive relations between families, staff, educators and the community

A culture of open communication, in which educators, staff and families can comment on service's practices and influence management decisions, allows the services to become aware of potential concerns before they turn into formal grievances and complaints.

Complaints, grievances, and feedback are seen as opportunities for services to learn and improve services. The learning that occurs through any use of this procedure should be documented and shared to encourage an open approach of continuous improvement of services.

COMMENCEMENT OF POLICY

This Policy will commence from 15/08/2022. It replaces all other Dealing with Complaints policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation:

- Education and Care Services National Law 2010
- Education and Care services National Regulations 2011
- *Privacy Amendment (Enhancing Privacy Protection) Act 2012*
- *National Quality Standards – Quality Area 7*

Practice

Parents and families are advised in the parent handbook that the service has a complaint handling policy as well as a more formal Complaint procedure and given contact phone numbers.

For Family Day Care policies are available at Educator Premises and at Open Arms Care's Offices.

Induction programme for educators is conducted advising of the complaints procedure.

All complaints are handled confidentially in an appropriate manner. (Refer *Confidentiality* policy)

All complaints will be handled promptly and in a positive and sympathetic response to concerns.

Solutions are sought to solve all disputes through fairness and natural justice.

Procedure

Initially, where complaints are verbal, they need to be put in written form.

Who to complain to: Initially discuss with the party concerned.

Issue regarding	Report to
Quality care, Educators, Financial issues-	Coordinator
Staff, Coordinator issues-	Nominated Supervisor
Community issues-	Coordinator/Nominated Supervisor
Breach of Regulation, National Law-	Regulatory Authority (NQA IT system)

Complaints and feedback are dealt with fairly, promptly, confidentially and without retribution	
A complaint or feedback is received from a parent, family member, educator, or staff member	May be taken in a letter, email, Complaint Form, Tell Us What You Think Form, via telephone or face to face.
A Complaint Form is created by the person receiving the complaint and the complaint is reported to the Coordinator/Nominated Supervisor.	On day complaint is received.
The complaint is reviewed by the Co-ordinator/Nominated Supervisor and reported to the Chief Executive Officer/Approved Provider. Relevant information and proposed action is recorded.	The Regulatory Authority is informed through the NQA IT System if it is a breach of Regulation or National Law or if the safety, health or wellbeing of a child was or is being compromised within 24 hours of being informed of the complaint. Or if not a breach then the proposed action will be recorded within 2 days
The Co-ordinator/Nominated Supervisor/Chief Executive Officer contacts (by telephone or letter) the complainant to advise: <ul style="list-style-type: none"> • The complaint is being accessed • The process that is followed • The timeline • Their right to an advocate and advocacy agency support. 	Within 4 working days of receipt of complaint
The Co-ordinator/Nominated Supervisor/Chief Executive Officer decide the action to be taken and who takes it.	Within 10 Working days of receipt of complaint
Action is carried out. Person/s affected by the complaint are fully informed of all facts and given the opportunity to provide further information	Within 15 working days of receipt of complaint.
The complainant is advised of the actions taken to address the issues raised and the outcome of the complaint in a letter.	
If the complainant is not satisfied with the outcome, they are advised of the complaints appeal process.	

The Chief Executive Officer/Approved Provider is regularly updated about the progress to action the complaint and proposed action is agreed.	
If the complainant wishes to appeal, the complaint is reviewed by the Approved Provider whose decision is final.	Within 25 working days of receipt of complaint
The complainant is advised of the Approved Providers decision and of their option to go to an advocacy agency.	
When the complaint is finalised a staff person is identified by the Chief Executive Officer/Approved Provider to make sure that the complainant feels comfortable to continue accessing the service and to obtain feedback on the complaint's procedure. The complaint is then closed.	

If a family, parent, educator or staff member chooses to complain to an external agency they are free to do so, and Open Arms Care Inc. will support them as required:

Open Arms Care Inc. – Chief Executive Officer/Nominated Supervisor
Clayton Sippel
ceo@openarms.org.au
0438 292 855

Open Arms Care Inc. - Approved Provider
John Race
board@openarms.org.au
0434130268

NSW Department of Education
<https://education.nsw.gov.au/about-us/rights-and-accountability/complaints-compliments-and-suggestions>
Early Childhood Education and Care Directorate
Information and enquiries team
1800 619 113 (toll free)
Fax: 02 8633 1810
ececd@det.nsw.edu.au

Community services Division of The NSW Ombudsman
1800 451 524

NSW Office of the Children's Guardian
Locked Bag 5100, Strawberry Hills NSW 2012
Phone: 02 8219 3600
Email: kids@kidsguardian.nsw.gov.au

Sources

Education and Care Services National Law 2010
Education and Care services National Regulations 2011
Privacy fact sheet 17: Australian Privacy Principles <https://www.oaic.gov.au/individuals/privacy-fact-sheets/general/privacy-fact-sheet-17-australian-privacy-principles> retrieved 8th February 2018
NSW Education Department <https://education.nsw.gov.au/> retrieved 20.3.2020
Office of the Children's Guardian <https://www.kidsguardian.nsw.gov.au/about-us/who-we-are/complaints> retrieved 20.3.2020

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Associated documents

- Tell Us What you Think Form
- Complaints Form

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Delegations Policy

Purpose

- 1.9 The Delegations Policy identifies the requirements for authorising financial and human resources (HR) functions, transactions and contracts.
- 1.10 Financial and HR delegations are intended to achieve the following objectives:
- a) to ensure the efficiency and effectiveness of administrative processes,
 - b) to ensure that appropriate officers have been provided with the level of authority necessary to discharge their responsibilities,
 - c) to assist in the prevention of fraud, and
 - d) to ensure a high level of transparency in the execution of financial and HR functions, transactions and contracts.

Commencement of Policy

- 1.11 This Policy will commence from 01/02/2020. It replaces all other policies of Open Arms Care Incorporated ('Open Arms Care Inc.'), if any, relating to fees (whether written or not).

Scope

- 1.12 The Policy applies to all service users, contractors, full-time, part-time and casual employees and volunteers of Open Arms Care Inc.

Definitions

- Board: Open Arms Care Board
CEO: Chief Executive Officer
CFO: Chief Finance Officer
Managers: Leaders of department/business units

Aim

- 1.13 The policy specifies the Delegation Policies in terms of:
- a) Overarching limitations
 - b) Financial planning
 - c) Financial management
 - d) Investments
 - e) Remuneration and benefits
 - f) Protection of assets
 - g) Communication and support to the Board
 - h) Emergency Chief Executive succession
 - i) Employment conditions
 - j) Privacy
 - k) Public affairs
- 1.14 This Policy details the delegation limits applicable to specific financial and HR actions from the Board to the CEO. For administrative purposes, the subsequent delegation of functions from the CEO to staff has been included in this document, including:

- a) The financial delegations that managers can exercise when purchasing goods and services on behalf of the organisation, and
- b) The HR delegations that managers can exercise in relation to their subordinate staff.

Policy Principals

1.15 Principles underpinning this policy include:

- a) Delegations are to be assigned to a position, not an individual by name or group of individuals, unless this is specifically required under legislation or to suit specific circumstances.
- b) Each staff member is accountable and responsible for the correct exercise of delegations assigned to his or her position.
- c) All staff exercising delegations must adhere to the fundamentals of good judgment and decision making, independence, transparency, and maintain adequate records.
- d) Managers can only exercise their delegations for the financial cost centres they manage. The expenditure must be covered within existing approved limits.
- e) If a Manager will be absent for a period greater than ten working days they can, with the written agreement of the CEO, appoint an alternative delegate in their absence.
- f) Acting or higher duty arrangements must be authorised by a Manager for roles up to and including Coordinator level. The CEO will sign off on acting Manager and short-term acting CEO arrangements.

Procedures

1.16 All staff exercising delegations are bound by the following OAC policies and procedures:

- a) Purchasing Policy;
- b) Contract Management Framework;
- c) Employment Conditions Policy;
- d) Investment Policy;
- e) Credit Card Policy and Procedures;
- f) Travel Policy; and
- g) Code of Conduct.

1.17 As detailed in the Purchasing Policy, all purchases of goods and services for OAC need to be made in accordance with the principles of value for money, and open & effective competition.

Reporting

1.18 All identified instances of non-compliance with delegations as detailed in this policy must be reported immediately to the CEO or Chief Finance Officer.

Responsibilities

1.19 Staff who hold delegations must:

- a) Only exercise delegations against the position they currently occupy.
- b) Take steps to ensure they understand the powers that have been delegated to them.
- c) Comply with all relevant statutory requirements, government and OAC policies relevant to the delegation, and any limitations of the delegation.
- d) Clearly record the exercise of their delegation by writing their name and position on

any documentation they sign as a delegate.

- e) Take personal responsibility for the exercise of the delegation and not be coerced into making a decision against their will or better judgment.

1.20 CEO, CFO and Managers must:

- a) Ensure that staff exercising delegations within their area possess the knowledge and skills to adequately exercise the delegations assigned to their positions.
- b) Ensure delegations and limitations are appropriate for the responsibilities and level of the position to which the powers are delegated.
- c) Request any necessary changes to delegations or limitations when duties or functions of positions change (particularly if a position has been transferred from another business area).

Conflict of Interest

- 1.21 OAC places great importance on making clear any existing or potential conflicts of interest for staff and delegates. See; Conflicts and Personal Relationships in the Workplace Policy.

Schedule of Delegations

The following schedules include delegations from the Board to the CEO and from the CEO to OAC staff.

Financial and Accounting Delegations			
Category	Values	Authorisation to approve / act	Delegation to Others to approve/act
Budget approval	All Variations which affect the approved annual surplus or deficit by $\leq 10\%$	Board CEO	N/A CFO
Opening bank accounts	All	Board	Joint signing: CEO, CFO, Board
Write off unrecoverable fees	Up to \$1,000 Over \$1,000	CEO CEO and Board	CFO N/A
Category	Values	Authorisation to approve / act	Delegation to Others to approve/act
Sign PAYG payment summaries	All	CEO	CFO
Sign cheques	All	Board	Joint signing: CEO, CFO, Board representative

Placement and redemption of investments	All	Board CEO	CFO
Purchase of assets, goods and services and entering into contracts on behalf of OAC	Under \$2,000	CEO	CFO
	Up to \$10,000	CEO	CFO
	Up to \$25,000	Board	CEO
<i>Asset cost more than \$1,000 and have a useful life greater than 12 months.</i>	Over \$25,000	Board	CEO
Travel	Domestic	CEO	CFO
	Overseas	Board	N/A
Bank authorisation including the opening of corporate credit cards within existing pre-approved limits <i>Two officers are required to approve bank transactions.</i>	No limit Joint signing	Board CEO	CFO
Reimbursement of approved personal work-related expenses <i>Expenses include study costs, travel and memberships of professional bodies.</i>	No limit	CEO	CFO
Insurance Policies			
Category	Values	Authorisation to approve / act	Delegation to Others to approve/act
Insurance (including property, contents, public liability, indemnity, directors & officers, volunteer, motor vehicle)	All	CEO	CFO

Human Resource Delegations The exercising of Human Resources delegations must be made in line with OAC's Employment Conditions Policy			
Activity	Officer/s	Authorisation to approve / act	Delegation to Others to approve/act
Annual and personal leave	Staff Managers CEO	Manager CEO Board	CEO CFO CFO
Long service leave	All positions up to Manager CEO	CEO Board	CFO N/A
Time in lieu / overtime <i>Leave granted in compensation for additional hours worked.</i>	Staff Managers CEO	Manager CEO Board	CEO CFO CFO Board
Study leave <i>Leave to attend classes and examinations for OAC approved study being undertaken.</i>	Staff Managers CEO	Manager CEO Board	CEO CFO CFO Board
Activity	Officer/s	Authorisation to approve / act	Delegation to Others to approve/act
Employment of staff – existing & new positions where variations affect the approved annual surplus or deficit by ≤10% <i>Hiring of staff; including advertising and use of recruitment agencies.</i>	All staff	CEO	N/A
Approval of probation <i>Approve the passing of the six month probation period.</i>	Up to Manager Manager CEO	Manager CEO Board	CEO CFO CFO Board
Termination of employment	All CEO	CEO Board	N/A

<i>Approval to terminate the employment of an officer in accordance with the Employment Conditions Policy</i>			
Acting and Higher Duties – up to and including Manager level	All	CEO	CFO
Acting & Higher Duties – CEO (< 5 business days)	CEO	CEO	Board
Acting & Higher Duties – CEO (longer than 5 business days e.g. to temporarily fill position for the period between CEO departure and recruitment of permanent replacement)	CEO	Board	N/A
Salary variations CEO approval to act where variations affect the approved annual surplus or deficit by ≤10%	All	CEO	N/A
Grievance resolution	All	Manager CEO Board	N/A
Staffing levels - Variations to total staff numbers which affect the approved annual budget estimate by ≤10%	All	CEO	N/A

Variations

1.22 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care

Determining Responsible Person in Day-to-Day Charge

Aim

Legislation requires that a Responsible Person is physically in attendance at all times the service is educating and caring for children. The Responsible Person is either the Approved Provider (or the person in management or control of the service), the Nominated Supervisor of the service, or a person in day-to-day charge of the service.

The Approved Provider, Open Arm's Care Inc, operates the service with an appointed Nominated Supervisor. The Nominated Supervisor does not have to be in attendance at the service at all times, but in their absence, a person deemed responsible by the Approved Provider is to be placed in charge as the Responsible Person. Open Arm's Care Inc will ensure a Responsible Person is available to provide support to family day care educators. This includes being available to be contacted by telephone to provide advice and assistance to a family day care educator. Details of the Responsible Person will be displayed for all users of the service. A Responsible Person will be

COMMENCEMENT OF POLICY

This Policy will commence from 1/02/2020. It replaces all other Determining Responsible Person policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment

Legislation:

- Education and Care Services National Regulations 2011
- Education and Care Services National Law 2011
- National Quality Standards – Quality Area 4: Staffing Arrangements
- National Quality Standards – Quality Area 7: Governance and Leadership

Definitions:

Approved Provider: An individual or organisation that has completed an application form and been approved by the Regulatory Authority as fit and proper (in accordance with Sections 12, 13 and 14 of the National Law) to operate one or more education and care services.

Nominated Supervisor: A person who has been nominated by the Approved Provider of the service under Part 3 of the Act to be the Nominated Supervisor of that service, and who has consented to that nomination. The Nominated Supervisor has day-to-day responsibility for the service in accordance with the National Regulations. All services must have a Nominated Supervisor.

Responsible Person: The Approved Provider (if that person is an individual, and in any other case the person with management or control of the service operated by the Approved Provider) or a Nominated Supervisor or educator who has been placed in day-to-day charge of the service in accordance with the National Regulations. (As of 1 October 2017, Supervisor Certificates have been removed to allow service providers the autonomy to decide who can be the Responsible Person at each service).

Responsibilities:

The Approved Provider is responsible for:

- Ensuring each Nominated Supervisor and person in day-to-day charge has completed the relevant child protection training for NSW.
- Ensuring each Nominated Supervisor and person in day-to-day charge has the appropriate First aid qualifications.
- ensuring there is a Responsible Person available at all times the service is delivering education and care programs for children
- ensuring that a person eligible to be nominated as a Responsible Person has appropriate skill level, experience, qualifications and approval to work with children, as required under the National Law and National Regulations
- ensuring that the name and position of the Responsible Person in charge of the service is displayed and easily visible from the main entrance of the service (National Law, Section 172).
- ensuring that the service does not operate without a Nominated Supervisor, and that this person has given written consent.
- Ensuring the Nominated Supervisor and Person in day-to-day charge is 18 years of age
- ensuring whether the individual has been subject to compliance action or disciplinary proceedings under a Children's services law, education law, or a previous Education and Care Services law, in any state or territory. Candidates will be asked to submit a Compliance History Statement.
- ensuring that the name of the Nominated Supervisor is displayed prominently at the service
- ensuring that information about the Nominated Supervisor, including name, address, date of birth, evidence of qualifications and approved training, and a Working with Children Check is kept on the staff record
- notifying the Regulatory Authority in writing if there is a change of person in the role of Nominated Supervisor
- ensuring that, in the absence from the service of a Nominated Supervisor, another person will be placed in day-to-day charge of the service.
- ensuring that the Nominated Supervisor has a sound understanding of the role of Responsible Person
- ensuring there are sufficient educators with to meet the legislative requirement for a Responsible Person at the service during periods of leave or illness.
- ensuring details of Responsible persons are recorded on the staff record
- notifying the Regulatory Authority in writing if there any changes to:
 1. the name of the Approved Provider

2. the appointment or removal of a person with management or control of the service operated by the Approved Provider
3. the status of the Approved Provider as fit and proper
4. notifying the Regulatory Authority if a Nominated Supervisor has their Working with Children Check card or teacher registration suspended or cancelled, or if they are subject to any disciplinary proceedings under the law.

The Nominated Supervisor is responsible for:

- ensuring they have a sound understanding of the role of Responsible Person
- ensuring that the name and position of the Responsible Person in charge of the service is displayed and easily visible from the main entrance of the service
- developing rosters in accordance with the availability of Responsible Persons, hours of operations and the attendance patterns of children
- notifying the Approved Provider and the Regulatory Authority within 7 days of any changes to their personal situation, including a change in mailing address, circumstances that affect their status as fit and proper, such as the suspension or cancellation of a Working with Children Check or if they are subject to disciplinary proceedings
- Having knowledge of current Child Protection legislation and have an ongoing commitment to participate in ongoing professional development on child protection

Responsible Person is responsible for:

- Providing written consent to accept the role of Responsible Person.
- Checking that the name and position of the Responsible Person in charge of the service is displayed and easily visible from the main entrance of the service.
- Ensuring they have a sound understanding of the role of Responsible Person.
- Understanding that a Responsible Person placed in day-to-day charge of an approved service does not have the same responsibilities under the National Law as the Nominated Supervisor.
- In regards to Family Day Care, they must have a Diploma in Early Childhood Education and Care Services
- Have practical knowledge of the day-to-day responsibilities of being an educator at the service, including how to work through unexpected problems
- Having knowledge of current Child Protection legislation and have an ongoing commitment to participate in ongoing professional development on child protection
- Checking that the name and position of the Responsible Person in charge of the service is displayed and easily visible from the main entrance of the service.
- Ensure they have a sound understanding of the role of Responsible Person.

Sources

Guide to the National Law and Regulations www.acecqa.gov.au

Education and Care Services National Regulations 2011 Retrieved January 2020

Operational Requirements, Guide to the National Quality Framework October 2018

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Enterprise Risk Management

Purpose

- 1.23 This policy outlines Open Arms Care Inc. commitment to managing risk.
- 1.24 This Policy also ensures Open Arms Care Inc. will promote identification and mitigation of risk in all areas of operations, including but not limited to:
- a) Governance
 - b) Finance
 - c) Management and Administration
 - d) Reputation
 - e) Human Resources and Staff Support
 - f) Work Health Safety
 - g) Legal and Legislation
 - h) Service Delivery

Commencement of Policy

- 1.25 This Policy will commence from 01/02/2020. It replaces all other policies of Open Arms Care Incorporated ('Open Arms Care Inc.'), if any, relating to employee input (whether written or not).

Scope

- 1.26 The Policy applies to all service users, contractors, full-time, part-time and casual employees and volunteers of Open Arms Care Inc.

Risk Management

- 1.27 Risk Management refers to all the major risk categories (listed under 1.2) and includes the co-ordination, integration, monitoring and reporting of strategies that are developed.

*Note: Work Health and Safety Policy compliments this policy.

Risk Management Plans

- 1.28 The Risk Management Plan will underpin the overall operation of Open Arms Care Inc. and be regularly reviewed through analysis of identified hazards, reported incidents, and potential liabilities and risks.
- 1.29 The Coordinator/Manager is responsible for developing and maintaining the Risk Management Plan, and reporting annually to the Board on its effectiveness. The Risk Management Plan will:
- a) identify risks in each of the categories
 - b) identify the level of risk according the risk management matrix (below)
 - c) include strategies for the mitigation of risk
 - d) allocate responsibility for the implementation of the strategies
 - e) define the timeframe within which strategies will be implemented if they are not already in place
 - f) identify the level of risk once the strategies are implemented.

Likelihood

	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain A	Moderate	High	High	Extreme	Extreme
Likely B	Moderate	Moderate	High	High	Extreme
Possible C	Low	Moderate	High	High	High
Unlikely D	Low	Low	Moderate	Moderate	High
Rare E	Low	Low	Moderate	Moderate	High

*See Risk Management Plan.

Variations

- 1.30 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.31 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.32 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Financial Management

Purpose

- 1.33 Open Arms Care Inc. will ensure that the finances of the organisation are managed in an open and transparent manner and in accordance with funding body and legislative/regulatory requirements.

Commencement of Policy

- 1.34 This Policy will commence from 01/02/2020. It replaces all other policies of Open Arms Care Incorporated ('Open Arms Care Inc.'), if any, relating to fees (whether written or not).

Scope

- 1.35 The Policy applies to all service users, contractors, full-time, part-time and casual employees and volunteers of Open Arms Care Inc.

Financial Management

- 1.36 The financial management of Open Arms Care Inc. is the responsibility of the Coordinator/Manager who will:
- a) Ensure that there is an approved budget for the financial year
 - b) Monitor expenditure in accordance with the budget
 - c) Reconcile funding deposits with Funding Agreement
 - d) Manage debtors and creditors
 - e) Provide the Board with budget reports
 - f) Ensure financial records identify individual program income and expenditure
 - g) Ensure that all funds received are used for approved activities
 - h) Complete annual acquittal returns, and submit financial reports as required to the funding bodies.
- 1.37 The Board will approve the purchase of large equipment or capital expenditure. Requests and authorisation must be via Board meetings and minuted.
- 1.38 The Coordinator/Manager is authorised to approve purchases of up to \$5,000 provided they fall within the current budget allocations. Amounts outside these delegations must be authorised by the Board.
- 1.39 All new applications for Government grants must be recommended and approved by the Board and signed and sealed by the President if they are successful.
- 1.40 Should Government funding for any or all programs cease, Open Arms Care Inc. will terminate the operation and make appropriate disbursement of remaining funds and equipment, per funding body requirements and as outlined in the Constitution.

Cash Handling

- 1.41 Open Arms Care Inc. handles cash from customers in payment for services provided.
- 1.42 Cash may be handled by staff and volunteers. All cash must be receipted immediately upon receiving. A receipt must be provided to the consumer/carer and a copy retained for accounting balances. Cash must be stored in lockable cash safe and banked weekly.

- 1.43 Banking must be undertaken by the relevant staff member and staff must take all care to ensure that their actions are accountable and there is a clear process for managing any cash.

Insurance and Asset Management

- 1.44 Open Arms Care Inc. will arrange and ensure that all appropriate insurances are taken out to adequately protect the organisation and staff, consumers and volunteers.
- 1.45 Insurances will include:
- a) Public Liability Insurance with a minimum of \$20,000,000.00 cover for any one occurrence
 - b) Workers' Compensation Insurance as required by law
 - c) Volunteers' Personal Accident Insurance
 - d) Professional Indemnity
 - e) Property (fire), contents (theft and burglary – replacement cost) and all risk insurance to cover the organisation's property and assets
 - f) Vehicle Insurance
 - g) Insurance coverage for students or trainees on placement, except where they are covered by their training institution.
- 1.46 The Coordinator/Manager should ensure that all vehicles belonging to staff and volunteers, if used for Open Arms Care Inc. business, are fully insured, including Compulsory Third Party and Comprehensive or Third Party Property Insurance.

Variations

- 1.47 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.48 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.49 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Governance & Regulatory Compliance

Purpose

- 1.50 This policy outlines the processes Open Arms Care's Board has implemented to support sound corporate governance processes that are designed to ensure the effective operation of its community services in accord with the aims stated in its Constitution.

Commencement of Policy

- 1.51 This Policy will commence from 1.2.2020. It replaces all other policies of Open Arms Care Incorporated ('Open Arms Care Inc. '), if any, relating to fees (whether written or not).

Scope

- 1.52 The policy applies to the Board all service users, contractors, full-time, part-time and casual employees and volunteers of Open Arms Care Inc.

About Open Arms Care Inc.

- 1.53 Open Arms Care Inc. is a community service organisation which was formed in 2008 from the amalgamation of three smaller entities; Bellingen Shire Family & Children's Services Inc., Bellingen Shire Meals on Wheels Inc. and Bellingen Shire Support Network Inc.
- 1.54 Open Arms Care Inc. currently provides community services to two broad groups; Children and Ageing Persons.
- 1.55 Open Arms Care Inc. services include; out of school hours care, vacation care, family day care, meals on wheels, social support, domestic assistance and respite for people who are aged 65 years and older.

Our Mission

To provide quality care valued by our community

Our Vision

A Caring Community

Our Values

- Inclusive
- Nurturing
- Supportive
- Professional
- Innovative
- Respectful
- Ethical

Our Aim

- 1.56 The Association's aim is to fulfil the founding purpose of the Association, to identify and support the provision of inclusive Community Services.
- 1.57 The Association has determined that it will ensure that such services as are provided meet all the standards set by the relevant legal regulatory body. Its priority is to continue to provide its high quality legacy services for children and aged people.

- 1.58 The Association has further determined that it will continue to gradually expand its services through the creation of new services indicated by community demand and mergers/partnerships with compatible services serving the community.

Our Objectives

- 1.59 To elect a Board which will carry out its fiduciary responsibilities for ensuring the financial integrity and accountability of the Association; further, the Board is charged with the task of fulfilling the Association's stated objectives by appointing a Chief Executive Officer and working with that officer to:
- a) sustain continuous improvement and to assist all services to adopt Quality Assurance principles and practices in accord with the requirements of funding and regulatory agencies;
 - b) ensure that all staff have a high standard of work performance and behave ethically toward their clients and colleagues;
 - c) manage staff in accordance with acceptable workplace principles, including Equal Employment Opportunities and Work, Health and Safety Legislation;
 - d) support professional development and training for all Board members, volunteers and staff members;
 - e) respect and acknowledge the contribution and commitment of our volunteers, staff members and community groups;
 - f) fairly act in the interests of each service user;
 - g) encourage active participation of all sectors of the community, in particular indigenous community, migrants and underrepresented groups;
 - h) encourage cultural awareness, honour cultural diversity for CALD and ATSI groups, respect the Indigenous custodians of the land.

Key Result Areas

- 1.60 Open Arms Care Inc. has identified a range of key result areas to ensure our vision and objectives are achieved. These are assessed at the end of each year and are reported in the Annual Report. Key result areas include:
- a) Ensure continuous improvement
 - (i) Open Arms Care Inc. strives to continually improve its services through seeking ongoing feedback about our services from all stakeholders including service users, their families and advocates, staff and the community. We conduct ongoing reviews of our procedures and processes to ensure that they are meeting the requirements of the service users and the organisation and ensure that our practice is reflective.
 - (ii) Our success in this is measured by the number of feedback forms received, the proportion of feedback forms resulting in the identification of an improvement,

the proportion of improvements implemented and the success of the improvements.

(iii) The Board sets **the strategic plan with the Association's Chief Executive Officer**.

- b) Funding and other accountability requirements are met
 - (i) Open Arms Care Inc. is continuously improving systems and processes to monitor and meet the accountability requirements of incorporation and funding providers including contracted outputs. Success in this is measured by the extent to which we meet the requirements and is monitored on an ongoing basis.
(see 1.5.2 Monitoring Funding Requirements and Service Delivery).
- c) A skilled and efficient workforce is maintained
 - (i) A skilled and efficient workforce is paramount in the delivery of quality and effective services and to a stable workforce.
 - (ii) Success is measured by the number of positive comments received about staff, the amount of training provided and the outcomes for staff from the training, staff turnover and staff satisfaction.

Services Provided

- 1.61 Open Arms Care Inc. is currently funded to provide a range of services across two community service sectors including; ageing and children's services.
- 1.62 Specific support and services provided include:
 - a) Out of School Hours Care for children aged 5 to 12 years. This service currently includes Vacation Care, Before and After School Care
 - b) Family Day Care for children aged 0 to 12 years
 - c) Domestic Assistance for people aged 65 years or older [Aboriginal people aged 55 years or older]
 - d) Social Support for people aged 65 years or older [Aboriginal people aged 55 years or older]
 - e) Respite services for carers of people aged 65 years or older [Aboriginal people aged 55 years or older]
 - f) Meal services including precooked delivered meals and food vouchers for people aged 65 years or older [Aboriginal people aged 55 years or older]

Plus;

Additional services as may be approved by the Board from time to time

Our Staff

- Chief Executive Officer
- Managers (Designated by Service Name)
- Coordinators (Designated by Program Name)

- Administration Officers
- Client Support Officers
- Family Day Care Educators
- OSHC Nominated Supervisors
- OSHC Responsible Persons in Day to Day Charge

In addition, Open Arms Care Inc. engages with volunteers to assist in the delivery of meals and provide transport services.

See Figure 1.1: Open Arms Care Inc. Organisation Structure.

The Constitution

- 1.63 The [Constitution](#) underpins all of Open Arms Care Inc. operations and services and specifies the legal framework in which Open Arms Care operates.
- 1.64 Board members are familiar with the details of the Constitution, and make sure that all of Open Arms Care Inc. policies and practices are consistent with its Constitution. In particular, the Board makes sure that the legal requirements specified in the Constitution and the Associations Incorporation Act 2009 are met.

Board of Governance

- 1.65 Open Arms Care Inc. is governed by a Board of up to seven people comprising a:
- a) President
 - b) Vice President
 - c) Treasurer
 - d) Secretary
 - e) Ordinary members

Role of the Board

- 1.66 The Board provides strategic direction to the Chief Executive Officer and monitors the operations of Open Arms Care Inc. to ensure that it:
- a) Meets its objectives as specified in the Constitution,
 - b) Remains a viable organisation, and
 - c) Meets legal requirements including those related to incorporation, funding, contractual arrangements, the employment of staff and the provision of services.
 - d) Meets the aims and objectives as articulated by the Board in its annual plan and longer term strategic plan.
 - e) Meets the standards set by the Board and the relevant regulatory and funding bodies
 - f) The Board is responsible for ensuring Open Arms Care Inc. operates within its approved budget and in accordance with its stated policies and procedures.
 - g) Appoints members to the Association who have:
 - (i) experience in management and/or a relevant special area of expertise

- (ii) have excelled in their respective fields of endeavour
- (iii) agree to make a commitment to community service without financial reward
- (iv) agree to work harmoniously with their fellow members

Involvement in Day to Day Management

- 1.67 The Board is not involved in the day to day management of Open Arms Care, and Board Members do not communicate directly to staff on operational matters, nonetheless, the Executive of the Board, may seek information from the Chief Executive Officer as the need arises and the Treasurer may request financial details in order to fulfil her/his responsibility to ensure:
- a) All money due to the Association is collected and received and that all payments authorised by the Association are made, and
 - a) Correct books and accounts are kept showing the financial affairs of the association, including full details of all receipts and expenditure connected with the activities of the Association.
 - b) Official Board visitors (any two Board Members) meet with the Chief Executive Officer and staff of a specified program every two months to learn about the operation of the program. The Visitors give a report to the Board at its next meeting.
- 1.68 In the unexpected absence of the Chief Executive Officer, the President or Vice President and Treasurer may request information from any member of staff and/or authorise them to deputise for the Chief Executive Officer and perform duties at a higher level with their agreement.

Working with the Chief Executive

- 1.69 The Board:
- a) Appoints the Chief Executive Officer
 - b) Delegates certain powers to the Chief Executive Officer concerning operational matters pertinent to the proper functioning of the designated Services
 - c) Requires Chief Executive Officer to Report regularly to the Board on the conduct of the Association's Services
 - d) Authorises Budgets
 - e) Authorises Policies developed by the Chief Executive Officer
 - f) Issues Corporate Policy which takes precedence
 - g) May request the assistance of the Chief Executive Officer in hosting official Board Members' inspections of individual services (Official Board Visitors policy) and in the conduct of any review of the Association's activities/services

The Role of the Chief Executive

- 1.70 The Chief Executive Officer is responsible for implementing the directions set by the Board, within the Association's vision, aims, strategic plans and budget. The Board

relies on Chief Executive Officer to fulfil fiduciary responsibilities and to represent its aspirations for OAC fairly and positively to the staff under his/her supervision.

- 1.71 Open Arms Care Board's expectation is that the Chief Executive Officer and the leadership team will:
- a) Promote and build strong and harmonious work teams.
 - b) Actively involve staff in program design and planning under their leadership.
 - c) Implement the directions and decisions of the Board by ensuring day to day operations of the service are managed in accordance with the Board's approved policies and procedures. Particularly in respect of financial procedures and the quality of programs.
 - d) Place a high priority on ensuring that Children/Clients receive a quality program and are treated with respect at all times
 - e) Ensure effective systems for the efficient use of resources are operational in their workplace.
 - f) Ensure that there are efficient and effective systems for data gathering as a basis for sound program planning.
 - g) Collaborate with staff to identify staff development priorities.
 - h) Ensure that the workplace has effective procedures and policies on privacy, dignity and confidentiality.
 - i) Follow Board policies on the proper recruitment, induction and supervision of staff
 - j) Adhere to Board policies on the proper management of budgets.
 - k) Prepare accurate and timely reports as required under Board policies for reporting.
 - l) Effectively promote policies and procedures approved by the Board and those which are mandated under legislation and funding agreements
 - m) Be familiar with the contents of industrial awards which may cover staff in their workplace.
 - n) Prepare and monitor annual budgets using the financial services system authorised by the Board
 - o) Always use courteous discourse in written and spoken communications in the workplace and promote polite discussion within work teams.

Reports for the Chief Executive Officer

1.72 The Chief Executive Officer is required to submit the following reports to the Board:

- a) Bi-monthly report including – agreed statistical data on client usage, staff status, visitors, staff development activities volunteer numbers – (refer to approved template for bi-monthly reports)
- b) Operational Plans for forthcoming year (usually prior to annual budget).
- c) Draft Financial Year Budget in May of each year
- d) Annual Report – agreed statistical data and other requested information
- e) Incident Reports as they arise
- f) Reports on specific matters as they arise

1.73 Reports must be timely to enable the Secretary and Treasurer to prepare information for the Board or appropriate Board Committee to review and consider.

Staff

1.74 The Association's Staff are its most valuable asset. The key to effective community service delivery is the appointment of skilled and reliable staff.

1.75 The Board's expectations of staff is that they will

- a) Carry out their work roles diligently and effectively
- b) Deliver high quality services
- c) Read carefully the policies and practice guidelines promulgated by the Chief Executive Officer
- d) Act on instructions from the Chief Executive Officer and their immediate supervisor in their respective program
- e) Strive to improve the quality of their work practice by seeking advice from the leadership team and taking advantage of staff development and training support which is offered
- f) Act ethically and responsibly at all times and maintain the privacy and confidentiality of clients
- g) Act honestly and fairly in the workplace
- h) Always use courteous discourse in written and spoken communications in the workplace and promote polite discussion within work teams.

Responsibilities of the Board

1.76 Specific responsibilities of the Board are:

- a) Legal
 - (i) Ensure that Open Arms Care Inc. operates within relevant Federal, State and Local Government laws and funding provider requirements including:
 - (ii) Operates in line with
 - (iii) The Constitution
 - (iv) The Associations Incorporation Act
 - (v) All Funding Agreements
 - (vi) Complies with all legislation in relation to the employment of staff and volunteers including:

- (vii) Minimum conditions of employment and any awards that may apply
 - (viii) Income tax requirements
 - (ix) Workplace health and safety requirements
 - (x) Equal employment opportunity legislation
 - (xi) Workers compensation and
 - (xii) Superannuation
 - (xiii) Has adequate insurance cover
 - (xiv) Complies with the Privacy Act and regulations, the Working with Children legislation and any other relevant legislation or regulations
- b) Policy and planning
- (i) Open Arms Care Inc. has clear and relevant objectives that guide the operations of the organisation
 - (ii) A service plan is developed and reviewed each year and identified priorities are implemented
 - (iii) High quality and effective services are delivered to service users in line with the Community Care Common Standards and funding guidelines
 - (iv) This policies and procedures manual is kept up-to-date and is followed and implemented by all Managers.
- c) Financial
- (i) Open Arms Care Inc. has an annual budget that is approved by the Board, and that expenditure is within the budget
 - (ii) Open Arms Care Inc. has sufficient income to meet the budget requirements
 - (iii) The conditions of the Funding Agreements are met
 - (iv) Funds are properly accounted for and that an audit is completed every year.

Other Board Responsibilities

- 1.77 The responsibilities for each position are clearly communicated to members of Open Arms Care Inc. prior to the election of Board members to ensure prospective Board members understand their responsibilities. By accepting a position on the Board, members agree to carry out the responsibilities of their position as follows:

General Board Responsibilities

- 1.78 All Board members agree to accept responsibility for:
- a) Meeting the requirements specified in the Open Arms Care Incorporated Constitution and the Associations Incorporation Act 2009
 - b) Meeting the requirements of funding agreements
 - c) The delivery of quality and effective services
 - d) The management, supervision and support of staff
 - e) Making sure that policies and procedures defined and agreed to by the Board are followed.

Responsibilities of the President

- 1.79 The responsibilities of the President include:

- a) Make sure regular Board meetings are held
- b) Encourage members of the Board to attend meetings
- c) Lead the meeting through the agenda, keeping discussion relevant, decision making clear and encouraging broad participation
- d) Sign letters or documents on behalf of Open Arms Care Inc. as required
- e) Make sure meetings are run in accordance with the Constitution of Open Arms Care Inc.
- f) Act as a spokesperson for Open Arms Care Inc.

Responsibilities of the Vice President

1.80 The responsibilities of the Vice President include:

- a) Take on the role of President when he/she is absent from any meetings
- b) Assist the President in their duties
- c) Act as a spokesperson for Open Arms Care Inc.
- d) Be a member of and/or chair sub-boards/task groups as required
- e) Sign letters or documents on behalf of Open Arms Care Inc. as required
- f) Undertake any other tasks as needed.

Responsibilities of the Treasurer

1.81 The responsibilities of the Treasurer include ensuring:

- a) Books of account are properly maintained and kept safe
- b) Monthly financial reports are prepared and presented at bi-monthly Board meetings
- c) Financial/accountability requirements of funding bodies are met
- d) Board members understand the financial position of Open Arms Care Inc.
- e) Funds are not being mismanaged
- f) An annual audit of the books of account is conducted and the audited financial statements are presented to the Board and to the Annual General Meeting
- g) Sign letters or documents on behalf of Open Arms Care Inc. as required

Responsibilities of the Secretary:

1.82 The responsibilities of the Secretary include ensuring:

- a) Accurate minutes of all meetings are taken and are properly filed
- b) Copies of the minutes of Board meetings are distributed to Board members prior to the next Board meeting
- c) A Register of Board Members and Association Members is maintained
- d) Any reporting under the Associations Incorporation Act is completed.
- e) Sign letters or documents on behalf of Open Arms Care Inc. as required

Responsibilities of other Board Members:

- (i) The responsibilities of other Board members include:
- (ii) Assisting the President, Secretary or Treasurer to undertake their duties

- (iii) Acting as a spokesperson when requested by the Board
- (iv) Manage and support staff when requested by the Board
- (v) Be a member of and/or chair sub-Boards/task groups as required
- (vi) Sign letters or documents on behalf of Open Arms Care Inc. as required
- (vii) Assist with any other tasks that may arise.

Board Meetings

- 1.83 Board Meetings are held bi-monthly on the last Thursday of the month. Sub Board Meetings are held as required to ensure operational effectiveness.

Management Structure

- 1.84 The management structure for Open Arms Care Inc. is shown in Figure 1.1: Open Arms Care Inc. Management Structure.

Reporting Process

- 1.85 All reporting is based on the management structure in Figure 1.1: Open Arms Care Inc. Organisation Structure. Specifically:
- a) All staff report directly to their respective services' Coordinator
 - b) Coordinators report to the Chief Executive Officer
 - c) The Chief Executive Officer reports to the Board.
 - d) These lines of reporting are not varied except where expressly stated in these policies and procedures or with the agreement of the President.

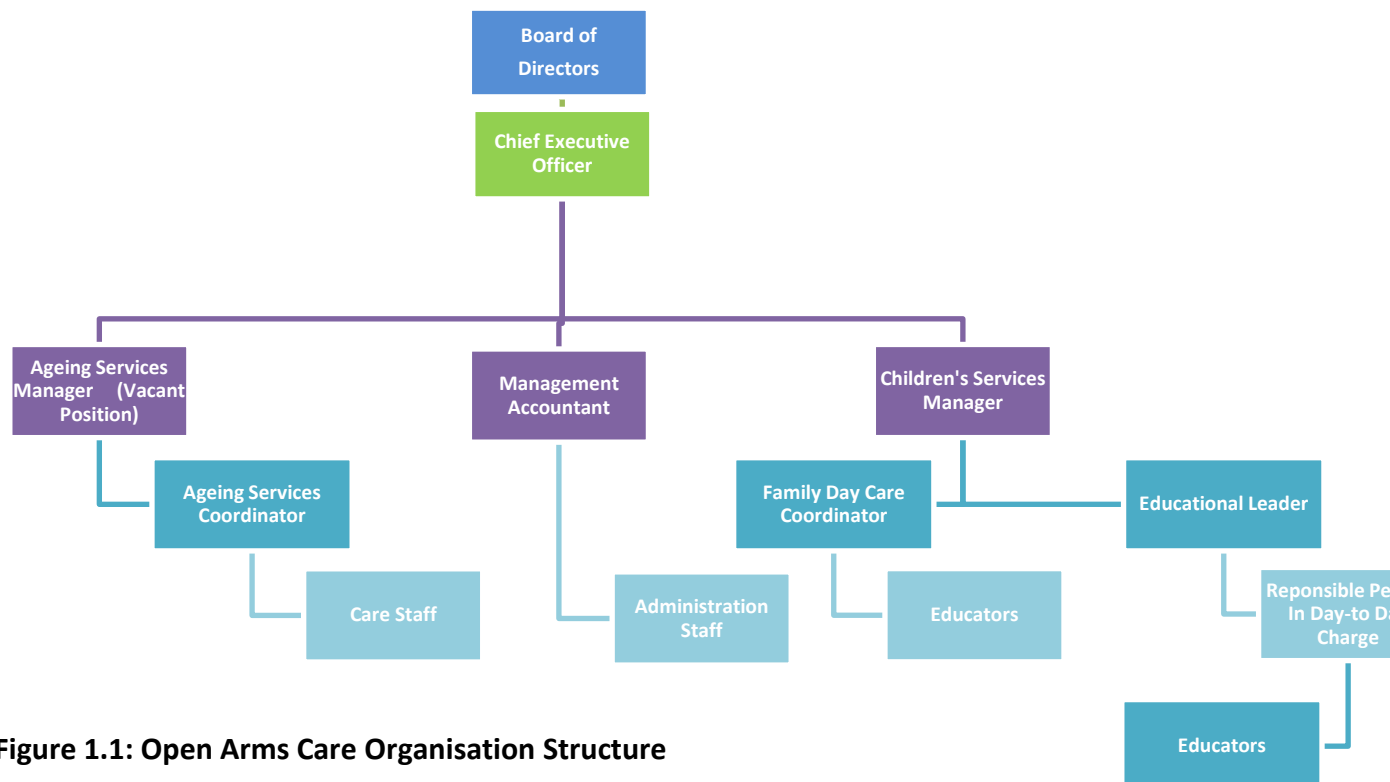


Figure 1.1: Open Arms Care Organisation Structure

Variations

- 1.86 Open Arms Care Inc. *reserves the right to vary, replace or terminate this policy from time to time.*

Review and evaluation of this policy and procedure

- 1.87 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.88 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Managing Records Policy

Aim

Open Arms Care Inc., has a duty to keep adequate records about educators/employees, families, children and business transactions in order to operate responsibly and legally. The organisation will protect the interests of the child/children and their families and educators /employees including appropriate privacy and confidentiality. The organisation will also protect the integrity of business records by keeping appropriate and accurate records for the required time periods set down by law.

All records kept at individual services will be protected from unauthorised access in accordance with the service organisation and services Confidentiality /Privacy Policy.

Prescribed information will be displayed in accordance with the Education and Care Services National Law Act. Archived records will be stored in a safe and secure manner.

Regulatory, licensing and funding bodies require the retention and maintenance of records in relation to service stakeholders and children. All records are required to be kept up to date, stored confidentially in a safe and secure area with access by authorised persons only. This includes both electronic and hardcopy format. Carefully organised storage systems are required in order to easily access records which are required by legislation to be kept in some cases up to 25 years.

Open Arms Care Inc. Education and Care Services understand it has a responsibility to protect and manage records in a way that respects the privacy and confidentiality of all stakeholders, whilst maintaining business requirements.

Legislation requires that families provide personal information to the services so that appropriate care can be taken of their children. The services will retain and use this information in accordance with regulatory, taxation and privacy requirements. Records that need to be retained will be filed or stored in a manner that protects them from unauthorised access.

The Service's Confidentiality/Privacy Policy underpins the manner in which records are managed within the services.

COMMENCEMENT OF POLICY

This Policy will commence from 1/02/2020. It replaces all other Managing Records policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

Education and Care Services National Law 2010 Section 175

Education and Care Services National Regulations 2011 Clause 177 178 and 179

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Health Records and Information Privacy Act 2002 No 71 – NSW

Privacy and Personal Information Protection Act 1998 No 133 – NSW

Government Information (Public Access) Act 2009 - NSW

Freedom of Information Amendment (Reform) Act 2010 Act 48 of 1977

Taxation laws

Family Assistance Law

Fair Work Act 2009

Practice

For the purposes of section 175(1) of the Law, the following documents are prescribed in relation to each education and care service operated by the approved provider—

- the documentation of child assessments or evaluations for delivery of the educational program
- an incident, injury, trauma and illness record
- a medication record
- a record of assessments of family day care residences and approved family day care venues
- a record of volunteers and students
- the records of the responsible person at the service
- in the case of a family day care service, a record of staff engaged or employed by the service
- a children's attendance record
- child enrolment records
- a record of the service's compliance with the Law
- a record of each nominated supervisor and any person in day-to-day charge of the education and care service under section 162 of the Law
- Evidence of current insurance at the education and care service premises and in the case of the Family Day Care Educator at the principal office. This evidence is usually in the form of a 'certificate of currency'.

For the purposes of section 175(3) of the Law, the following documents are prescribed in relation to each child educated and cared for by the family day care educator as part of a family day care service—

- the documentation of child assessments or evaluations for delivery of the educational program
- an incident, injury, trauma and illness record
- a medication record
- a children's attendance record
- child enrolment records
- a record of visitors to the family day care residence or approved family day care venue

The above records must be made available to a parent/guardian of a child on request unless prohibited by a court order.

The record of the service compliance must be available to any person who requests it.

The approved provider will display the following prescribed information required by the Education and Care Services National Law Act, in a prominent position at or near the main entrance to the service:

- The Approved Provider's name, approval number and any conditions on the provider approval
- The Approved Service's name, approval number and any conditions on the service approval
- Name of each Nominated Supervisor
- Any service waivers or temporary waivers held by the service
- Hours, days of operation of the service;
- Name, telephone number of the person at the service to whom complaints may be addressed.
- Name and position of the responsible person in charge of the service at any given time
- Name of the Educational Leader
- Contact details of the regulatory authority.
- If applicable, a notice stating a child who has been diagnosed as at risk of anaphylaxis is enrolled at the centre-based service. In the case of family day care residence or venue, a notice stating a child who has been diagnosed as at risk of anaphylaxis is enrolled or attends the family day care residence or venue.
- If applicable, a notice of an occurrence of an infectious disease at the premises for a centre-based service. In the case of a family day care residence or venue, a notice stating that there has been an occurrence of an infectious disease at the family day care residence or venue.

Retaining records

Records must be kept at the service for the following periods

For Family Day Care

Assessment of family day care residences and approved family day care venues	Approved Provider	Until the end of 3 years after the record was made	Regulation 116
Record of family day care staff (including educators, co-ordinators and assistants)	Approved Provider	Until the end of 3 years after the staff member works for the service	Regulation 154
Record of visitors to family day care residence or approved family day care venue	Family Day Care Educator	Until the end of 3 years after the record was made	Regulation 165

Register of family day care educators, co-ordinators and assistants engaged by, or registered with, the service.	Approved Provider	Must be kept until 3 years after the date on which the family day care educator or coordinator ceased to be employed or engaged by or registered with the service	Regulation 153
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Records and documents required to be kept at the Service and or Principal office (National Regulations 183)			
Type of Record	Responsibility	Timeframe	Reference
Evidence of current public liability insurance	Approved Provider Family Day Care Educator Each OSHC Service	Available for inspection at service premises or Open Arms Care Office	Regulations 29, 30,180
Quality Improvement Plan	Approved Provider	Current plan is to be kept	Regulations 31,55
Child Assessments	Approved Provider Family Day Care Educator OSHC service	Until the end of 3 years of the child's last attendance	Regulations 74,183
Incident, injury, trauma and illness record	Approved Provider Family Day Care Educator OSHC Service	Until the child is 25 years old	Regulations 87,183
Medication record	Approved Provider Family Day Care Educator OSHC Service	Until the end of 3 years after the child's last attendance	Regulations 92,183
Child attendance	Approved Provider Family Day Care Educator OSHC Service	Until the end of 3 years after the child's last attendance	Regulations 158-159,183
Child enrolment	Approved Provider Family Day Care Educator OSHC service	Until the end of 3 years after the child's last attendance	Regulations 160,183
Death of a child while being educated and cared	Approved Provider	Until the end of 7 years after the death	Regulations 12,183

for by the service			
Record of service's compliance history	Approved Provider OSHC Service	Until the end of 3 years after the Approved Provider operated the service	Regulations 167
Employee Records	Approved Provider OSHC Service	Until the end of 7 years after the Employee left the service	Regulations 183
Taxation Laws	Approved Provider	Until the end of 5 years after the Employee left the service	Regulations 183

Records and documents required to be kept at the Service (National Regulations 183)			
Type of Record	Responsibility	Timeframe	Reference
Staff record	Approved Provider	Until the end of 3 years after the staff member works for the service	Regulations 145, 183 (2) (g)
Record of educators working directly with children	Approved Provider	Until the end of 3 years after the staff member works for the service	Regulations 151, 183 (2) (f)
Record of volunteers and students, contact details and days in attendance	Approved Provider	Until the end of 3 years after the volunteer or student attended the service	Regulations 149, 183 (2) (f)
Record of responsible person in day-to-day charge including nominated supervisors placed in day-to-day charge	Approved Provider	Until the end of 3 years after the staff member works for the service	Section 162 Regulations 145, 150, 177

- Records relating to former enrolled children are archived in a safe and secure location.
- Information about where archived records are stored is kept at the service.
- Records that are no longer required to be kept by the service and which are considered to have no historical importance will be destroyed by being burned, shredded or disposed of with a secure document disposal service.

Staff Record Information

- Full name, address and date of birth of the nominated supervisor and each other staff member
- Evidence of any relevant qualifications (or, if applicable, evidence the nominated supervisor or staff member is actively working towards that qualification) and approved training (including first aid training) held by the nominated supervisor and each other staff member
- Record of evidence of fitness and propriety of staff members:
 - a working with children check, verified and sighted by Nominated Supervisor
 - a National Police Check
- The name of the person designated as the educational leader
- Full name, address and date of birth of each student or volunteer who participates, and the date and hours of participation
- The name of the responsible person for each time that children are being educated and cared for by the service
- The name of each educator who works directly with children, including the hours that each educator works directly with children

Maintaining records

The service will maintain an efficient record keeping system by adhering to the following strategies:

1. Setting up an organised filing system.
2. Updating records regularly.
3. Ensuring records can be understood by all authorised persons.
4. Establishing strategies to check accuracy of records.
5. Cross referencing records to ensure all required information is kept.

Access and security

Security of records will be maintained through:

1. Using secure computer passwords that are regularly changed.
2. Using lockable filing cabinets.
3. Following procedures to check individual's identity before granting access to records.
4. Storing records in an area that is away from those who do not need to access them.
5. Storing backups of important records in a secure place off site.
6. Discussing security procedures regularly with educators/employees.
7. Records relating to staff qualifications, evidence of enrolment in training, criminal record checks, working with children check/card, medical clearances, and timesheets will be maintained and provided to the regulatory authority on request.

Sources

DEEWR - Child Care Service Handbook

National Quality Standards

Education and Care Services National Law 2010

Education and Care Services National Regulations 2011

Guide to the National Quality Framework 2018

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Open Disclosure Policy

Purpose

- 1.89 To encourage a culture of open disclosure, where feedback, complaints, errors and/or incidents (near miss or harm) will be openly discussed, an apology offered where necessary and improvements actioned.
- 1.90 According to the Open Disclosure Framework and Guidance information ² Open disclosure is “the open discussion that an aged care provider has with consumers when something goes wrong that has harmed or had the potential to cause harm to a consumer. Open disclosure refers to the practice of communicating with a consumer when things go wrong, addressing any immediate needs or concerns and providing support, apologising and explaining the steps the provider has taken to prevent it happening again. Open disclosure may also involve the consumer’s family, carers, and other support people and representatives when a consumer would like them to be involved”.

Commencement of Policy

- 1.91 This Policy will commence from 01/02/2020. It replaces all other policies of Open Arms Care Incorporated (‘Open Arms Care Inc.’), if any, relating to fees (whether written or not).

Scope

- 1.92 The Policy applies to all service users, contractors, full-time, part-time and casual employees and volunteers of Open Arms Care Inc.

Open Disclosure

- 1.93 Where there is a complaint, error, incident, near miss or harm involving a consumer or their family the following will occur:
- (i) The organisation will follow the Open Disclosure Framework and Guidance.
 - (ii) An incident form will be completed.
 - (iii) The service will investigate and document the incident or situation and arrange to meet with the complainant or consumer as soon as possible.
 - (iv) Where the service is at fault, an apology will be offered and the consumer will be involved in discussions around improvements to be made or actions to be taken.
 - (v) An action will be identified in the services Continuous Improvement Plan and discussed at Board and staff meetings in an open and transparent manner (without breaching client privacy/confidentiality), and brainstorming around improvements will occur.
 - (vi) Staff and volunteers will be provided with training on Open Disclosure and the importance of taking responsibility, owning mistakes and a culture of improvement encouraged.
 - (vii) Errors, incidents or complaints will be registered in a register to identify patterns or trends.
 - (viii) The Complaints Register and Continuous Improvement Register will be discussed at consumer meetings or forums openly, ensuring consumers are

aware of issues or concerns and have an opportunity to provide suggestions and/or feedback.

² <https://www.safetyandquality.gov.au/sites/default/files/migrated/Australian-Open-Disclosure-Framework-Feb-2014.pdf>

Variations

- 1.94 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.95 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.96 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Physical Resources

Purpose

- 1.97 To ensure that buildings/facilities in which Open Arms Care Inc. operates is managed effectively with regular maintenance and monitoring of safety, comfort, physical appeal and security.

Commencement of Policy

- 1.98 This Policy will commence from 01/02/2020. It replaces all other policies of Open Arms Care Incorporated ('Open Arms Care Inc.'), if any, relating to fees (whether written or not).

Scope

- 1.99 The Policy applies to all service users, contractors, full-time, part-time and casual employees and volunteers of Open Arms Care Inc.

Maintenance and Monitoring

- 1.100 Open Arms Care Inc. will ensure regular maintenance and monitoring of the building/facilities in the following ways:
- a) Asset register maintained
 - b) Budget for maintenance of the building
 - c) Regular safety checks will occur to ensure the building is safe, warm, comfortable, clean/hygienic and secure
 - d) Repairs or maintenance required will be identified and recorded in maintenance register and in standing agenda in staff/Board meetings
 - e) Regular cleaning of the building will occur, ensuring the building is clean and hygienic and free of clutter
 - f) Pest control will occur on a regular basis to minimise pests in the building (cockroaches, mice, rats, spiders etc.)
 - g) Regular inspection of fire extinguishers, exits, fire alarms will occur to ensure the safety of consumers, staff, volunteers and visitors
 - h) A Fire evacuation plan will be posted on the walls of main rooms to ensure people know where to go when an evacuation is necessary
 - i) Chemicals will be stored safely and securely in accordance with safe work method statement requirements
 - j) Material Safety Data Sheets (MSDS) will be retained for chemicals, detergent, soaps and other cleaning agents to ensure the safe use and storage of these items.

Variations

- 1.101 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.102 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance

and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

- 1.103 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Visitor Register Policy

Aim

Open Arms Care Children's Services Division believes children need to be safe at all times with parents being informed of people visiting the education and care service and educators meeting the regulatory requirements of recording 'visitors' to their premises whilst providing childcare.

COMMENCEMENT OF POLICY

This Policy will commence from 1/04/2018. It replaces all other Visitors Register policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

- Education and Care Services National Law 2010
- Education and Care Services National Regulations 2011- Reg 165
- National Quality Standards – Quality Standard 2: Children's Health and Safety
- National Quality Standards – Quality Standard 7: Governance and Leadership

Practice

All approved Children's Services who have "visitors" attend during hours of operation must have all the visitors sign the Visitor's register.

Service staff and educators must not leave a child or children alone with a visitor to a service while providing care and education to any child/children as part of the child care service.

Forms will be provided to services for visitors to sign.

Services may choose to use their own method of recording this information; however either form must include the following details in a Visitors Register.

- Date
- Name
- Time In
- Time Out
- Signature
- Reason for visit

Definition of a visitor includes but not limited to:

- Manager, staff from other services and Board members.
- Trades persons.
- Other people that may come into the service with the family.
- Families that are at the services for a family interview whilst children are in care.

- Authorised Officers, Assessors and Compliance Officers
- People that are staying with you short-term – not permanently residing with you.
- Friends that drop in during the day, including other Educators.

Visitors do not include:

- Families that are signing the children in and out on the timesheet.
- Educators own family, who reside with them, and permanent residents.

Visitor's registers must be kept for a minimum 3 years after the record was made.

Sources

Guide to the Education and Care Services National Law 2010 and the Education and Care Services Law
National Quality Standards 2018

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Volunteers and Student Policy

Aim

Open Arm's Care Inc recognises that qualifications and training make an important contribution to the quality of the care and education provided by the child care sector. Accepting students on placement is part of our professional responsibility to support our sector and provide valuable experience and learning opportunities. Our service values volunteer participation as a connection to our local community and exposure to a range of people and experiences.

COMMENCEMENT OF POLICY

This Policy will commence from 1/04/2018. It replaces all other Volunteers and Student policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

Education and Care Services National Law Act 2010

Education and Care Services National Regulations

Child Protection (Working with Children Act) 2012 NSW

National Quality Standards – Quality Area 4: Staffing Arrangements

Procedures

All students and volunteers over 18 years of age will be required to undertake a working with children check. Volunteers and students do not make up part of the staff to child ratio and cannot be used to fill the place of an employee.

Volunteers must submit, in writing, their reasons for wishing to work in children's services along with details about any relevant childcare experiences.

School pupils must supply written confirmation from their school to allow them to come to the service during school time and provide contact details of their teacher.

Childcare students must be confirmed by their tutors as being in an appropriate childcare course, which provides necessary background understanding of children's development and learning.

Childcare students who may be required to conduct child studies will obtain written permission from the parents/guardians of the child to be studies and work with the guidance of the educator.

Any information gained by the volunteers/students about the children, families or other adults must remain confidential.

Students and volunteers will be made aware of appropriate policies and procedures and of the general health and safety requirements of the service. Students and volunteers will be required to

Sign an agreement to adhere to the *Code of Conduct, Confidentiality, Health and Safety* and *Child Protection Policies*.

All volunteers and students will be required to complete the necessary documents that will be kept on file at the service.

Volunteers and students will not have unrestricted access to children or left in sole charge of any children.

Volunteers and students will be adequately supervised at all times to ensure the health, safety and wellbeing of children is protected and is to follow the directions of the educator at all times.

Regular contact /liaison with course tutors and/or school teachers will be maintained as part of the monitoring and assessment process for all students.

Any information gained by the volunteers/students about the children and families must remain confidential. Where volunteers/students are under the age of 18 years and staff has any concerns about a volunteer/students welfare, the service will follow our *Child Protection Policy* as we would normally for any child who attends our service.

All volunteers over 18 must have their own personal liability insurance.

Sources

Guide to the National Quality Standard www.acecqa.gov.au

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Whistleblower Policy

Purpose

- 1.1 Open Arms Care Incorporated ("**the Organisation**") strives to operate with a culture of ethical and appropriate corporate behaviour in all our business activities. This includes ensuring that the Organisation acts with integrity, honestly and in accordance with good governance principles.
- 1.2 This purpose is supported by:
- ensuring that the Organisation has sound procedures to allow all workers and their families to identify and report genuine concerns about illegal conduct or any improper state of affairs pertaining to the Organisation, without fear of reprisals; and
 - ensuring all employees and officers of the Organisation are aware of the protections available under this policy and Whistleblower Laws.
- In this policy:

Discloser(s) refers to the persons eligible to make a disclosure protected by Whistleblower Laws. These persons are identified in section 6 below.

Protected Matters refers to the types of matters outlined at section 5 below, which are protected by Whistleblower Laws and the terms of this policy.

Whistleblower Laws refers to the protections contained in Part 9.4AAA of the *Corporations Act 2001*.

Whistleblowing Officer is the Clayton Sippel, CEO.

Commencement of Policy

- 1.3 This policy will commence on 1/07/2019. It replaces all other policies dealing with whistleblowers and Whistleblower Laws.
- 1.4 This policy applies to all Disclosers, as defined in section 6 below.
- 1.5 The policy is not intended to create any contractually binding obligation on the Organisation and does not form part of any contract of employment or other contract for engagements with the Organisation.

Types of Disclosures Protected By Whistleblower Laws

- 1.6 Open is protected by Whistleblower Laws if:
- (a) the disclosure relates to Protected Matters;
 - (b) the information is disclosed by a Discloser identified in section 5 below; and
 - (c) the disclosure is made to one of the persons identified in section 6 below or section 7 below (provided the pre-requisites in section 7 have been satisfied).

- 1.7 All of the above 3 conditions must be satisfied for a disclosure to be protected by Whistleblower Laws.

Protected Matters

- 1.8 The types of disclosures which are protected are those where the Discloser has reasonable grounds to suspect that the information disclosed concerns misconduct, or an improper state of affairs or circumstances, in relation to the Organisation or its related bodies corporate.
- 1.9 These types of Protected Matters would include concerns that the Organisation, its related bodies corporate or employees or officers of the Organisation or its related bodies corporate, have engaged in conduct that:
- (a) constitutes a contravention of the *Corporations Act 2001*, the *ASIC Act*, the *Superannuation Industry (Supervision) Act 1993*, the *Banking Act 1959* or any insurance or life insurance statutes;
 - (b) constitutes an offence against a law of the Commonwealth which is punishable by imprisonment for 12 months or more; and/or
 - (c) represents a danger to the public or the financial system.
- 1.10 The disclosure of information related to a personal work-related grievance is not generally protected by Whistleblower Laws. A personal work-related grievance relates to information where:
- (a) the information concerns a grievance in relation to the Discloser's employment or former employment which has implications for the Discloser personally; and
 - (b) the information does not have significant implications for the Organisation that do not relate to the Discloser; and
 - (c) the information does not concern conduct or alleged conduct referred to in the three examples cited at sections (a) to (c) earlier above.
- 1.11 Examples of personal work-related grievances include interpersonal conflicts between the Discloser and other employees, decisions regarding engaging, transferring or promoting a Discloser and decisions to discipline a Discloser or suspend or terminate the engagement of a Discloser.

Who May Make Disclosures About Protected Matters?

- 1.12 Each of the following persons may make a protected disclosure:
- (a) the Organisation employees and officers as well as their relatives and dependants;
 - (b) suppliers of goods or services to the Organisation;
 - (c) employees of suppliers of goods or services to the Organisation; and
 - (d) the Organisation related bodies corporate (and their directors/secretaries).
- 1.13 There is no requirement for a Discloser to identify themselves to be protected by Whistleblower Laws. That is, protected disclosures may be made anonymously.

Who Can a Protected Matter Be Disclosed To?

1.14 In order to be protected by Whistleblower Laws, the disclosure of a Protected Matter must be made to:

- (a) ASIC or APRA;
- (b) a legal practitioner for the purposes of obtaining legal advice or representation in relation to Whistleblower Laws;
- (c) an officer or senior manager of the Organisation or its related bodies corporate;
- (d) an auditor or member of an audit team conducting an audit on the Organisation or its related bodies corporate;
- (e) an actuary of the Organisation; and/or
- (f) the Whistleblowing Officer.

1.15 A “senior manager” is a person who:

- makes, or participates in making, decisions that affect the whole, or a substantial part, of the business of the Organisation; or
- has the capacity to significantly affect the Organisation financial standing.

Disclosures to Politicians and Journalists

1.16 A disclosure of a Protected Matter to a journalist or member of State or Federal Parliament will be protected by Whistleblower Laws only if it qualifies for the public interest requirements or emergency requirements outlined below.

(ii) Public interest disclosures

A disclosure of Protected Matters to a member of State or Federal Parliament or journalist will be protected by Whistleblower Laws if all of the following requirements are satisfied:

- (a) the Discloser has previously made a disclosure of the information pursuant to this policy;
- (b) at least 90 days have passed since the previous disclosure was made;
- (c) the Discloser does not have reasonable grounds to believe that action is being or has been taken to address the previous disclosure;
- (d) the Discloser has reasonable grounds to believe that making a further disclosure of the information to a member of Parliament or journalist would be in the public interest;
- (e) the Discloser has given the Organisation written notification that identifies the previous disclosure and states that the Discloser intends to make a public interest disclosure; and

- (f) the extent of information disclosed is no greater than is necessary to inform the journalist or member of Parliament of the relevant misconduct or improper state of affairs.

- (ii) **Emergency disclosures**

A disclosure of Protected Matters to a journalist or member of State or Federal Parliament will be protected by Whistleblower Laws if all of the following requirements are satisfied:

- (g) the Discloser has previously made a disclosure of the information pursuant to this policy;
- (h) the Discloser has reasonable grounds to believe that the information concerns a substantial and imminent danger to the health or safety of one or more persons or to the natural environment;
- (i) the Discloser has given the Organisation written notification that identifies the previous disclosure and states that the Discloser intends to make an emergency disclosure; and
- (j) the extent of information disclosed is no greater than is necessary to inform the journalist or member of Parliament of the substantial and imminent danger.

Confidentiality

- 1.17 Where a disclosure is protected by Whistleblower Laws, the Laws prohibit persons from disclosing the identity of a Discloser or disclosing information that is likely to lead to the identification of the Discloser.
- 1.18 Persons may only disclose the identity of a Discloser with the Discloser's consent or to ASIC, APRA, the AFP or a legal practitioner for the purposes of obtaining legal advice about the Whistleblower Laws.
- 1.19 Persons may also disclose the existence of the Protected Matters (without disclosing the identity of the Discloser) to the extent necessary for the matters to be investigated, provided all reasonable steps are taken to reduce the risk that the Discloser's identity can be discovered. These disclosures may include disclosures to:
 - the Director, Finance and Strategy, the Chief Executive Officer or the Chairman of the Audit and Compliance Committee;
 - delegates to HR or other managers to make inquiries or to conduct investigations or order external investigations as is deemed appropriate; and
 - disclosures to respondents to complaints to ensure that the person/s against whom allegations are made are given the opportunity to respond to any allegations.

- 1.20 Any breach of these confidentiality protections attract significant fines for both individuals and companies.

Immunity for Disclosure

- 1.21 If a Discloser makes a disclosure protected by Whistleblower Laws, the Discloser cannot be subject to any civil or criminal liability for making the disclosure and cannot be subject to any contractual breach or other civil claim on the basis of the disclosure.
- 1.22 No contract of employment or contract for services can be terminated on the basis that a protected disclosure constitutes a breach of contract.

Victimisation Prohibited

- 1.23 Whistleblower Laws prohibit any person or Organisation from:
- (a) engaging in any conduct that causes detriment to any person because that person (or another person) made a disclosure about a Protected Matter pursuant to Whistleblower Laws; or
 - (b) carrying out any threats to cause detriment to any person (whether express or implied threats) because the that person (or another person) made a disclosure about a Protected Matter pursuant to Whistleblower Laws.
- 1.24 Where a person or Organisation engages in breaches of these protections, significant fines apply and persons who are adversely affected may obtain compensation orders from a Court in relation to any detriment caused.
- 1.25 Persons who have their contracts terminated in contravention of these protections may also have their contracts reinstated by a Court.

Reporting and Investigating Protected Matters

- 1.26 Persons may disclose Protected Matters by either of the following steps:
- 1. Submit a written complaint or report and any relevant documentation on any Protected Matters to the person identified in Section 6 of this policy who is the Discloser's relevant manager or the Organisation contact. The manager or contact will report the concerns to the Whistleblowing Officer.
 - 2. If a Discloser has a concern with Step 1 (for example the Discloser reasonably believes that the manager is involved in the Protected Matters or the Discloser does not feel comfortable reporting it to their manager for any other reason), then the Discloser may submit a report directly to the Whistleblowing Officer.

11.1 Investigations

- 1.27 The Organisation will refer Protected Matters to its Whistleblowing Officer for investigation to determine whether misconduct or some other improper state of affairs exists.
- 1.28 The Whistleblowing Officer will investigate the relevant matters in a manner compliant with the confidentiality obligations outlined in Section 8 of this policy.

1.29 The Whistleblowing Officer may alternatively:

- appoint an appropriately qualified and impartial person or entity to investigate the relevant matters; or
- refer Protected Matters directly to ASIC, APRA or the Australian Federal Police.

1.30 Whilst every investigation process will differ according to the relevant circumstances, the Whistleblowing Officer will ordinarily ensure that appropriate enquiries are made to determine whether:

- (a) the allegations are substantiated; and
- (b) responsive action needs to be taken in order to address any established misconduct or other improper state of affairs.

Supporting Whistleblowers, Providing Fair Treatment and Protection From Detriment

1.31 The Organisation intends to support Disclosers making disclosures about Protected Matters and to put in place procedures to promote fair treatment of Disclosers and protect them from detriment. This can be achieved by:

- Providing access to EAP counselling services to all Disclosers. These services may be accessed by contacting Crana Plus.
- Investigating all complaints in accordance with the procedures outlined in this policy.
- Implementing investigation processes which are procedurally fair to both Disclosers and respondents to allegations.
- In circumstances where a Discloser consents, having an appropriate senior manager or human resources officer monitor the Discloser's treatment in the workplace for relevant periods to ensure no victimisation takes place.
- Communicating this policy to the Organisation employees and officers.
- Taking appropriate disciplinary action against any employees or contractors that breach the victimisation or confidentiality provisions of the Whistleblower Laws.

Access to This Policy

1.32 This policy will be made available to all the Organisation employees and officers by the following means:

- The policy will be uploaded to the Organisation intranet.
- On implementation, the policy will be communicated to all employees and officers by way of e-mail (HR Advance).
- The policy will otherwise be disclosed to employees on commencement of employment through HR Advance.

Breaches of This Policy

- 1.33 All employees and contractors of the Organisation are required to comply with this policy at all times as well as with Whistleblower Laws.

Non-compliance with this policy or Whistleblower Laws may result in disciplinary action up to and including termination of employment or termination of a contractor's services.

Variations

- 1.34 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.35 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.36 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

WHS Consultation Statement

1. Commitment
 - 1.1. Open Arms Care Incorporated ('Open Arms Care Inc.') is considered a Person Conducting Business or Undertaking (PCBU) and is committed to protecting the health and safety of all workers performing tasks at this workplace and on behalf of the PCBU, so far as is reasonably practicable.
 - 1.2. Open Arms Care Inc. aims to achieve the highest standards and performance in Work Health & Safety (WHS). In doing so, Open Arms Care Inc. will consult in implementing safety practices and systems that will ensure the health, safety and welfare, so far as is reasonably practicable, of all persons (including direct employees and other parties such as contractors, visitors and clients) who are affected by the inputs, processes and outputs of the workplace.
 - 1.3. Where Open Arms Care Inc. engages contractors, subcontractors and/or on hire workers they will be consulted on health and safety issues that may impact on them which arise from the conduct of the PCBU's work activities. In the situation where there is shared responsibilities for health and safety, the PCBU will co-operate and co-ordinate activities to implement measures to minimise risks to the health and safety of workers affected by the activity/activities, so far as is reasonably practicable.
 - 1.4. Others in the workplace such as visitors, clients and customers will be consulted with as required, so far as is reasonably practicable, to ensure their health and safety while at Open Arms Care Inc. premises.

Consultative mechanism

2. Consultation
 - 2.1. The Health and Safety Representative (HSR) is to consult on a regular basis with the workers from the Designated Work Groups (DWG) and note any WHS issues of concern to the workers.
 - 2.2. The HSR shall meet with the nominated Manager on a monthly basis (or sooner should either party decide consultation is required, including but not limited to, a notifiable incident), to discuss WHS issues.
3. Resources
 - 3.1. The HSR is to have access to adequate time, filing space and resources such as access to a computer, photocopying, testing equipment, etc. as can assist in representing all workers in the DWG and bringing WHS issues to the attention of the PCBU.
4. Resolution
 - 4.1. The HSR and the nominee of the PCBU are expected to apply good judgment in negotiations relating to WHS issues.

- 4.2. In the event that a WHS issue cannot be resolved, the matter is to be resolved in accordance with the prescribed issue resolution procedure. This procedure applies to all parties including contractors, subcontractors and any other workers that may be affected.
5. Health and Safety Committee
 - 5.1. Open Arms Care Inc., in consultation with its workers or upon the request of 5 or more worker or at the request of a HSR, has agreed that the consultative needs of all the workers can be achieved with a Health and Safety Committee (HSC) representing the whole of the workplace. A health and safety committee brings together workers and management to assist in the development and review of health and safety policies and procedures for the workplace.
 - 5.2. The HSC will comprise of elected committee members representing workers and members who represent the management team. In total at least half of the committee must be workers who are not nominated by management.
 - 5.3. The HSC will meet at least every 3 months, or earlier if agreed, and will perform the following functions:
 - facilitate co-operation between Open Arms Care Inc. as the PCBU and its workers to develop and carry out measures to ensure the health and safety of workers;
 - assist in developing health and safety policies and procedures to manage safety in the workplace; and
 - any other functions specifically agreed to by the PCBU and members of the HSC e.g. workplace inspections.
 - 5.4. Discussion and outcomes from the HSC meetings will be made available to all relevant workers in the workplace.
6. Other agreed arrangements
 - 6.1. Open Arms Care Inc. in consultation with its workers, has identified that the consultative needs of all workers can be achieved through other agreed arrangements as agreed to between the PCBU and its workers.
 - 6.2. It has been decided that consultation will firstly be undertaken by the following means:
 7. Face to face consultation
 - 7.1. Workers should raise any WHS issues or concerns directly with their Coordinator or Manager.
 - 7.2. Health and safety issues can also be raised at regular team meetings.
8. Issue resolution

8.1. For any health and safety issues that cannot be resolved by any worker of the PCBU or any other affected duty holder using the chosen consultation arrangement, the Open Arms Care Inc. issue resolution procedure will be referred to and implemented.

9. This document is subject to an annual review in consultation between the PCBU, workers and/or the HSC, the HSR and the Deputy HSR.

10. Signatories

Signed:..... Representing the company

Position:

Signed:..... HSR/Committee Chairperson

Position:

Date:

Powers of the HSR (and the deputy should the HSR not be present)

(Note these powers are only applicable once the HSR has completed an HSR course approved by the regulator.)

WHS Act 2011 Subdivision 5 — Powers and functions of health and safety representatives

68 Powers and functions of health and safety representatives

(1) The powers and functions of a health and safety representative for a work group are:

- a) to represent the workers in the work group in matters relating to work health and safety, and
- b) to monitor the measures taken by the person conducting the relevant business or undertaking or that person's representative in compliance with this Act in relation to employees/workers in the work group, and
- c) to investigate complaints from members of the work group relating to work health and safety, and
- d) to inquire into anything that appears to be a risk to the health or safety of workers in the work group, arising from the conduct of the business or undertaking.

(2) In exercising a power or performing a function, the health and safety representative may:

- a) inspect the workplace or any part of the workplace at which a worker in the work group works:
 - i. at any time after giving reasonable notice to the person conducting the business or undertaking at that workplace, and
 - ii. at any time, without notice, in the event of an incident, or any situation involving a serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard, and
- b) accompany an inspector during an inspection of the workplace or part of the workplace at which a worker in the work group works, and
- c) with the consent of a worker that the health and safety representative represents, be present at an interview concerning work health and safety between the worker and:
 - i. an inspector, or
 - ii. the person conducting the business or undertaking at that workplace or the person's representative, and
- d) with the consent of one or more workers that the health and safety representative represents, be present at an interview concerning work health and safety between a group of workers, which includes the workers who gave the consent, and:
 - i. an inspector, or
 - ii. the person conducting the business or undertaking at that workplace or the person's representative, and

- e) request the establishment of a health and safety committee, and
- f) receive information concerning the work health and safety of workers in the work group, and
- g) whenever necessary, request the assistance of any person.

Note: A health and safety representative also has a power under Division 6 of this Part to direct work to cease in certain circumstances and under Division 7 of this Part to issue provisional improvement notices.

(3) Despite subsection (2) (f), a health and safety representative is not entitled to have access to any personal or medical information concerning a worker without the worker's consent unless the information is in a form that:

- a) does not identify the worker, and
 - b) could not reasonably be expected to lead to the identification of the worker.
- (4) Nothing in this Act imposes or is taken to impose a duty on a health and safety representative in that capacity.

69 Powers and functions generally limited to the particular work group

(1) A health and safety representative for a work group may exercise powers and perform functions under this Act only in relation to matters that affect, or may affect, workers in that group.

(2) Subsection (1) does not apply if:

- a) there is a serious risk to health or safety emanating from an immediate or imminent exposure to a hazard that affects or may affect a member of another work group, or
- b) a member of another work group asks for the representative's assistance, and the health and safety representative (and any deputy health and safety representative) for that other work group is found, after reasonable inquiry, to be unavailable.

(3) In this section, **another work group** means another work group of workers carrying out work for a business or undertaking to which the work group that the health and safety representative represents relates.

(NOTE Subdivision 6 of Part 5 of the Act outlines the obligations of the PCBU to the HSR, and may need to be considered along with the above powers.)

Work Health and Safety

Purpose

- 1.37 Open Arms Care Incorporated ('Open Arms Care Inc.') is committed to providing a safe and healthy working environment for all workers, and other persons, so far as reasonably practicable. This will be achieved by management and employees working together, following a program of health and safety activities and procedures which are monitored, reviewed and audited to achieve best practice.
- 1.38 Open Arms Care Inc. undertakes to regularly review this policy to take account of changes in legislation, activities, services and products. As a result of this review, changes may be made to this policy from time to time and all employees and contractors are required to comply with those changes.

Scope

- 1.39 This policy applies to:
- a) all employees of Open Arms Care Inc. (whether full-time, part-time or casual) and all persons performing work at the direction of, or on behalf of Open Arms Care Inc. (for example contractors, subcontractors, agents, consultants, temporary staff and 'workers' as otherwise defined under relevant occupational/work health and safety (OHS/WHS) legislation) (collectively referred to as '**workplace participants**'); and
 - b) all of Open Arms Care Inc.'s workplaces and to other places where workplace participants may be working or representing Open Arms Care Inc., for example, when visiting a customer, client or supplier (collectively referred to as '**workplace**').

Commencement of the Policy

- 1.40 This policy will commence from 01/02/2020. It replaces all other work health and safety policies (whether written or not).
- 1.41 This policy does not form part of any workplace participant's contract of employment or contract for services.

Open Arms Care Inc. health and safety system

- 1.42 The WHS system relates to all aspects of health and safety including (without limitation):
- a) WHS Strategy Plan;
 - b) Defined WHS responsibilities;
 - c) Exercising due diligence;
 - d) Health and safety training and education;
 - e) Adopting a risk management approach to manage health and safety risks;

- f) Consultation with Persons Carrying on a Business or Undertaking and employees on matters related to health and safety;
- g) Emergency procedures and drills;
- h) Workplace inspections;
- i) Incident/accident reporting;
- j) Management of injured workplace participants.

Open Arms Care Inc. health and safety objectives

- a) To provide a safe and healthy work environment for all our employees, contractors and other persons;
- b) To provide safe and healthy methods of work;
- c) To provide programs of health and safety activities and procedures which are continually updated and effectively carried out;
- d) To identify and eliminate or reduce hazards and risks to health and safety;
- e) To continually monitor and improve work health and safety;
- f) To provide education and training resources; and
- g) To comply with all relevant laws, rules, standards and codes of practice.

Management responsibilities

- 1.43 All officers, managers and team leaders/coordinators are responsible and accountable for the safety of workplace participants, contractors and company property under their control so far as reasonably practicable. Managers and team leaders/coordinators are responsible for ensuring all policies, procedures, safe work practices and safe work procedures are followed at all times.

Employee responsibilities

- 1.44 All employees are required to comply with health and safety legislation and Open Arms Care Inc.'s policies and procedures by taking reasonable care that their acts or omissions do not adversely affect their health or safety both themselves and that of other persons. Employees must report all hazards and incidents to their supervisors as soon as practically possible to ensure their own health and safety and the health and safety of others in our workplace, including contractors and third parties.

Contractors

- 1.45 All contractors engaged to perform work for Open Arms Care Inc. are required to comply with the health and safety legislation as amended from time to time, the policy, programs and procedures of Open Arms Care Inc. as they relate to work health and safety and to observe all directions on health and safety given by management. Failure to comply or observe a direction will be considered a breach of the contract and sufficient grounds for termination of the contract.

Volunteers

- 1.46 All volunteers of Open Arms Care Inc. are required to comply with health and safety legislation and Open Arms Care Inc.'s policies and procedures by taking reasonable care that their acts or omissions do not adversely affect their health or safety both themselves and that of other persons. Volunteers must report all hazards and incidents to their supervisors as soon as practically possible to ensure their own health and safety and the health and safety of others in the workplace, including employees, contractors and third parties.

Definitions

- 1.47 In this policy:

'Person Carrying on a Business or Undertaking' means an individual or organisation that arranges, directs or influences work to be done or contributes something towards the work being done. It can include partners in partnerships, sole traders, trustees of trusts or committee members of unincorporated associations, public or private companies and incorporated associations.

Variations

- 1.48 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.49 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.50 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Educational Program and Practice

Preschool Program for Children the Year Before School

Aim

To ensure that families are informed about the importance of preschool programs for children prior to starting school and to assist children in the transition to other early childhood programs or to school. Support families to access preschool programs.

COMMENCEMENT OF POLICY

This Policy will commence from 1/09/2019. It replaces all other Preschool Program for Children the Year before School policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care services National Regulations 2011
- National Quality Standards – Quality Area 1: Educational Program and Practice

Practice

Educators can:

- Provide families with information on school readiness
- Provide families with contact details on the local preschools and preschool programs available in long day care centres.
- Discuss with families their individual needs around preschool education and access.
- Liaise with other Early Childhood services about vacancies.
- Promote to parents the importance of developing resilience in children as a preparation for school and accompanying routines.
- Complete the NSW transition to school document for each child attending school in the following year with the assistance of the coordinator.
- Encourage the development of language and literacy skills in conversations, by reading books, drawing and writing and other literacy type activities.
- Encourage self-help skills (eg dressing, toileting, eating, looking after belongings, hand washing.)

Examples of Preschools and Long Day Care Centres

Bellingen

Bellingen Pre School	02 66551804
Bellingen Burrows	02 66559040
Dawn Song	0266552304
Kalang Preschool	02 66550386
Orama Preschool	02 66558721

Urunga

Urunga Community Pre School	02 66556752
Stepping Stones	02 66556955

Coffs Harbour

Coffs Harbour Community Pre School	02 66521064
Coffs Harbour Montessori Pre School	02 66537122
Petite Learning Centre	02 66001648
Lilly Pilly Early Learning Centre	02 66511992
Happy Days Pre School and Long Day Care Centre	02 66526620
Possums Den Coffs Harbour Inc.	02 66525066
Goodstart Early Learning	02 66521699
Brayside Children Pre School Inc	02 66528846

Toormina

Toormina Community Preschool	02 66531791
Gamumbi Early Childhood Educational Centre	0266532767
Little Hands Pre School	02 66582852

Northern Beaches

Lower Bucca Pre School	02 66543231
Bangalee Pre School and Child Care Centre	02 66561560
Tiny Treasures Pre School	02 66491211
Mullaway Early Years Learning Centre	02 66540333

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Programming for Development and Education

Aim

Open Arms Care Inc. Children Services recognises children learn through exploration of their environment and interactions with others. A secure, stimulating and nurturing environment where children are encouraged, to explore and experiment in safety, provides children with positive experiences to enhance learning and development.

Open Arms Care Inc. Children Services recognises, and values the importance of the child's family, community culture, and place in the development of relationships and a positive self-image. Learning experiences and interactions provided by educators should value each child's cultural diversity and the diversity of the wider community, and encourage children to develop respect for the rights of others and their environment.

The program is to provide a strong sense of identity and well-being.

COMMENCEMENT OF POLICY

This Policy will commence from 1/09/2019. It replaces all other Programming for Development and Education policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc. This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Law 2010
- Education and Care services National Regulations 2011
- National Quality Standards – Quality Area 1: Educational Program and Practice

Routines, programs and documentation

Educators need to document:

- For a child preschool age or under
 - Assessments of the child's developmental needs, interests, experiences and participation in the educational program.
 - Assessments of the child's progress against the outcomes of the educational program.
 - A copy of assessments or evaluations in relation to the child.
 - Critical reflection on Children's learning and development both as individuals and in groups which is regularly used to implement the program.
 -
- For a child over preschool age
 - Document each Child's involvement in the program through regular observations, through an Educator's observation and Planning Cycle.
 - Document the evaluation and assessment of each Child's developmental needs, interests, experiences and participation in the Educational Program. (MTOP)

- Critical reflection on Children's learning and development both as individuals and in groups which is regularly used to implement the program.

Documentation comes from the children, families and Educators through spontaneous, planned and routine play experiences to enhance the educational program for each child's learning and development. This information can be gathered through although not limited to:

- Allowing Children to freely select experiences.
- Ensure the program of experiences and play is flexible/open ended and allows opportunity to build on children's discoveries or spontaneous interest throughout the day.
- Routine times are opportunity for learning and skill development (e.g. Educators interact freely with children at the child's level, children are encouraged to be independent and respectful of others and assistance is given when necessary).
- Taking into account individual children's interests, strengths and needs in experiences.
- Maintain a balance of home based activities with outings planned to enhance learning opportunities for the child to experience the wider community, and expand cultural awareness and understanding of the arts (e.g. excursions, play sessions visits to or from artists, performers, visits to or from people of varying cultures, ages or abilities).
- Offer a balance of indoor and outdoor experiences each day.
- Offer risky play and see how resilient the child is.
- Discussions with a child about their experiences outside of care and what they learn from their community.
- Discussions with the families about their lives experiences and what they believe is their child's strengths, needs and interests are.
- Discussions with families about their child's time in care.
- Re offer the same experiences to allow the child time to become adept and accomplished at their skills.

The documentation will help to form the Educational program which will include the following outcomes for each child.

- the child will have a strong sense of identity
- the child will be connected with and contribute to his or her world
- the child will have a strong sense of wellbeing
- the child will be a confident and involved learner
- the child will be an effective communicator

Educators and Coordinators will take a planned and reflective approach to implementing the program for each child, which is an ongoing cycle of observation, analysing, learning, documentation, planning, implementation and reflection.

The learning and children's development assessments are to inform the families of their child's progress and they can be accessed by the parent at any time.

Educational Programs are to be displayed at the education and care service premises at a place accessible to parents of children being educated and cared for by the service.

The Educational Leader will:

- Ensure Educators are working on documentation that reflects the EYLF and MTOP.
- Deliver information, resources and Professional Development which will assist an Educator with Education and Care Practices.
- Ensure all Educators are delivering a program that address the child's needs, interest and learning.
- Be available to discuss a child's development with Educators and or/families.
- Ensure Confidentiality is observed (*refer Confidentiality Policy*).
- Provide information, resources and support to educators to assist them in developing appropriate routines and activity programs for children, and to support and interact positively with children who have a different language background or who have specific needs.
- Support a family's decision to utilise other early childhood services.

Families are encouraged to:

- On initial contact with the service, provide information relevant to the successful inclusion of their child into the service, (eg cultural background, abilities, needs and language).
- Ensure confidentiality is observed.
- Provide the Educator and /or Co-ordination unit with as much relevant information about the child as possible to support the Educator in meeting the child's needs. This includes Australian Immunisation History Statement (Medicare), any medical plans, court orders, paediatric reports or any other health or social support documents.

Sources

Education and Care Services National Law 2010 Regulation 81

National Quality Standards

Belonging, Being & Becoming: The Early Years Learning Framework for Australia

http://files.acecqa.gov.au/files/National-Quality-Framework-Resources-Kit/belonging_being_and_becoming_the_early_years_learning_framework_for_australia.pdf
f retrieved 7th February 2018

Associated documents

- Enrolment form

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy

and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Sustainability Policy

Aim

Open Arms Care Inc. encourages an increase awareness of environmental responsibilities and implements practices that contribute to a sustainable future. Children can be supported to become environmentally responsible and show respect for the environment. Environmentally sustainable practices should be embedded into the operations of the education and care service and involve educators, children and families in order to be successful.

Introduction

Environmental Education can be defined as learning about the environment and how natural systems function, how plants, animals, humans and the planet we inhabit all interconnect.

Education for Sustainable Development allows every human being to acquire the knowledge, skills, attitudes and values necessary to shape a **sustainable** future.

Purpose

Children learn from each other, from the resources on offer, from the environments: natural vs man made, set up intentionally or spontaneously through investigation, from adults and through the community. All children in Open Arms Children's Services will be encouraged to develop a respect and enjoyment of the natural environment and living things whilst furthering their appreciation of beauty in its many forms.

Children's services will strive to integrate all aspects of sustainability into their services, creating a whole service approach and working towards initiating change towards sustainable values and practices.

COMMENCEMENT OF POLICY

This Policy will commence from 1/09/2019. It replaces all other Sustainability policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

- Education and Care Services National Law 2010
- Education and Care Services National Regulations 2011
- National Quality Standards – Quality Standard 3. Physical Environment

Procedures

Staff and Educators will participate in professional development which has a focus on promoting Environmental Education in Early Childhood and sustainability in Children's Services.

Coordination staff will keep up to date on the latest research and teachings in Environmental Education through such things as journals and e-newsletters and then support Educators to enhance their services with this knowledge.

Educators and the Coordination staff will help children connect with nature through various activities such as:

- Constructing worm farms, building vegetable or herb gardens, composting.
- Incorporating recycled and natural items into children's learning experiences.
- Growing plants from seeds
- Responsible recycling
- Utilizing outdoor environments and the efficient use of natural resources.
- Using resources including books, posters and technology to investigate topics that children are interested in such as wildlife, waste, water and the earth diverse environments.
- Coordination staff and Educators will endeavour to provide families with information on the environment and sustainability through newsletters, fact sheets, hints and articles.

All services will be encouraged to have indoor and outdoor play spaces which promote resource conservation and healthier living.

Families will be encouraged to provide environmentally sustainable lunch boxes ie limit convenience, pre-packaged foods and re-usable containers. Encourage the children to open and choose which foods to eat, promoting autonomy.

Natural play spaces are to be provided and experiences involving natural play which promotes resource conservation and healthier living.

Management will make a commitment to:

- Recycle office items such as paper, ink cartridges, plastics and kitchen refuse
- Use scrap containers for kitchen and any play session food waste
- Limit the use of air conditioners
- Turn off lights when not in use
- Reuse and repair equipment as often as possible
- Research environmentally responsible alternatives for equipment when purchases are required.

Sources

Guide to the National Quality Framework

Belonging, Being and Becoming: The Early Years Framework for Australia

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Technology and Digital Media

Aim

Open Arms Care Inc. Children Services believes that television and digital media can be an effective form of exposing children to the wonders around them. If television and other digital media is used, Educators need to ensure it is planned, limited to acceptable periods of time during the child's day to maximise opportunities to explore other learning opportunities provided, is age appropriate and monitored, to ensure suitability.

COMMENCEMENT OF POLICY

This Policy will commence from 1/09/2019. It replaces all other Technology and Digital Media policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

- Education and Care Services National Law 2010
- Education and Care Services National Regulations 2011 Reg, 75,76
- National Quality Standards – Quality Standard 1: Educational program and practice

Procedures

Television, technology and digital media viewing shall be;

- Age appropriate
- To meet the child's purpose
- For learning and development value of the child
- Under the supervision of Educators.

Use of Digital Media (laptops, iphones, ipads, tablets, android, electronic devices and cameras)

Facebook, Twitter and other similar social media websites are not appropriate for children to browse through or for personal use.

Children will be supervised by Educators to ensure appropriate material is being viewed/accessed and all children have equal opportunity to use the technology.

Laptops and Computers which are the property of Open Arms Care Inc. must stay on the premises and be stored in a safe , secure cabinet at all times unless authorised by Coordinators.

Previewing of the software/movies/programs/music videos/Youtube must be done by the Educators before the children have access to determine suitability and relevance to the children's curriculum and learning. A 'G' and 'PG' rating will be observed when choosing

what is suitable. Observations of children at work on electrical devices and asking their views is a particular reliable method of evaluating the worth of what they are observing.

Types of software/movies/programs/music videos/You tube will be open ended to provide many more learning opportunities for children.

Educators should not use phones for messaging, facebook or personal phone calls during program and supervision times, unless it is required for an emergency.

Children who bring their own phones/ipads/tablets/electronic devices are asked to leave them in their bags. They are not permitted during program hours. Unless otherwise specified in the event it is permitted parents will be required to sign a waiver.

Electronic devices at the discretion of the program, may be used for homework purposes (during after school care hours) for short periods of time and only when they can be actively supervised by educators.

Parents and families will be consulted regarding the use of electronic devices during program hours.

Educators and children are encouraged to take photos of learning to enhance documentation and support future play, leisure and learning opportunities.

Educators discuss with children and families what programs/movies will be watched or viewed and make joint decisions with the children about the period(s) of viewing time.

Give children a chance to ask questions, describe their feelings and make sense of what is taking place. This can occur by talking about what they are watching, discussing characters, stories and themes.

Parents should sign a consent form when taking children to see a film at the cinemas in conjunction with a non routine Excursion permission form.

Sources

Guide to the Education and Care Services National Law 2010 and the Education and Care Services Law

National Quality Standards 2018

Associated documents

Non Routine Excursion Permission Form

Media permission forms

Electronic Device Disclaimer

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards,

objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Children's Health

Administration of First Aid

Aim

Open Arms Care Inc. believes the capacity to provide prompt basic first aid is paramount for children attending our service and staff and educators have a duty of care to take positive steps towards maintaining the health and safety of each child. The service will ensure that first aid equipment and support is available to all children, educators and visitors to the services and whilst on excursions. All educators are required to undertake and maintain current senior first aid, asthma management and anaphylaxis management training.

COMMENCEMENT OF POLICY

This Policy will commence from 1/10/2019. It replaces all other Administration of first aid policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Regulations 2011 Reg 87, 89, 136, 168
- Education and Care Services National Law 2011
- Work Health & Safety Regulation 2017
- National Quality Standards – Quality Area 2: Children's Health & Safety

Practice

The following persons are in attendance at any place where children are being educated and cared for by the service, and immediately available in an emergency, at all times that children are being educated and cared for by the service:

- one educator holds a current approved first aid qualification and has undertaken current approved anaphylaxis management training and current approved emergency asthma management training.
- First aid qualifications must be acquired through an approved provider as deemed so by ACECQA.

All first aid kits will be kept up to date and fully equipped to meet Australian Standards and First Aid Risk Assessments completed by each individual service and kept in a designated secure place at each service. Educators are to ensure that the first aid kit is easily accessible to all educators, staff, parents and volunteers.

Educators are to replace stocks as necessary and are responsible to maintain inventory and expiry checks of all first aid equipment.

A first aid manual will also be kept at each service.

Educators will ensure a portable/travel first aid kit will be taken on all excursions and other offsite activities.

Each service will keep a cold pack in the freezer for treatment of bruises and strains.

At orientation educators, staff and volunteers will be made aware of the first aid kit, where it is kept and their responsibilities in relation to it.

Qualified first aiders will only administer first aid in minor accidents or to stabilise the victim until expert assistance arrives in more serious accidents.

Telephone numbers of emergency contacts, local doctor and poisons information centre **131 126** will be located in a prominent

In the event of an emergency the educator administering the first aid must not leave the patient until emergency services or the parent arrives.

First Aid Action Response

In the case of a minor accident the first aid attendant will:

1. Assess the injury
2. Attend to the injured person and apply first aid as required.
3. Ensure that disposable gloves are used with any contact with blood or bodily fluids.
4. Ensure that all blood or bodily fluids are cleaned up and disposed of in a safe manner as per the *Heath & Hygiene Policy*
5. Ensure that anyone who has come in contact with any blood or fluids wash their hands thoroughly in warm soapy water.
6. Record the incident and treatment given on the Incident, Injury, Trauma & Illness Form as per *Incident, Injury, Trauma & Illness Policy*
7. Notify the parents either by phone after the incident if seen fit or on their arrival to collect the child.
8. The Educator or Nominated Supervisor should obtain parental signature confirming knowledge of the accident report form.

Reporting Serious Incident

Where the service has had to administer first aid and the incident is deemed serious as per Regulation 12, educators are to inform the Nominated Supervisor, who will ensure that the steps outlined in the service *Incident, Injury, Trauma & Illness Policy* are followed and the Regulatory Authority is notified within 24 hours of the incident or the time that person becomes aware of the incident.

Sources

ACECQA – www.acecqa.gov.au/first-aid-qualifications-and-training retrieved August 2019

Guide to National Law and National Regulations

First Aid in the workplace

https://www.safeworkaustralia.gov.au/system/files/documents/1908/code_of_practice_-_first_aid_in_the_workplace_0_0.pdf retrieved 21st August 2019

Associated documents

- Incident/Injury/Illness/Trauma Register

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

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Administration of Medication Policy

Aim

Open Arm's Care Inc. will ensure children are supported to feel physically and emotionally well, and feel safe in the knowledge that their wellbeing and individual health care needs will be met when they are unwell. Our service will ensure safe administration of medication and compliance with the Education and Care Services Regulation 2011 and the National Standards.

COMMENCEMENT OF POLICY

This Policy will commence from 1.10.2019. It replaces all other Administration of Medication policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services Regulations 2011 Reg 92, 93, 95, 96
- Education and Care Services National Law 2010
- NSW Work Health and Safety Act 2011
- National Quality Standards – Quality Area 2: Children's Health & Safety

Practice

Ensure a Medication Authority Form is completed and signed for each child and their medication by their parent / guardian. This includes over the counter medication, tonic and herbal remedies.

The administration of medication to a child is authorised if an authorisation to administer the medication—

- (a) is recorded in the medication record for that child under regulation 92; or
- (b) in the case of an emergency, is given verbally by—
 - (i) a parent or a person named in the child's enrolment record as authorised to consent to administration of medication; or
 - (ii) if a parent or person named in the enrolment record cannot reasonably be contacted in the circumstances, a registered medical practitioner or an emergency service.

When starting a course of antibiotic, have the parent / guardian administer the first dose 24 hours before child begins care, to ensure no allergies.

Medication must be prescribed by a registered medical practitioner, from its original container, bearing the original label with the name of the child to whom the medication is to be administered, and before the expiry or use by date.

The medication supplied must clearly show:

- Child's name
- Instructions for administration e.g. dosage
- Expiry date (**do not administer if out of date**)

Medication must be removed from children's bags and stored safely at prescribed temperatures in an area inaccessible to children.

Before administering medicine, check that the instructions on the Medication Authority Form are consistent with the medical practitioner's instructions attached to the medication bearing the original label with the child's name.

Medication prescribed for one child is not to be administered to a sibling or another child. Educators must document on the Medication Authority Form, the medication date, time and dosage administered as well as the signature of the person administering the medication each time. See Medication Authority Form (Regulation 92).

'Over the counter' medication needs to be administered strictly in accordance with the manufacturer's directions unless specific consent and written instructions are received from the health professional prescribing or dispensing the medication or unless the medication is labelled for the child with instructions from a health professional.

If a child is on permanent prescribed medicine, e.g. asthma medication, then the On Going Medication and/or appropriate management plan form should indicate which symptoms necessitate medication being administered.

Medication / over the counter products / herbal remedies must not be administered unless the above conditions are met. Do not give any unidentifiable medicines or medication that does not meet the above guidelines.

A **Child over pre-school** age may self-administer medication under the following circumstances:

- Written authorisation is provided by the person with the authority to consent to the administration of medication on the Child Enrolment form.
- Medication is to be provided to the Educator for safe storage, and they will provide it to the Child when required
- Following practices outlined in the Dealing with Medical Conditions Policy including anaphylaxis and allergies, asthma and diabetes.
- Self-administration of medication for Children over pre-school age will be supervised by the Educator.
- The Child will sign the Self-administration form and be witnessed by the educator.

NB: STRICT SUPERVISION MUST BE MAINTAINED THROUGHOUT THE ADMINISTERING OF MEDICATION PROCEDURE.

Sources

Guide to the National Quality Framework February 2018

Staying Healthy in Childcare 5th Edition

Guide to the Education and Care Services National Law 2010 and the Education and Care Services National Regulations 2011 (ACECQA).

Retrieved August 2019

Associated documents

- Medication Authority Form
- Ongoing Medication Form

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

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Hand Washing Policy

Aim

Hand hygiene is one of the most simple and effective ways to prevent and break the chain of infection. Germs can spread easily to other people or onto surfaces via contaminated hands. Hand hygiene is essential for educators and children and should be practised even if hands are not visibly dirty.

COMMENCEMENT OF POLICY

This Policy will commence from 15.8.22. It replaces all other Hand Washing policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Law 2010
- Education and Care Services National Regulations 2011
- National Quality Standards – Quality Area 2: Children's Health & Safety

Practice

Guidelines on when an Educators and Staff wash hands:

Before:

- Starting work, so germs are not introduced into the service
- Eating or handling food
- Giving medication
- Putting on gloves
- Applying sunscreen or other lotions to one or more children
- Going home, so germs are not taken home

After:

- Taking off gloves
- Using the toilet
- Helping children use the toilet
- Coming in from outside play
- Wiping a child's nose or your own nose
- Eating or handling food or handling garbage
- Cleaning up faeces, vomit or blood

- Applying sunscreen or other lotions to one or more children
- Touching animals

Guidelines of when Children wash hands:

Before:

- Eating or handling food

After:

- Eating or handling food
- Touching nose secretions
- Using the toilet
- Coming in from outside play
- Touching animals

How to wash hands:

1. Wet hands with running water
2. Apply soap to hands
3. Lather soap and rub hands thoroughly, including the wrists, the palms, between the fingers, around the thumbs and under the nails. Rub hands together for at least 15 seconds (for about as long as it takes to sing 'happy birthday' once)
4. Rinse thoroughly under running water
5. Dry thoroughly

Hands should be dried with paper towel or cloth towels. Cloth towels, if used, should be used by one person and hung up to dry between uses. Cloth towels should be laundered regularly to reduce the risk of recontamination or cross-contaminating hands.

Supervise children when washing their hands and help them get into the habit of hand hygiene.

If rings or other jewellery is on hands, move the jewellery around the finger while you lather the soap to ensure that the area underneath the jewellery is clean.

Always wet hands first before applying soap. This helps the soap to lather more and prevents the skin from drying.

While on excursions where water may not be available, Educators must make arrangements to ensure hands are cleaned appropriately to prevent the spread of infection.

Sources

Australian government National Health and Medical Research Council - Staying Healthy – preventing infectious disease in early childhood education and care services 5th Edition

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Associated documents

- How to Hand Wash in the Community NSW Health

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

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Health and Hygiene Policy

Aim

Open Arm's Care Inc. will ensure our services are hygienically maintained to reduce the possible spread of infection and illnesses. It is understood that there is a shared responsibility between staff, educators, children and families to implement hygiene practices in the service. It is important that educator's role-model positive health practices and children are appropriately supervised, assisted and encouraged in their daily health and hygiene routines.

COMMENCEMENT OF POLICY

This Policy will commence from 17.8.2022. It replaces all other Health and Hygiene policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Law 2010
- Education and Services National Regulations 2011 Regulation 77, 88
- Work Health & Safety Act (NSW) 2011
- National Quality Standards – Quality Area 2: Children's Health & Safety

Practice

The most important ways to break the chain of infection and stop the spread of diseases are:

Effective Handwashing

Educators are encouraged to practice hand washing upon entering the service, before preparing or eating food and after all tasks such as toileting, cleaning up any items, wiping the nose, before and after administering first aid, playing outside or handling an animal. Educators will role model correct hand washing techniques and give verbal reminders to children when washing hands.

Refer to Handwashing Policy

Exclusion of ill children, educators and other staff

The service will ensure that in the event of an infectious disease being identified within the children, families or educators in the service, steps are taken to prevent the spread of the infectious disease and that parents are notified about the occurrence of an infectious disease as soon as possible.

The service will identify whether the symptoms or a diagnosed illness have an exclusion period and will advise when the child or staff member may return to the service.

Refer to Infectious Disease and Exclusion Policy

Immunisation

The service will maintain up-to-date immunisation records for all children and remind families to keep up to date with their child's immunisations

Cough and sneeze etiquette

Educators will encourage children to cover their noses and mouths when sneezing or coughing and to wash and dry their hands afterwards. Educators will model this behaviour.

Appropriate use of gloves

All educators must wear disposable gloves when in contact with blood, open sores or other bodily substance, clothes contaminated with bodily fluids or cleaning up a contaminated area. Educators must wash hands with soap and water after removing the gloves. Educators with cuts, open wounds or skin disease such as dermatitis should cover their wounds and wear disposable gloves. Used gloves should be disposed of safely.

Accidents and bodily fluids

To clean a blood spill, the educator will: wear gloves; wipe up blood immediately with a damp cloth, tissue or paper towel; place cloth, tissue or paper towel in a plastic bag and put in the rubbish bin; remove gloves and dispose of in bin; wash surface with warm soapy water; wash hands as per *hand wash policy*

Cover any cuts, abrasions, dermatitis or open skin on hands with a water resistant dressing.

Effective environmental cleaning

Educators must ensure services are maintained in a clean and hygienic manner.

Educators will develop cleaning systems that prevent contamination and cross infection.

This may include sweeping (and if needed mopping) floors after meal and activity times, wiping tables with soapy water before and after meals, sanitising toys and equipment after use; and particularly after children have mouthed toys.

All toilets, hand basins and kitchen facilities will be cleaned daily and all contaminated surfaces will be sanitised.

Sandpits maybe raked daily, covered each night and the sand cleaned regularly to ensure sandpit is free of foreign objects and other contaminates.

Material items such as dress ups and cushion covers are to be laundered as required.

Daily launder any soiled linen, towels, tea towels, face cloths and clothing

Clean nappy change mats and areas after each use. Spot clean nappy change and bathroom areas as required during the day and clean the areas thoroughly once daily

Refer Nappy Change Policy

Food handling practices

All rubbish or left over food is to be disposed of immediately in lidded bins and bins emptied at least daily.

All food will be prepared and stored in a hygienic manner

Refer to Food Safety Policy

Sources

Australian Government Staying Healthy: Preventing infectious diseases in early childhood education and care services 5th Edition

Safe Work NSW www.safework.nsw.gov.au

NSW Health www.health.nsw.gov.au

Retrieved August 2019

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

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Incident, Injury, Trauma & Illness Policy

Aim

Open Arms Care Inc. aims to ensure the safety and wellbeing of educators, children and visitors, within our services and on excursions, through proper care and attention in the event of an incident, injury, illness or trauma. Educators must consider all of the elements of wellbeing and ensure that programs also acknowledge the importance of risk management to provide a safe environment and protect children from potential harm.

COMMENCEMENT OF POLICY

This Policy will commence from 17.8.2022. It replaces all other Incident, Injury, Trauma & Illness policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Regulations 2011 Reg 12, 85, 86, 87
- Education and Care Services National Law 2011
- Work Health & Safety Act 2011
- National Quality Standards – Quality Area 2: Children's Health & Safety

Practice

Responsibilities of parents/guardians

Parents are required to provide written consent for educators to seek medical attention for their child, if required, before they start in the services. This will be recorded in the enrolment form.

Parents will be required to supply the contact number of their preferred doctor and dentist, Medicare number and authorised emergency contacts.

Parents are required to inform the service and provide any relevant paperwork relating to their child's particular health requirements such as immunisation status, health/medical plans and allergies.

The service will inform parents of policies and procedures upon enrolments with regards to illness and exclusion practices refer to *Infectious Disease and Exclusion Policy*.

Parents will be notified of any incident, injury, trauma or illness no later than 24 hours after the noted incident and will be required to sight and sign the Incident, Injury, Trauma and Illness Record.

Responsibilities of educators

Educators will maintain high levels of supervision at all times, consider the planning of the physical environment and experiences to ensure spaces are safe and to minimise any potential risks to children's health and wellbeing.

Educators will respond to children showing signs of illness and begin monitoring the symptoms of the child and recording as appropriate. Educators will contact the child's authorised person to inform them of the illness signs or to request the collection of the child.

For Medication Administration refer to *Administration of Medication Policy*.

Anyone injured will be kept under supervision until they recover and an authorised person takes charge of them.

For minor incidents requiring basic first aid refer to *Administration of First Aid Policy*

Identify the signs and symptoms of illness

- High fever - the normal temperature for a child is up to 38°C
- Drowsiness—the child is less alert than normal, making less eye contact, or less interested in their surroundings.
- Lethargy and decreased activity—the child wants to lie down or be held rather than participate in any activity, even those activities that would normally be of interest.
- Breathing difficulty—this is an important sign. The child may be breathing very quickly or noisily, or be pale or blue around the mouth. The child may be working hard at breathing, with the muscles between the ribs being drawn in with each breath.
- Poor circulation—the child looks very pale, and their hands and feet feel cold or look blue.
- Loss of appetite —the child has reduced appetite and drinks much less than usual.
- Red or purple rash—non-specific rashes are common in viral infections, however, red or purple spots that do not turn white if pressed with a finger require urgent medical referral because the child could have meningococcal disease.
- A stiff neck or sensitivity to light—this may indicate meningitis
- Pain—a child may or may not tell you they are in pain. General irritability or reduced physical activity may also indicate pain in young children.

What to do if a child seems unwell

Separate the ill child from the other children. If the child is not well enough to participate in activities, contact their parent/guardian and send them home.

While waiting for the parent to arrive, keep the child away from the main group of children, if possible.

What to do if a child has a fever

The normal temperature for a child is up to 38°C. If the child's temperature reaches 38°C call the parent/guardian to collect the child

If the child is unhappy, treatment is needed to comfort them. Give clear fluids

Watch the child and monitor their temperature until the parent arrives

In the case of a major incident requiring more than basic first aid, the Educator will:

1. Assess the injury, and decide whether the injured person needs to be attended by local doctor or whether an ambulance should be called and inform the Nominated Supervisor of their decision.
2. If the injury is serious the first priority is to get immediate medical attention. Parents or emergency contacts should be notified straight away. If this is not possible, there should be no delay in organising proper medical treatment. If available, another educator can keep trying to contact the parents or emergency contacts in the meantime.
3. Attend to the injured person and apply first aid as required.
4. Educators will ensure that disposable gloves are used with any contact with blood or bodily fluids as per the *Health and Hygiene Policy*.
5. Educators will stay with child until suitable help arrives, or further treatment taken.
6. The educator will try to make the child comfortable, reassure them and inform them their parents/guardian will be on their way.
7. Complete an Incident, Injury, Trauma and Illness Record and a report to the Nominated Supervisor to inform the regulatory authority.

In addition the Educator will:

- Notify parents or emergency contact person immediately regarding what happened and the action that is being taken including clear directions of where the child is being taken (e.g. hospital). Every effort must be made not to panic the parents and to provide minimal detail regarding the extent of the injuries
- Ensure that all blood or bodily fluids are cleaned up in a safe manner.
- Ensure that anyone who has come in contact with any blood or fluids washes their hands/exposed body parts in warm soapy water.
- Try to reassure the other children and keep them calm, keeping them informed about what is happening, and away from the injured child.

Accidents which result in serious injury (including death) to a child must be reported to:

- An ambulance service (if child cannot be moved and requires the ambulance or in the case of the death of the child)
- The police (death of a child)
- Parents/Guardian
- The Nominated Supervisor
- Regulatory Authority

The service must notify the regulatory authority within **24 hours** of becoming aware of a serious incident (Section 174(2) (a) and Regulation 176(2) (a).

A serious incident (regulation 12) is defined as any of the following:

- the **death of a child** while being educated and cared for by the service or following an incident while being educated and cared for by the service
- any **incident involving a serious injury or trauma to a child** while that child is being educated and cared for, which:
 - a reasonable person would consider required urgent medical attention from a registered medical practitioner; or
 - the child attended or ought reasonably to have attended a hospital e.g. broken limb
- any **incident involving serious illness of a child** while that child is being educated and cared for by a service for which the child attended, or ought reasonably to have attended, **a hospital** e.g. severe asthma attack, seizure or anaphylaxis
NOTE: In some cases (for example rural and remote locations) a General Practitioner conducts consultations from the hospital site. Only treatment related to serious injury, illness or trauma is required to be notified, not other health matters.
- any emergency for which **emergency services** attended
NOTE: This means an incident, situation or event where there is an imminent or severe risk to the health, safety or wellbeing of a person at an education and care service. It does not mean an incident where emergency services attended as a precaution.
- a child appears to be **missing or cannot be accounted** for at the service
- a child appears to have been **taken or removed** from the service in a manner that contravenes the National Regulations
- a child is mistakenly **locked in or locked out of the service** premises or any part of the premises.

Reporting of serious incident

All serious incidents, injury, illness or trauma will be recorded within 24 hours of the event occurring. The child's parent or emergency contact must be notified of any accident or injury that has occurred to the child as soon as possible and no later than 24 hours after the event or of becoming aware of the event.

The service can notify the regulatory authority of serious incidents online through the NQA IT System. The nominated supervisor is responsible for ensuring that in the event of a serious incident, the regulatory authority is advised, as well as the approved provider.

Death of a Child

The Responsible Person will notify the parent/guardian that a serious incident has happened and advise them to contact the relevant medical agency. Only a qualified medical practitioner can declare a person dead and therefore educators should ensure the parents are only advised that the injury is serious and refer them to the medical agency (i.e. hospital) where the child has been taken.

This information should be provided in a calm and extremely sensitive manner.

The site of the accident should not be cleared or any blood or fluids cleaned up until after approval from the Police.

All other children should be removed away from the scene and if necessary parents contacted for early collection of children. The children should be reassured and notified only that a serious incident has occurred.

Incident, Injury, Trauma & Illness Record

Details of any incident in relation to a child or injury received by a child or trauma to which a child has been subjected while being educated and cared for by the education and care service or the family day care educator, including—

- i. the name and age of the child; and
- ii. the circumstances leading to the incident, injury or trauma; and
- iii. the time and date the incident occurred, the injury was received or the child was subjected to the trauma;

(b) details of any illness which becomes apparent while the child is being educated and cared for by the education and care service or the family day care educator including—

- i. the name and age of the child; and
- ii. the relevant circumstances surrounding the child becoming ill and any apparent symptoms; and
- iii. the time and date of the apparent onset of the illness;

(c) details of the action taken by the education and care service or family day care educator in relation to any incident, injury, trauma or illness which a child has suffered while being educated and cared for by the education and care service or family day care educator, including—

- i. any medication administered or first aid provided; and
- ii. any medical personnel contacted;

(d) details of any person who witnessed the incident, injury or trauma;

- (e) the name of any person—
- i. whom the education and care service notified or attempted to notify, of any incident, injury, trauma or illness which a child has suffered while being educated and cared for by the education and care service or family day care educator; and
 - ii. the time and date of the notifications or attempted notifications;
- (f) the name and signature of the person making an entry in the record, and the time and date that the entry was made.

All information will be included in the Incident, Injury, Trauma and Illness Record as soon as practicable, but not later than 24 hours after the incident, injury or trauma, or the onset of the illness.

Any incidents which occur that poses a risk to the health, safety or wellbeing of a child or children or any incident or allegation of physical or sexual abuse of a child or children at the service must be notified to the Children's Services Manager, Nominated Supervisors and Approved Provider before notifying the Regulatory Authorities within 7 days.

Sources

Guide to the National Quality Framework February 2018

Guide to the National Quality Standard January 2017

ACECQA www.acecqa.gov.au

Work Health & Safety Act 2011 www.legislation.nsw.gov.au Retrieved 27/02/18

Associated documents

- Incident, Injury, Trauma and Illness Record

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Infectious Disease & Exclusion Policy

Aim

Open Arm's Care Inc. is committed to providing a safe and healthy environment for all children, staff and other persons attending our services. Every effort will be made to prevent the spread and minimise the risk of infections and communicable disease.

COMMENCEMENT OF POLICY

This Policy will commence 17.8.2022. It replaces all other Infectious Disease & Exclusion policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Related Legislation

- Education and Care Services National Regulations 2011 Regulation 88
- Education and Care Services National Law 2011
- Public Health Act 2010
- National Quality Standards – Quality Area 2: Children's Health & Safety

Definitions

Exclusion: Unable to attend or participate in the program.

Illness: Any sickness and/or associated symptoms that affect the child's normal participation in the program.

Immunisation status: The extent to which a child has been immunised in relation to the recommended immunisation schedule.

Infectious disease: A disease that could be spread by air, water, interpersonal contact.

Notifiable disease: an infectious disease that needs to be reported to the Public Health Unit.

Medication: Any substance that is administered for the treatment of an illness or condition.

Exclusion of Ill Children, Educators and Staff

Infectious Disease: In order to prevent the spread of infectious diseases through interpersonal contact, our service will adhere to the exclusion period table, published by the Department of Health. Ref: Staying Healthy in Child Care 5th Edition (see table 1.1 for the recommended minimum periods of exclusion p17).

Fever: In children, a temperature over 38°C indicates a fever. In order to prevent the spread of infection and ensure wellbeing, children with a temperature above 38°C will be excluded from the service.

Immunisation: If there is an outbreak of immunisable disease, non-immunised children/Educators who would be in contact with the disease while attending their normal child care arrangements will be excluded from the service. The child and Educator will not return until there are no more occurrences of that disease at the service and the recommended minimum exclusion period has ceased.

Other reasons for exclusion: Children, Educators and other staff members may be excluded for any one of the following reasons:

- Sleeps at unusual times- lethargy, drowsiness decreased activity.
- In need of constant one to one care, is too tired or unwell to cope with normal daily routine.
- Vomiting, two or more unexplained vomits during the day or diarrhoea two or more loose stool in succession during the day. These children must not return to the service until twenty-four hours after the condition has ceased.
- Having commenced treatment with medication the individual should not attend the service for at least 24hrs to ensure the person is recovering and is not having side effects from the medication.
- An elevated temperature, flushed colouring, unusually pale
- Red or discharging eyes or ears
- Stomach aches, vomiting or diarrhoea
- Undiagnosed skin rashes, sores or swelling,
- Coloured nasal discharge or repeated, severe coughing
- Obvious signs of distress, unusual activity levels, irritability, restlessness or fuss, listless behaviour

Practice

Effective hygiene practices: To prevent the spread and minimise the risk of infectious disease, our service will maintain and promote effective hygiene practices including but not limited to: correct handwashing; safe food handling practices; effective environmental cleaning; and standard precautions when handling blood and bodily fluids. *Refer to Health and Hygiene Policy*

Children's Immunisation records will be kept up to date by the service and will ensure parents provide information on subsequent changes to the immunisation status of their child.

The service will ensure, where there is an occurrence of an infectious disease, a parent/guardian or authorised emergency contact of each child at the service is notified of the occurrence as soon as is practicable (Regulation 88[2]).

The service requests parents/ guardians to notify the service if their child has an infectious disease or is too ill to attend.

If a child is to attend care the parents must disclose any signs or symptoms of their child's possible illness. The service is to use their discretion to determine if the child should be excluded from care – on arrival or throughout the day. The educator will separate an ill child from other children and if not well enough to participate in activities contact the parent to pick up the child.

Information relating to the illness/symptoms shown by the child will be recorded by educators in the Incident, Injury, Trauma and Illness Record.

The service will advise parents / guardians on enrolment what the recommended minimum exclusion periods will be in regard to the outbreak of any infectious diseases.

The service will provide information and resources to families to assist in the identification and management of infectious diseases should they enquire.

If an outbreak of a notifiable disease occurs within the service, Open Arms will notify the Public Health Unit, at the direction of Health NSW on Ph: 1300 066 055, as soon as possible after they are aware that a child enrolled at the service is suffering from one or more of the following vaccine preventable diseases:

- Diphtheria
- Mumps
- Poliomyelitis
- Haemophilus influenza Type b (Hib)
- Meningococcal disease
- Rubella ("German measles")
- Measles
- Pertussis ("whooping cough")
- Tetanus

Family Day Care Educator and Family Members

The Educator is to use their discretion and or follow public health advice to determine if they or their family members should be excluded from the childcare service, preferably prior to arrival or throughout the day.

Decisions for exclusion are based upon –

- i. Staying Healthy in Child Care (see Table 1.1 Recommended minimum exclusion periods)
- ii. Public Health Advice
- iii. Any relevant Public Health Orders

Non-infectious reasons for exclusion, see 'other reasons for exclusion' above, or ask for clarification by the Nominated Supervisor.

The educator is to notify the Family Day Care co-ordinator if he/she is not available for work.

Families affected are to be contacted by the educator or the Family Day Care Co-ordinator and offered an alternative educator (if available).

If there is an outbreak of an immunisable disease, non-immunised educators and their family members who would be in contact with the disease will be excluded from the service as per the immunisation schedule.

The service may request a doctor's certificate for clearance to resume work which should state the person is not contagious and is fit to return to work.

For Staff

Staff are to use their discretion and or follow public health advice to determine if they should be excluded from the childcare service.

Decisions for exclusion are based upon –

- i. Staying Healthy in Child Care (see Table 1.1 Recommended minimum exclusion periods)
- ii. Public Health Advice
- iii. Any relevant Public Health Orders

Non-infectious reasons for exclusion, see 'other reasons for exclusion' above

Clarification can be made through the Children's Services Office.

If there is an outbreak of a disease that can be immunised against, non-immunised staff that would be in contact with the disease while attending their normal duties will be excluded from the service as per the immunisation schedule.

Staff may be asked by the Management to produce a doctor's certificate before returning to work stating that the person is not contagious and is fit for work.

Sources

Australian Government National Health and Medical Research Council 'Staying Healthy: Preventing infectious diseases in early childhood education and care services' 5th Edition
Australia and New Zealand Food Standards Code

Public Health Act 2010

NSW Health www.health.nsw.gov.au

Immunisation Toolkit

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

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practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Medical Conditions Policy, including Asthma, Anaphylaxis and Diabetes.

Aim

Our educators will facilitate effective care and health management of children who are taking medications for health conditions or are at risk of allergies and anaphylaxis, and will assist in the prevention and management of these conditions and medical emergencies. Our service will collaborate with parents / guardians of children with diagnosed medical conditions to develop strategies to support the implementation of the risk management plan for their child.

COMMENCEMENT OF POLICY

This Policy will commence from 17.8.22. It replaces all other Medical Conditions policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Regulations 2011 Reg 90, 91, 94
- Education and Care Services National Law 2011
- Health Records Act 2002
- National Quality Standards – Quality Area 2: Children's Health & Safety

Practice

Enrolment

All families will be provided with the service Medical Conditions Policy upon enrolment (regulation 91) and have a responsibility to inform the service if their child has a specific health care need, allergy or other relevant medical condition.

Where children require medication or have special medical needs for long term conditions, the child's doctor and parent/guardian must complete a Medical Management Plan.

Medical Management Plan:

- must include a current photo of the child and must clearly outline procedures to be followed by staff in the event of an incident relating to the child's specific health care needs
- will detail the child's special health support needs including administration of medication and other actions required to manage the child's condition.
- must be followed in the event of an incident relating to the child's specific health care need, allergy or relevant medical condition.

The Children's Services Manager or Educational Leader will consult with the child's family to develop Risk Minimisation, Communication Plans.

The **Medical Risk Minimisation/Communication Plan** will:

- assess the risks relating to the child's specific health care needs, allergy, or medical condition
- assess any requirements for safe handling, preparation, and consumption of food
- ensure notification procedures are in place that inform other families about allergens that pose a risk
- ensure educators/staff/ volunteers can identify the child, potential risks/triggers and their medication and management of illness

If the child's medical condition changes, the family will need to inform the service and complete a new Medical Management Plan.

Asthma

Whenever a child with asthma is enrolled at our service, or newly diagnosed as having asthma, communication strategies will be developed to inform all relevant Educators, including staff and volunteers, of:

- where the child's Medical Risk Management Plan will be located
- where the child's preventer/reliever medication etc. will be stored

Asthma reliever medications will be stored out of reach of children, in an easily accessible central location.

All responsible persons at the service will hold current emergency asthma management training certifications.

Asthma Emergencies

In the case of an asthma emergency, medication may be administered to a child without written parent/guardian authorisation (Regulation 94). If medication is administered the parent/guardian of the child or the child's registered medical practitioner will be contacted as soon as possible

The National Asthma Council (NAC) recommends that should a child not known to have asthma appear to be in severe respiratory distress, the Asthma First Aid plan should be followed immediately.

The following steps are recommended:

- If someone appears to have difficulty breathing, call an ambulance immediately, whether the person is known to have asthma:
 - Give 4 puffs of a reliever (blue/grey puffer) medication and repeat if no improvement

- Keep giving 4 puffs every 4 minutes until the ambulance arrives
- No harm is likely to result from giving reliever medication to someone who does not have asthma
- In the event of anaphylactic emergency and breathing difficulties, an epipen must be administered first, then reliever (blue/grey puffer).

Anaphylaxis

Whenever a child with severe allergies is enrolled at our service, or is newly diagnosed as having a severe allergy, a communication plan will be developed to inform all relevant educators, including staff and volunteers, of:

- the child's Medical Risk Management Plan
- where the child's Medical Risk Management Plan will be located
- where the child's adrenaline auto-injector is located

In accordance with the Education and Care Services National Regulations, our service will advise families that a child who has been diagnosed as at risk of anaphylaxis is enrolled at the service and advise which foods are allergens and not to be brought to the service.

Anaphylaxis Emergencies

In the case of an anaphylaxis emergency, medication may be administered to a child without written parent/guardian authorisation (Regulation 94). If medication is administered the parent/ guardian of the child or the child's registered medical practitioner will be contacted as soon as possible.

For anaphylaxis emergencies, educators will follow the child's Emergency Action Plan. If a child does not have an adrenaline auto-injector and appears to be having a reaction, the educator will only administer adrenaline if the service has an additional adrenaline auto-injector for general use. Educators administering the adrenaline will follow the instructions stored with the device. An ambulance will always be called. The used auto-injector will be given to ambulance officers on their arrival. Another child's adrenaline auto-injector will NOT be used.

All responsible persons at the service will hold current emergency anaphylaxis management training certifications

Diabetes

Whenever a child with diabetes is enrolled at our service, or is newly diagnosed as having diabetes, a communication plan will be developed to inform educators, including staff and volunteers, of:

- the child's Medical Risk Minimisation Plan
- where the child's Medical Risk Minimisation Plan will be located
- where the child's insulin/snack box etc. will be stored

Educators will be aware of the signs and symptoms of low blood sugar including the child presenting pale, hungry, sweating, weak, confused and/or aggressive. Signs and symptoms of high blood sugar include thirst, need to urinate, hot dry skin, smell of acetone on breath. Management of diabetes in children at our service will be supported by the child having in place a Medical Risk Minimisation Plan which includes:

- Administration of Insulin, if needed – information on how to give insulin to the child, how much insulin to give, and how to store the insulin. Insulin may be delivered as a shot, an insulin pen, or via an insulin pump.
- Oral medicine for children who are prescribed with oral medication.
- Meals and snacks
- Blood sugar testing – information on how often and when a child's blood sugar may need to be tested by educators.
- Symptoms of low or high blood sugar – one child's symptoms of low or high blood sugar may be different from another. The child's Action Plan should detail the child's symptoms of low or high blood sugar and how to treat it. For high blood sugar, low blood sugar, and/ or hypoglycaemia, educators will follow the child's Emergency Action Plan.

Service Responsibilities

The service is to ensure ongoing communication between parents/guardians and educators regarding the status of the child's specific health care need, allergy or medical condition.

The service will ensure educators and staff receive regular training in managing specific health care needs such as asthma management and anaphylaxis management, that are required to be carried out as part of the care of a child with specific health needs.

Educators and service staff are responsible for communicating any relevant information provided by parents/guardians regarding their child's medical condition and ensure all information held by the service is current.

Educators will regularly check EpiPen/auto-injector devices, asthma medication, children's medications and other emergency medication to ensure they are held within the expiry date.

Where it is known that a child has been exposed to a specific allergen, but has not developed symptoms, the child's parents/guardians will be notified immediately.

In OSHC services all medical conditions including food allergies will be placed on a noticeboard out of the sight of general visitors and children. It is deemed the responsibility of every educator at the service to regularly read and refer to the list.

New staff will be informed of the list on initial employment and provided orientation on what action to take in the event of a medical emergency involving that child.

Where a child has a life-threatening food allergy, the service will endeavour not to serve the food allergen in the service when the child is in attendance and families will be advised not to supply that allergen for their own children. Families of children with an allergy may be asked to supply a particular diet if required (e.g. soy milk, gluten free bread).

Where it is necessary for other children to consume the particular food allergen (e.g. milk or other dairy foods) the child with a food allergy will be seated separately during meal times and all children will wash their hands before and after eating.

Where medication for treatment of long-term conditions such as asthma, diabetes, epilepsy, anaphylaxis or ADHD is required, the service will require an individual medical management plan from the child's medical practitioner or specialist detailing the medical condition of the child, correct dosage of any medication as prescribed and how the condition is to be managed in the service environment.

A child can self-administer medication under the supervision of an educator if written authorisation has been given prior by a parent or guardian. Educators will ensure the correct dose of medication has been measured before the child can self-administer.

Sources

National Asthma Council

Australasian Society of Clinical Immunology and Allergy www.allergy.org.au

Diabetes Australia www.diabetesaustralia.org

Guide to the National Quality Framework www.acecqa.gov.au

Retrieved 01.03.2018

Associated documents

- Medical Risk Minimisation Plan
- Ongoing Medical Form
- Medication Authority Form

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

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practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Nappy Change, Toileting and Bathing Policy

Aim

Educators will minimise the spread and risk of infectious diseases between children and ensure nappy changing, bathing and toileting is conducted with safe hygienic practices. Many diseases are spread by faeces, urine or other body fluids. Childcare workers and children in care are at about twice the usual risk of diarrhoeal infections and increased risk of hepatitis due to changing and handling of soiled nappies, and assisting young children with toileting routines.

Efficient changing and disposal of soiled nappies, and safe toileting and toilet training methods significantly reduces the risk and the spread of diseases transmitted by faeces and body fluids.

COMMENCEMENT OF POLICY

This Policy will commence from 17.8.2022. It replaces all other Nappy Change policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Law 2010
- Education and Care Services National Regulations 2011 reg. 106,109,112
- National Quality Standards - Standard 2: Children's Health and Safety

Practice

To minimise risk and the spread of infectious diseases that are transmitted by faeces and other body fluids through changing nappies, toileting or toilet training Educators will be aware of the requirements of the Education and Care Services National Regulations 2011 and the National Quality Standard in regard to nappy changing, bathing and toileting practices and facilities.

Keep up to date with information about current hygienic practices in childcare services.

Resource Educators on current advice from health authorities in regard to hygienic practices for nappy changing and toileting routines in childcare.

Monitor safe hygienic practices in regard to nappy changing and toileting practices and facilities by educators, as part of the routine visits conducted by Coordinators/Nominated Supervisor.

Support the family and Educator with specific health and hygienic needs.

Educators

To abide by their obligations under the Education and Care Services National Regulations 2011 and the National Quality Standards.

This includes the following requirements:

- A children's service must have access to laundry arrangements.
- The premises of the children's service must have safe, sanitary facilities for storage of soiled clothes, linen and nappies before laundering or disposal.
- Any areas, in which bottles are prepared for children under the age of 2 years, must be separate from any area in which nappy-changing facilities are provided.
- The premises of a children's service must have toilet, hand washing that are safe and appropriate to the ages of the children at the service and must have products and equipment for cleaning those facilities whenever necessary stored where children cannot access them.

Where there are children in care that wear nappies (including pull-ups") the educator must provide:

- A stable surface for changing nappies, together with a mat that has an impervious washable surface.
- Hand washing facilities for adults in the immediate vicinity of the nappy changing area.
- Sanitary facilities for the storage of soiled nappies pending laundering or disposal of the nappies.
- Adequate facilities for laundering soiled clothing or otherwise hygienically dealing with the waste.
- Facilities for the storage of clean nappies.

Any nappy changing bench or mat must be cleaned after each use.

Nappy changing facilities must be designed, located, and maintained so as to prevent unsupervised access by children (this relates to children not being able to climb on high change tables or access unsafe products).

Nappy changing facilities must be separate from food preparation facilities.

The dignity and need for privacy of each child is respected during nappy changing, bathing and toileting.

Children are closely attended on the nappy change table never left alone.

Toileting, accidents, and bed wetting are managed in positive and supportive ways.

Consultation with families on any toileting issues relating to their child.

Sharing of information about a child's nappy changing and toileting while in care with that child's family.

Support nappy changing and toileting as being relaxed and positive experiences e.g. nappy changing used as an opportunity to engage in one to one games and songs.

Consider and accommodate the specific health and hygiene needs of older children in care considering protecting their dignity and respecting their right to privacy.

Families are encouraged to:

- Discuss toileting issues relating to their child with the educator.
- Work in partnership with educators and staff to ensure toilet training with their child is addressed with consistent routines and minimal stress.
- Provide adequate nappies, wipes, and spare clothing for the Educator to use.

Bathing

Bathing is not a routine activity undertaken by educators whilst children are in care. The occasion may arise requiring children to be bathed whilst in care e.g. Parent request, sickness, sandy etc

Maintain constant supervision and within arm's reach of children and the water. Empty the water immediately after.

Sources

Education and Care Services National Law 2010

Education and Care Services National Regulations 2011.

Public Health Act 1991 2010 No127

Work Health & Safety Act 2011(NSW)

Work Health & Safety Regulation 2011 (NSW)

Staying Healthy in Child Care – Preventing infectious diseases in child care 5thth Edition - 2011

National Quality Standards - Standard 2 Children's Health and Safety

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

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Nappy Changing Guidelines

1. Have an area specifically set aside for changing nappies.
2. Check to make sure that all the supplies you need are ready.
3. Ensure the nappy change mat or surface is not torn and can be easily cleaned.
4. If the child can walk, walk with them to the changing area.
5. Carrying a child away from your body is only necessary if there are faeces on the child and/or their clothing.

Guidelines to stop disease spreading through contact with faeces:

- Wash your hands.
- Place paper towel on the nappy change mat.
- Always wear disposable gloves when changing nappies.
- Remove the child's nappy and place in a hands-free lidded bin to minimise risk of cross contamination.
- Remove any clothes with urine and/or faeces on them and place in a plastic bag.
- Clean the child's bottom.
- Remove the paper and place in a hands-free lidded bin
- Remove gloves by peeling them back from your wrists, turning them inside out as you go. Do not let your skin touch the outer contaminated surface of the glove. Dispose of gloves place in a hands-free lidded bin before you touch the child's clean clothes.
- Place a clean nappy on the child.
- Dress the child.
- Take the child away from the change mat.
- Clean the change mat with detergent and water at the completion of each nappy change.
- Wash and dry the child's hands and your hands. (Child's hands can be washed with either water and soap, wet washer or a baby wipe depending on child's development or sensory needs)

NB: A spray/squeeze bottle made up in the morning with detergent and warm water is sufficient for the day if the mat is vigorously rubbed during cleaning. The spray bottle must be clearly labelled detergent and water. The spray/squeeze bottle must be rinsed out every evening and made fresh every

NB: On excursions clean the mat appropriately

Paper on the nappy change mat

Every time a child has their nappy changed; germs are put on the surface of the change area. By placing a piece of paper on the surface of the change mat many of the germs from

the child are kept on the paper and do not contaminate the surface at all. The paper is removed in the middle of the nappy change, before the child's clean clothes are put on, the paper and the germs are then put in the bin. Any paper can be used for this. Paper towel is easy to use but can be expensive, grease proof paper is another alternative.

Practice

Babies need to have their hands washed as well. Babies need their hand washed as often and as thoroughly as older children. If the baby is able to stand at an appropriately sized hand basin, you need to wash and dry their hands just as you would for yourself. If the baby is unable to stand at a hand basin, wash their hands with either a pre-moistened face washer or wet disposable cloths, and then pat dry with paper towel.

Toileting Procedure

1. Ask families to supply several changes of clothing.
2. Place soiled clothes in a plastic bag, tying the top firmly, for the family to take at the end of the day.
3. Help the child use the toilet
4. Encourage girls to wipe from front to back, to reduce the chance of introducing bowel bacteria to the urinary tract.
5. Help the child wash and dry their hands. Ask older children if they washed and rinsed their hands see *Hand washing policy*. Explain to the child that washing their hands and drying them properly will stop germs that might make them sick.
6. Using a potty chair increases the risk of spreading disease. If the child can use a toilet this is preferable. If the child must use a potty, empty the contents into the toilet and wash the chair. Do not wash it in a sink used for hand washing.

Source

Staying Healthy in Child Care – Preventing infectious diseases in child care 5th Edition - 2011

- www.nhmrc.gov.au

[Retrieved January 2020](#)

Nutrition Policy

Aim

Open Arm's Care Inc. believes that good nutrition is essential for a child's healthy growth and development. Our service is committed to implementing the healthy eating key messages outlined in *Munch & Move* and the *National Healthy Eating Guidelines for Early Childhood Settings* as outlined in the *Get Up & Grow* resources. We aim to support families in providing healthy food and drink to their children in addition to supporting healthy food and drink choices of children in our care.

COMMENCEMENT OF POLICY

This Policy will commence from 17.8.2022. It replaces all other Nutrition policies of Open Arms Care Inc. relating to Children's Services Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Law Act 2010: Section 167
- Education and Care Services National Regulations: Reg 78-80
- Work Health and Safety Act 2011
- National Quality Standards – Quality Area 2: Children's Health & Safety

Practice

All food served at the service will be consistent with the child's own dietary requirements.

Educators will endeavour to recognise, nurture, and celebrate the dietary differences of children from culturally and linguistically diverse backgrounds.

Educators are aware of children with food allergies, food intolerances and special diets and consult with families to develop individual management plans.

Food provided to children will be stored, prepared, and served in a safe and hygienic manner and educators will promote hygienic food practices. *Refer to Food Safety Policy*

Children and Educators will wash and dry their hands prior to handling food or eating meals and snacks. *Refer to Hand Washing Policy*

Educators can sit with the children at meal and snack times to role model healthy food and drink choices and actively engage children in conversations about the food and drink provided

The service is to provide a relaxed and enjoyable environment for children to eat their meals and snacks, with enough time to eat and enjoy their food as well as enjoy the social interactions with educators and other children.

Children should be seated while eating and drinking and will be supervised by the educator at all mealtimes, being mindful of choking hazards for young children.

Encourage children to help set and clear the table and serve their own food and drink when developmentally ready – providing opportunities for them to develop independence, confidence, and self-esteem.

Be patient with messy or slow eaters.

Encourage children to try different foods but do not force them to eat. Respecting each child's appetite by encouraging the children to listen to their bodies needs and not insisting they eat.

Educators will encourage and support children to develop independence in eating.

Educators will encourage children to eat the more nutritious foods provided in their lunchbox, such as sandwiches, fruit, cheese and yoghurt, before eating any less nutritious food provided.

Educators can discourage the provision of highly processed snack foods high in fat, salt and sugar and low in essential nutrients in children's lunchboxes. Examples of these foods include lollies, chocolates, sweet biscuits, muesli bars, breakfast bars, fruit filled bars, chips, oven-baked crackers and corn chips.

Drinking water will be readily available for children to drink throughout the day, both indoors, outdoors and whilst on excursions. This will include offering cooled pre-boiled water as an additional drink from around six months of age, in consultation with families.

Food will not be used as a reward or denial of food as punishment.

The service will support mothers to continue breast feeding and ensure the safe handling of breastmilk and infant formula. *Refer to Food Safety Policy*

Educators will support the transition to infant formula where breastfeeding is discontinued before 12 months of age.

Abide by the current national Infant Feeding Guidelines.

Educators may foster awareness and understanding of healthy food and drink choices by including in the children's program a range of learning experiences encouraging children's healthy eating. Educators may encourage children to participate in a variety of food preparation experiences and discussion about healthy food and drink choices.

The service and our educators may provide information to families on the types of foods and drinks recommended for children and suitable for children's lunchboxes and provide ongoing support to families to provide healthy food and drink to their children. This information may be provided to families in a variety of ways including newsletters, during orientation and informal discussion.

Educators are encouraged by the service to attend professional development on nutrition and food safety practices.

Families have a responsibility

- to communicate regularly with educators or the Children's Services Manager regarding their child's specific nutritional requirements including food allergies and intolerances. For allergies and anaphylaxis conditions, a medical conditions plan provided by the child's medical practitioner must be provided. *Refer to Medical Conditions Policy and enrolment form*
- To provide nutritious and appropriate food/drinks if supplying meals for the child
- Keep lunchboxes and drink bottles clean and hygienic.

Educators and services who provide food and beverages (other than water), must present a weekly menu that accurately describes the food and beverages provided each day and will be displayed where parents can access it. The menu should include enough detail to inform parents about what food and beverages will be offered. If the menu changes (for example, due to the unavailability of certain ingredients), parents should be informed of the substitute menu item offered to their child.

Educators and services will plan healthy meals and snacks on the menu to ensure the meals are substantial enough to meet the energy and nutrient needs of children. (ie Caring for children' Nutrition checklist for menu planning.

Vary the meals and snacks on the menu to keep children interested and to introduce children to a range of healthy food options.

Plan healthy snacks on the menu to complement what is served at mealtimes and ensure the snacks are substantial enough to meet the energy and nutrient needs of children.

When planning cooking experiences with the children, educators will ensure individual dietary requirements are considered and inform parents of what the children have eaten that day.

Sources

Munch & Move Resource manual birth to five years

Healthy Kids NSW www.healthykids.nsw.gov.au

Retrieved June 2019

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Children's Safety

Assessment, Approval and Reassessment of FDC Residence Policy

Aim

To ensure that the protection, health, safety and wellbeing of children being educated and cared for, a comprehensive safety audit is conducted on the educator's residence that is used for family day care to ensure appropriate safety standards are met in accordance with the national regulations and current local council regulations. The coordination unit supplies the family day care educator with a safety audit document and current safety information to be used as a tool to identify compliance with the regulations before the approval of the service.

COMMENCEMENT OF POLICY

This Policy will commence from 28/10/2020. It replaces all other Assessment, Approval and Reassessment of FDC Residence policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment

Relevant Legislation

- Education and Care Services National Regulations
- Education and Care Services National Law 2010
- Work Health and Safety Act, 2011
- National Quality Standards - Quality Area 2: Children's Health & Safety

Practices

Safety Audit

An initial safety audit of a family day care educator's residence is conducted by two coordinators/staff members prior to registration. Prospective family day care educators are supplied details to ensure the premises complies with the regulations and Open Arms Care Policies. These standards must be demonstrated for approval.

The safety audit includes, but is not limited to, the following premises, furniture and equipment:

- Fencing and security
- The sufficiency of furniture, materials and equipment
- The adequacy of laundry facilities or other arrangements for dealing with soiled clothing
- The adequacy of toilet, washing and drying facilities
- The adequacy of ventilation and natural light

- Glass safety
- Suitable food preparation areas and access to fresh drinking water
- The suitability of the residence according to the number, ages and abilities of the children who attend or are likely to attend
- Suitability of nappy change arrangements
- The existence of water hazards, water features or swimming pools near the premises
- Any risks posed by animals

Open Arms Care Inc. Family Day Care conducts a safety audit of the premises at least annually. Family day care educators are given prior notification when this is due to take place. If more time is required, the family day care educator must seek approval from the Nominated Supervisor.

Family day care educators will conduct risk assessments annually or as required for indoor and outdoor areas, emergencies and first aid to identify and rectify any potential safety issues. Family day care educators must complete health and safety checklists of their premises daily.

The coordinators regularly conduct an assessment focussing on a section of the premises during home visits and may direct the educator to take remedial action.

The coordination unit will clarify any issues arising from the workplace risk assessment with the family day care educator; the coordination unit will store a copy of the compliance documents in the Educator's file.

It is the responsibility of the family day care educator to ensure the safety of the environment is maintained at all times, including times of renovation and attending to areas requiring attention/maintenance/upkeep.

If the coordinator identifies a hazard during regular home visits or conducting the safety audit, the family day care educator will have the opportunity to discuss the potential danger and demonstrate how it can be minimised in a risk assessment.

If the coordinator still considers the hazard to be potentially dangerous the matter is referred to the nominated supervisor who will make an assessment of the potential danger in accordance with the regulations and discuss the outcome with the family day care educator. If the family day care educator is dissatisfied with the result of this discussion (refer to *Complaints Policy*).

Observations of the care environment made by coordinators and the regulatory authority will be documented and are an integral part of normal home visits.

The coordinators supplies family day care educators with information regarding safety in the home. Changes to safety standards are in response to areas of potential danger identified through documented accidents, insurance claims or specialist advice (refer to *Work Health & Safety Policy*).

Family day care educators must hold insurance against public liability with a minimum cover of \$10 000 000 (regulation 30). The insurance policy at a minimum must cover death of a child or adult, injury to a child or adult, or mistreatment of, or harm to a child or adult.

Family day care educators must keep evidence of their current public liability insurance at the family day care residence or family day care venue and must make the evidence available for inspection by the Regulatory Authority or an authorised officer under the Law (regulation 180).

All nursery furniture/equipment meets relevant Australian Standards where applicable; Australian Competition and Consumer Commission guidelines; Kid safe & Red Nose recommendations.

The family day care educator will have available the required compliance information including but not limited to:

- Service provider/provider approval forms
- Registration at Open Arms Care Inc. Family Day Care certificate
- Assessment and Rating certificate
- Emergency phone numbers listing
- Allergy/Anaphylaxis/Medical notification
- CPR inside and outside of premises
- Nappy change signs and hand washing signs
- Programs for families
- National Regulations and Law books
- Open Arms Care Inc. Children's Services policy booklet
- Fire protection equipment testing and tagging (6 monthly)
- Car insurance, Car Registration papers, RTA inspection of car restraints (12 monthly) (if applicable)
- Training certificates and Qualifications including:
 - First Aid Certificate HLTAID004
 - Transcripts of Completion of Certificate 3 in approved Course studies stating relevant Child Protection courses.
- Working with Children Check for self and all house members over the age of 18 years
- Current Police Check
- Insurance coverage as stated above
- Visits by Coordinator reports
- Injury/incident/trauma/illness register
- Receipts:
 - Glazing Certificate (glass)
 - Pest Management
 - Pet Treatments (worming/vaccination)
 - Pool Certification
 - Equipment Australian Standard safety certificates ie trampolines, cots and highchairs

Educators must advise the Nominated supervisor of:

- Any proposed renovation to the residence
- Any changes relating to the residence affecting the previous risk assessment e.g. new water feature or pet
- Any other changes that will affect the education and care provided **before work begins on the premises.**

Family day care educators are advised to contact Work Cover to discuss any further obligations in relation to the Work Health and Safety regulations as a small business operator.

Safe storage of dangerous substance refer to *Storage of Dangerous Chemicals, Substances and Equipment Policy*

Source

Education and Care Services Nationals Regulation

Work Health and Safety Act, 2011

Australian Competition and Consumer Commission

Family Day Care Safety Guidelines – Kid safe - 2020

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Providing a Child Safe Environment Policy

Aim

Open Arms Care Inc. aims to provide environments that ensure the safety, health and wellbeing of children at all times. The welfare and protection of all children is of paramount importance. Educators will maintain the premises and ensure equipment adhere to procedures regarding safe practices and operate in line with legislative requirements relating to child protective practices and the Education and Care Services National Regulations and Law. Educators and management are aware of their legal responsibility as Mandatory Reporters to take action to protect and support children they suspect may be at significant risk of harm. Educators will ensure that children are adequately supervised at all times and that every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury or trauma.

COMMENCEMENT OF POLICY

This Policy will commence from 17.8.2022. It replaces all other Child Safe Environment policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Regulations
- Education and Care Services National Law 2010
- Ombudsman Act 1974 (with relevant Child Protection Amendments)
- National Quality Standard- Quality Area's 2, 3, 4, 5 & 7

Practice:

Managing the Individualised Service

Security

All monies and important documents will be kept in a lockable place and access will only be permitted by approved staff and management members.

Educators will ensure that the building is left in a secure manner before leaving and all windows, cupboards, and other relevant areas are locked. All heating and lighting is off and all doors properly secured.

Educators will inform the police, School Principal (OSHC services) and the Nominated Supervisor as soon as possible if there has been a break in to the service of any kind.

Educators will remain at the service until the police arrive or inform them of what to do.

Buildings, equipment and maintenance

Equipment will be chosen to meet the children's developmental needs and interests. There will be sufficient access to furniture, materials and developmentally appropriate equipment suitable for the education and care for each child.

Service premises and all equipment and furniture will be maintained in a safe, clean condition and in good repair at all times.

Children will be provided with adequate, developmentally and age-appropriate toilet, washing and drying facilities. These will enable safe use and convenient access by children.

There must be no damaged plugs, sockets, power cords or extension cords.

All plug sockets shall be maintained as child safe.

Electrical appliances shall be in good working order.

The Service's equipment will be regularly checked to ensure that they are in a good and safe condition, comply with relevant Australian standards and scheme policies & procedures.

Provisions will be made in budgets to allow for the replacement of worn and damaged equipment and resources which may provide safety risk for children

Equipment will be regularly washed and cleaned.

Recycled craft materials should be checked for potential hazards.

Educators should ensure safe handling of all tools if used as part of any activity.

Families will be encouraged to notify educators of any safety issues they observe.

Faulty equipment should be removed or protection placed around any dangerous building sites.

Hazard Issues

In Family Day Care Services Annual safety audits are conducted and the Coordination Unit will conduct regular visits to assist with keeping a high level of safety.

Should a service be considered unsafe or as being a health risk, then the service will be closed, after notice has been given to all relevant parties, until the problem has been rectified.

Every registered service will have an appropriate first aid kit that is suitable to the ages and needs of the children attending. The first aid kit will be well stocked and be easily recognised and accessible at all times. The first aid kit will be taken on excursions.

Storage

A storage system should be devised that ensures easy access and un-cluttered storage of all equipment.

Play equipment and toys should be easily accessible to all children during the operating hours of the service.

Children will show respect for the equipment and be expected to assist in packing equipment away that they have used to avoid trip hazards.

All craft equipment is to be properly washed and cleaned before storage.

In a Family Day Care Service all items such as cleaning materials, disinfectants, flammable, poisonous and other dangerous substances, tools, toiletries, first aid equipment, and medications should be stored in the designated secured area which is inaccessible to the children. Educators are responsible to ensure that these areas remain secure and that they do not inadvertently provide access to these items.

In an OSHC service items such as cleaning materials, disinfectants, flammable, poisonous and other dangerous substances, tools, toiletries, first aid equipment, and medications should be stored in the designated area.

Kitchen and other refuse areas will be provided with facilities that are cleaned and emptied daily.

Ventilation, temperature and natural light

All heating and cooling systems will be of good quality and checked regularly to ensure safety and reliability.

All heating and cooling systems and power cords will be kept in a safe area and away from children.

Educators will take individual needs and specific activities into account when ensuring that heating, ventilation levels are comfortable.

Adequate ventilation will be always provided. Windows will be properly maintained to ensure easy opening and protection from bugs and insects.

Where activities involve toxic materials such as paints and glues, Educators are to ensure there is adequate ventilation before undertaking the activity.

Natural light is most desirable. Provision of natural light areas will be enhanced as much as possible.

Adequate light will be maintained both indoors and outdoors.

Pest control

Equipment and especially food items will be properly stored so as not to attract pests and vermin.

Refuse bins and disposal areas will be emptied and cleaned daily.

Kitchen, food preparation areas and storage will be cleaned and maintained daily.

All areas will be checked daily for any signs of pests or vermin.

Should any pests or vermin be identified then action should be taken to rid the service of the problem by:

- Initially using non-chemical methods such as physical removal, maintaining a clean environment, and use of any non-chemical products.

- Low irritant, environmentally friendly sprays to be used minimally and only with adequate ventilation and preferably not in the presence of the children.
- Other methods such as the employment of a pest control company if deemed necessary where the above methods have failed.

Any use of chemical products should only be conducted outside the hours of operation at the registered educator's expense.

Managing the indoor and Outdoor Environment:

INDOOR ENVIRONMENT:

The service indoor environment will be smoke free at all times of operation.

The Nominated Supervisor will only register the premises for FDC if the space is sufficient for the number of children, as per ratio guidelines, allowed to attend the service in accordance with the National Regulations.

Separate areas in the indoor environment will be provided for:

- ✓ Signing children in/out of the service.
- ✓ Children to store their bags and belongings.
- ✓ Storage of equipment, food, dangerous materials, and family records.
- ✓ Preparation of food and drinks.
- ✓ Kitchen and other refuse.
- ✓ Cleaning of equipment.
- ✓ Toilet, hand basins and hand drying facilities.
- ✓ Display of children's activities and work.
- ✓ Quiet space for children to retreat to, rest, homework and sleep or lie down if unwell.

The indoor area is to be set up to allow children to participate in a variety of activities with easy access to equipment.

Easy access to areas should be maintained by making clear easily definable passageways and walkways through the building.

Educators will ensure that children properly store their bags and those bags and other items are not thrown into walkways or play areas.

All items obstructing areas are to be removed and placed in the correct storage areas.

Areas must be set up to ensure that proper supervision can be maintained at all times.

Access to the outdoor environment should be clear and easily accessible by the children and educators.

OUTDOOR ENVIRONMENT:

The outdoor environment will be smoke free at all times of the service operation.

The outdoor space will be inspected daily for any obstacles or dangerous items.

Any hazardous items will be disposed of in a safe and careful manner prior to the children playing in the area.

The outdoor space will be set up in a variety of ways to encourage participation.

Areas will be made available where children can play in small groups or by themselves.

Supervision should be properly maintained. Children are only to play in areas that are clearly visible to educators.

Adequate shade via trees and coverings will be maintained.

As far as possible, activities will be set up in shaded areas.

Use of other outdoor venues will be considered where access to the area is safe, adequate supervision can be maintained, the area is considered of value to the children's physical development and personal comfort, and where adequate staff/educator ratios can be maintained.

Child Protective Practices

See Child protection policy

Recruitment and orientation of staff

All educators employed by the service including management, full time/ part time and casual educators, FDC Educators, household members over 18 years of age, volunteers, and students over 18 will be subject to a Working with Children Check. A working with Children check is not in force until the approval number is given to management for verification through The Office of the Children's Guardian and sighted by the Nominated Supervisor.

All employees, FDC educators and volunteers will complete a Police Check before they begin working with Open Arms Care Inc.

All educators will be informed of their responsibilities as a Mandatory Reporter as part of their orientation and induction process. This will involve discussion regarding their current understanding, use of this policy and resources and access to Child Protection training.

All employees, FDC educators and volunteers are made aware of Open Arms Care Inc. Code of Conduct and abide by it. The Code of Conduct can be found in our policy and procedure documents.

Source

Family Day Care Safety Guidelines 7th Edition 2020

Education and Care Services National Regulations

Education and Care Services National Law 2010

National Quality Framework

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Child Protection Policy

Aim

The UN Rights of the child (1989) states '*...the government should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them*'. We recognise the welfare and protection of all children is of paramount importance.

Educators will maintain procedures and safe practices and operate in line with legislative requirements relating to child protection practices and the Education and Care Services National Regulations and Law.

Educators/Staff at the service are aware of their legal responsibility as Mandatory Reporters to take action to protect and support children they suspect may be at significant risk of harm.

Open Arms Care Inc. believes it also has a responsibility to its Staff and Educators to defend their right to confidentiality unless allegations against them are substantiated.

COMMENCEMENT OF POLICY

This Policy will commence from 18.8.2022. It replaces all other Child Protection policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Law 2010
- Education and Care Services National Regulations 2011
- Children and Young Persons (Care and Protection) Act 1998 No 57
- Child Protection (Working with Children) Act 2012 No 51
- National Quality Standards – Quality Area 2: Children's Health & Safety
- Children's Guardian Act 2019

Definitions

Mandatory Reporter

According to Children and Young Persons (Care and Protection) Act 1998 no 57, A Mandatory reporter is a person who, in the course of his or her professional work or other paid employment delivers, education, children's services or residential services, wholly or partly, to children, and a person who holds a management position in an organisation the

duties of which include direct responsibility for, or direct supervision of, the provision of, education, children's services, residential services, wholly or partly, to children.

When a mandatory reporter has concerns that a child is at a significant risk of harm, they are required to make a report to Government Authorities.

Risk of Significant Harm

The basic physical or psychological needs of a child or young person are not being met or are at risk of not being met.

What is significant is not minor or trivial and may reasonably be expected to produce a substantial and demonstrable adverse impact on the child or young person's safety, welfare or wellbeing, or in the case of an unborn child, after the child's birth.

What is Reasonable Grounds?

Reasonable grounds refers to the need to have an objective basis for suspecting that a child or young person may be at risk of significant harm based on:

- First hand observation of the child, young person or family
- What the child, young person, parent or other person has disclosed
- What can be reasonably inferred based on professional training and/or experience.

Suspecting a Child is at Risk of Significant Harm

Educators are to access the New South Wales Mandatory Reporters Guide through Child Story NSW <https://reporter.childstory.nsw.gov.au/s/> to decide if any of the following conditions are present to give reasonable grounds to suspect if a significant risk of harm has occurred.

- **Physical Abuse** (A non-accidental injury to the child/young person cause by an adult in the household)
- **Neglect** (Supervision, Shelter/Environment, Food, Hygiene/Clothing, Medical care, Mental health care, Education-not enrolled, Education-Habitual Absence)
- **Sexual Abuse**(Sexual activity or behaviour that is imposed, or is likely to be imposed on a child/young person by another person)
- **Psychological Harm** (A child/young person appears to be experiencing psychological/emotional distress and is a danger to self or others as a consequence of parent/carer behaviour)
- **Danger to self or others** (A child/young person is displaying suicidal or self-harming behaviours)
- **Relinquishing Care** (Substance Abuse, Mental Care, Domestic Violence)
- **Carer Concern** (Parent/Carer states they will not or cannot continue to provide care for child under the age of 16 or a young person)
- **Unborn baby** (Concerned of welfare of unborn baby).

When the use of New South Wales Mandatory Reporter Guide advises risk of significant harm, mandatory reporters must make a report to the Child Protection Helpline.

It is important that when making a notification that the notifier asks the following questions in relation to notification:

- Name of person at the Helpline who you spoke to
- What the next step in the process is to be
- What confirmation will be sent to confirm the report has been made
- Is there any further action you as the notifier need to take?

If there is immediate danger to the child contact the Police on 000 immediately and/or the Child Protection Hotline on 132 111

Practice

Approved Provider will:

- Undertake an internal investigation to determine appropriate action to be taken in relation to a report against an Educator or other staff member.
- Ensure a report is made of any reportable allegations to the Department of Communities and Justice, and/or Police and , in the case of an allegation against an Approved Provider, Nominated Supervisor, Responsible Person in Day to Day Charge, member of staff, educator, volunteer, trainee or person visiting the service, to the NSW Office of the Children's Guardian within the specified time limit (7 days)
- Notify the Commission for Children and Young People details of employees, members of staff or Educators against whom relevant disciplinary proceedings have been completed, or of persons whose employment has been rejected primarily because of a risk identified in employment screening process.
- Enable employees, members of staff or Educators access to Acts, Regulations and procedures where this is necessary for them to fulfil their obligations.

Nominated Supervisor will:

- Support the Approved Provider with reporting child protection matters if requested.
- Report to the Child Protection Helpline where there is reasonable grounds to suspect a child is at risk of harm, after completing the Mandatory Reporting Guide first.
- Maintain Confidentiality.
- Protect the wellbeing of the children by acting sensitively in matters of child protection.
- Support Educators, and /or parents, when a child protection incident occurs.
- Conduct investigations when required in a sensitive and respectful manner.
- Provide information to Educators and parents.
- Conduct themselves professionally, as a role model and in the best interests of protection of children from harm, at all times.
- Keep informed of current Child Protection matters by attending training every 2 years
- Offer regular training on Child Protection to Educators.
- Ensure Working with Children Check requirements have been met.
- Orientate Educators to this Child Protection Policy.

Educators will:

- Keep informed of current Child Protection matters by attending training every 2 years

- Seek Advice from the Nominated Supervisor or other professionals in matters relating to Child Protection training.
- Conduct themselves professionally and in the best interests of the protection of children from harm, at all times.
- Protect the well-being of the children by acting sensitively in matters of Child Protection.
- Maintain confidentiality – see *Confidentiality of Records Policy*
- Provide the Approved Provider and the Nominated Supervisor with information, if required to complete Child Protection Reports.

This could include but are not limited to:

- Child's name and date of birth.
- If the child is Indigenous or the cultural background of the child.
- Name, Age of other household children or young people.
- Address of child and family.
- If the child has learning difficulties, disabilities or other health barriers.
- Is the child/young person subject of an apprehended violence order?
- If the child or young person residing in an out-of-home care?
- Name of parents/carer and household adults.
- Cultural background of parents.
- Information about parental risk factors and how they link to significant risk of harm.
- Domestic violence.
- Alcohol or other drug misuse.
- Unmanaged mental health.
- Intellectual or other disability.
- Protective factors and family strengths.
- Non-offending carers capacity to protect child.
- Any previous suspicious death of a child or young person in the household?
- Is the carer/parent pregnant?
- Is the parent/carer subject of an Apprehended Violence order?
- Description of the family structure.
- The actual events which lead to reasonable grounds to risk of significant harm to the child.

Complete the Mandatory Report Guideline from Child Story NSW

<https://reporter.childstory.nsw.gov.au/s/> to decide the required course of action. Printing this out and keeping the response with the child's information.

If the response is: there was significant risks of harm, then follow the course of action and call the Child Protection Helpline 132 111.

Or, if no significant risks of harm, then follow the action the report has given i.e. referral to relevant service.

Note Educators are advised to ask for the assistance of a Nominated Supervisor to support them in this process and when reporting to the Child Protection Helpline.

It is essential that Open Arms Care Inc. maintains well-kept records to prepare and support its ability to make a report to the Child Protection Helpline.

Families are encouraged to:

- Read the Child Protection Policy of the service.
- Report any concerns of a child being at significant risk of harm whilst in care to the Nominated Supervisor or Educator.
- Abide by the decisions of the Nominated Supervisor or delegated Educational Leader of the service in relation to the placement of the child into care, if requested.
- Maintain confidentiality and respect the privacy of those involved in any incident that may occur.
- Seek support and advice from Nominated Supervisor if required.

Notification of those involved in Education and Care Services

- Should an incident occur that involves a child being put at risk of harm from a member of staff, educator, volunteer, family day care educator/ trainee or person visiting the service, this is regarded as 'reportable conduct' and necessitates such conduct being reported to the NSW Office of the Children's Guardian within 7 days.

The 7-day notification needs to include the following information

- Type of reportable conduct
 - Name of employee/volunteer/visitor/Family Day Care Educator
 - Name and contact details of the entity and head of entity (or approved provider)
 - If the reportable allegation has been reported to Police and Child Protection Helpline
 - Nature of initial risk assessment
 - Risk management action
- Where the allegation is made to a staff member or member of management the facts as stated will be recorded in writing, using an Adverse Event Report or Staff Accident Incident Report that includes dates, times, names of person/s involved, name of person making allegation and the person making the report. This report should be kept on record and treated as strictly confidential.
 - If a person in charge is suspected, then the chairperson on the Board should be informed.
 - An initial risk assessment is conducted to identify and plan to avoid or minimise the risks to:
 - The children who are the subject of the allegation
 - Other children with whom the employee may have contact
 - The employee against whom the allegation has been made
 - The employing entity
 - Other parties to the alleged incidents (such as witnesses or reporters) and
 - The proper investigation of the allegation
 - The person making the report should follow the advice of the NSW Office of the Children's Guardian
 - Management will also follow this advice.
 - The matter will be treated with strict confidentiality.

- For the protection of children and staff member /Educator involved, the person should be encouraged to take special leave or removed from duties involving direct care and contact with children, until the situation is resolved.

Support should be provided to all involved. This support can be given in the form of counselling or referral to an appropriate agency.

All parties can contact the Ombudsman if they are not satisfied with the conduct of the investigation. Ph: 1800 451 524

Sources

Education and Care Services National Law Act 2010

Education and Care Services National Regulation 2011

National Quality Standards 2018

United Nations Convention on the Rights of the Child (1989)

NSW Government Family and Community Services

NSW Ombudsman Child Protection in the Workplace – Responding to allegations against employees. www.ombo.nsw.gov.au

Children’s Guardian Bill 2019 <https://www.legislation.nsw.gov.au/bills/468830eb-458c-45b0-8e47-95cce3704639> retrieved March 2020

Child Story Reporter <https://reporter.childstory.nsw.gov.au/s/article/What-is-Mandatory-Reporting> Retrieved 2nd February 2018

Child Wellbeing & Child Protection NSW Interagency Guidelines

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.’s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.’s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Excursions Policy

Aim

Excursions are an essential part of the Open Arms Care Inc. Children's Service programs as they provide variety and an opportunity to expand a child's experience, explore different environments and learn new activities.

Parent permission will be sought for all excursions. Children, on excursions will be ensured of proper supervision and care for the full duration of the excursion.

COMMENCEMENT OF POLICY

This Policy will commence from 1/10/2020. It replaces all Excursion policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Regulations 2011
- Education and Care Services National Law 2011
- Relevant transport legislation and regulations
- National Quality Standards – Quality Area2: Children's Health & Safety

Practices

Planning and Risk Assessments

All excursions will be planned taking into consideration:

- The children's ages, capabilities and interests.
- Ways to maximize the children's developmental experiences and safety.
- Suitability of the venue and access including wheelchairs if required.
- Access to food, drink and other facilities.
- Weather conditions, which would make the venue unsuitable.
- The specific clothing and equipment needs of the children.
- Transport arrangements needed, including embarking and disembarking transport.

Educators are to visit and complete a risk assessment for the venue before undertaking the excursion, to ensure that it is suitable, safe and accessible by all. (Regulation 101) before written authorisation is sought from the parent/guardian/authorised nominee (Regulation 102)

Risk assessments need to:

- a. identify and assess risks that the excursion may pose to the safety, health or wellbeing of any child being taken on the excursion; and

b. specify how the identified risks will be managed and minimized

Without limiting sub regulation (1), a risk assessment must consider –

- the proposed route and destination for the excursion; and
- any water hazards; and
- any risks associated with water-based activities; and
- if the excursion involves transporting children
 - the means of transport
 - any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported; and
 - the process for entering and exiting-
 - the education and care service premises; and
 - the pick-up location or destination (as required); and
 - procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking; and
- the number of Educators and children involved in the excursion; and
- given the risks posed by the excursion, the number of educators or other responsible adults that is appropriate to provide supervision and whether any adults with specialised skills are required; and
- the proposed activities; and
- the proposed duration of the excursion; and
- the items that should be taken on the excursion.
- There is adequate access to food, drink and other facilities (toileting, hand washing etc)

Staff will phone venue ahead (if possible) when special requirements are needed.

When planning an excursion alternative arrangements will be made for adverse weather conditions.

Staff/Educators will consider not just wet weather, but cold or hot weather conditions when making plans for excursions and the final decision to continue/or not with the excursion.

Authorisation and Notification

No child will be taken outside the service without the parent/guardian/authorised nominee's written authorisation.

All excursions will be publicised to all parents with full details of destination, times of departure and return, staff and volunteers attending, and what the children should bring.

The excursion permission form will be filled out for each specific excursion indicating:

- the child's name; and
- the reason the child is to be taken outside the premises; and
- If the authorisation is for a regular outing, a description of when the child is to be taken on the regular outings; and
 - If the authorisation is for an excursion that is not a regular outing, the date the child is to be taken on the excursion; and

- A description of the proposed destination for the excursion; and
- If the excursion involves transporting children-
 - The means of transport; and
 - Any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported; and.
- The proposed activities to be undertaken by the child during the excursion; and
- The period the child will be away from the premises; and
- The anticipated number of children likely to be attending the excursion; and
- The anticipated ratio of educators attending the excursion to the anticipated number of children attending the excursion; and
- The anticipated number of staff members and any other adults who will accompany and supervise the children on the excursion; and
- That a risk assessment has been prepared and is available at the service.

Regular Excursion Definition: *In relation to an education and care service, means a walk, drive or trip to and from a destination:*

- *That the service visits regularly (at least monthly) as part of its educational program, and*
- *Where the circumstances relevant to the risk assessment are substantially the same on each outing.*

A regular excursion form needs to be authorised only once in a 12 month period, which should be at the start of care and then at the beginning of each year

Transportation

Steps will be taken to ensure that all excursions comply with transport legislation and regulations.

The *Transport Policy* will apply in relation to traveling to and from any venue.

All staff, relief staff, educators, volunteers and parents on the excursion will be made aware of the Transport Policy and Procedures for supervising and assisting children while travelling in public or private transport.

Particular attention will be made to assist children when embarking or disembarking from public transport and when walking with children across roads or in crowded areas.

Note: For the purpose of this policy transport relates to the movement/transfer of children by means of motor vehicles ie bus, car, etc.

Supervision

Parents may be invited to assist and understand they are to follow the instructions of the Responsible Person in charge of the excursion.

Ensuring that parents/guardians, volunteers, students and all adults participating in an excursion are adequately supervised at all times and are not left with sole supervision of individual children or groups of children.

Supervision is of utmost importance and must be maintained at all times, with educators conducting head counts and roll calls throughout the duration of the excursion.

Effective supervision is to be provided taking into consideration appropriate staff/child ratios for specific activities.

An educator is to inspect all public toilets before children use them. An educator and at least one other child must accompany any child when using a public toilet.

Bush walking excursions will only be undertaken in well-known areas. Children and staff must remain on defined paths.

The person in charge of any excursion where there is a significant water hazard needs to hold a current approved First Aid Certificate and the knowledge and ability to implement water safety procedures.

While on the Excursion

Information and equipment to be taken on the excursion will include:

- A list of all children on the excursion, with relevant personal details, parent contact numbers and authorised nominee contact numbers, medical information and medication if required.
- List of adults participating in the excursion and contact information for each adult.
- A list of all relevant and emergency procedures and contact numbers, to be readily accessible to all staff at all times.
- A fully stocked portable first aid kit, including any medication required for children in care for the day
- Access to spare drinking water.
- The service's emergency, accident, illness and medication, sun protection policies will be implemented on excursions as required.
- Mobile phone/other means of communication with the service and emergency services.

Educators will:

Annual regular excursion forms are to be returned to the office when signed and completed.

Excursion forms are to be returned to the office before excursion occurs.

The Coordinator and Nominated Supervisor needs to be advised prior to leaving the premises for any excursion both regular and non-regular and should state time leaving and when returning.

Children must not be taken on an excursion to a river, lake or other place where there is a significant water hazard unless it has been discussed with the Coordination Team prior and approved by them.

When Educators come together with their children at another Educator's residence or Family Day Care venue, all educators involved in the excursion (including the educator at the residence or Family Day Care venue) must comply with Part 4.2 Division 6 in respect of the excursion.

Educators will evaluate after the excursion outing:

- Its value to the children
- Any safety issues
- Organisational aspects
- Would you do it again
- What would you do differently?

Sources

Education and Care Services National Law:

Education and Care Services National Regulations 100 – 102, 168

National Quality Framework

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Food Safety Policy

Aim

Educators must prepare and provide food in a way that is safe for the children in their care to reduce the risk of spreading infectious disease through food. It is understood that there is a shared responsibility between staff, educators, children and families to implement the Food Safety Policy and hygiene procedures to ensure a level of protection to all persons who access the service.

COMMENCEMENT OF POLICY

This Policy will commence from 17/08/2022. It replaces all other Food Safety policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Regulations 2011 Reg 77, 168
- Education and Care Services National Law 2011
- Australia and New Zealand Food Standards Code Standard 3.3.1
- National Quality Standards – Quality Area 2: Children's Health & Safety

Food Safety Practice Guidelines

Meals and Snacks

Food preparation and utensils to be cleaned with warm soapy water.

Eating areas to be cleaned in a safe and hygienic manner ie soapy water, cleaning spray and wet cloths.

Educators will wash their hands before preparing, serving or eating food as per *hand washing policy*.

Check that all children have washed and dried their hands before they eat or drink (refer *hand washing policy*).

When serving food, tongs or utensils will be used.

Educators will ensure children do not share individual eating or drinking utensils, or take food from other children's plates or bowls.

Educators will use a separate spoon for each infant they feed.

Educators will teach children to turn away from food when they cough or sneeze and then to wash their hands.

If Educators are interrupted to care for another child while preparing food or spoon-feeding an infant, they will need to wash their hands again before continuing.

Work areas and equipment including chopping boards are to be cleaned after use

Equipment is allowed to air dry.

Rinse wiping cloths after each use and change frequently.

All perishable food will be stored in the refrigerator.

All non perishable foods will be stored in sealed containers in a dry place

Heating and cooling food

Keep food hot (more than 60°C) or cold (5°C or less). Heating and cooling food properly will help prevent germs from growing in food. Australia's food safety standards state that reheated food should reach 60°C. Heating to this temperature will destroy germs that may have grown in the food since it was cooked.

Heat food, or milk for bottles ONCE only. Do not allow it to cool and the reheat – this can allow germs to grow.

Educators will check that the food has cooled before giving it to the child.

Separating raw and cooked foods

Keep raw food separate from cooked food or ready to eat food because the raw food may have germs in it. To prevent cross contamination between raw and cooked foods:

- Keep raw and cooked foods separate, even in the fridge
- Keep cooked food above uncooked food in the fridge
- Use separate utensils (such as cutting boards and knives) for raw and cooked food

Preparing, storing and heating bottles

Formula or breast milk needs to be kept refrigerated or frozen. All bottles need to be labelled with the child's name and the date the bottle was prepared or brought in by the parent. It is best to make up fresh formula for each feed and give it to the child as soon as it has cooled. If this is not possible, the freshly made formula should be cooled immediately and stored in the back of the refrigerator (where it is coldest) for no more than 24 hours. Throw away any formula that is left over.

Do not freeze or reheat leftover made-up formula.

Breast milk can be stored in several ways. It can be:

- refrigerated for 3–5 days at 4°C or lower (4°C is the typical temperature of a standard fridge); always store breast milk at the back of the refrigerator, not in the door
- stored without refrigeration (if needed) for 6–8 hours if the room temperature is less than 26°C

- frozen in a separate freezer section of a refrigerator for up to 3 months; if your freezer is a compartment inside the refrigerator, rather than a separate section with its own door, then only store the breast milk for 2 weeks
- frozen in a deep freeze (–18 °C or lower) for 6–12 months.

When thawing frozen breast milk, always use the oldest milk first. Frozen breast milk can be thawed:

- in the refrigerator and used within 24 hours
- by standing the bottle in a container of lukewarm water and used straight away.

Heating Bottles

Heat bottles **once only**. Do not allow a bottle to cool and then reheat - this can allow germs to grow.

To heat bottles:

- Stand the bottle in a container of hot water for no more than 15 minutes.
- Before feeding the infant, check the temperature of the milk by letting a little drop onto the inside of your wrist—it should feel comfortably warm or even a little bit cool.
- Never microwave breast milk.
- Never refreeze thawed breast milk.
- Only warm the milk once, and discard any warmed milk that has not been used.

Cooking experiences with Children

Educators will:

- ensure children wash and dry their hands before and after the cooking experience.
- always be aware of the dangers of heat.
- tie up any long hair.

Sources

Australian Government National Health and Medical Research Council 'Staying Healthy: Preventing infectious diseases in early childhood education and care services' 5th Edition
Food Standards Australia and New Zealand
Work Health & Safety Act 2011
Hand Washing Policy

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Monitoring, Rest and Sleep Policy

Aim

Educators have a duty of care to provide a high level of safety protecting children from harm and hazards whilst they receive their adequate needs of rest and sleep. By ensuring effective sleep and rest strategies Educators are building a sense of security and safety with the children in their care. By consulting with families about their child's individual needs, values and parenting beliefs, Educators are meeting The National Quality Standards 2.1.1 of, '...Each child's wellbeing and comfort is being provided for including appropriate opportunities to meet each child's sleep, rest and relaxation.'

Educators will maintain procedures and safe practices and operate within legislative requirements relating to Safe Sleep and Rest Practices and the Education and Care Services National Regulations and Law.

COMMENCEMENT OF POLICY

This Policy will commence from 1/10/2021. It replaces all other Monitoring, Rest and Sleep policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

- Education and Care Services National Law 2010
- Education and Care services National Regulations 2011 (Clause 81)
- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulation 2011 (NSW)
- National Quality Standards – Quality Area 2: Children's Health and Safety

Practice and Procedure

Physical Environment

Safe physical spaces are made available for children to engage in rest and quiet experiences if they are not sleeping and must not interfere with a sleeping child.

Ensure that the physical environment is safe and conducive to rest and sleep. This means providing a quiet, well-ventilated, adequate natural light and comfortable space in care settings including Out of School Hours Care, Vacation Care and Family Day Care.

Ensure there is sufficient lighting for educator to observe children resting and enable children to undertake quiet activities.

Ensure furniture and equipment is safe, clean and in good repair.

Ensure that each child has access to sufficient furniture, materials and developmentally appropriate equipment suitable for the education and care of the child

Beds, cots, or mattresses used at the educator's home for children enrolled in a Family Day Care service must be arranged so that there is easy access to each child and ease of access is maintained without the children's cots/beds/mattresses/bed lined touching.

Bed linen is appropriate to the climate with no doona, pillow, cot bumper, lamb's wool, soft toys or soft furnishing used.

There is individual bed linen and blankets for each child and these are washed at the end of the week.

Bed linen is changed and mattresses, beds, stretchers washed after the use of child and before the use of another child.

Individual children's bed linen should be stored separately

Children are not to share the same beds.

Keep bedding away from hanging cords such as blinds, curtains, or electrical appliances as they could get caught around child's neck. Keep heaters or any electrical appliances well away from the bedding to avoid the risk of overheating, burns and electrocution. Never use electric blankets, hot water bottles or wheat bags for children.

Supervision

Ensure the premises are designed to facilitate supervision.

All Family Day Care services to have a documented practice on the supervision of children whilst at rest and sleep. Risk Assessment completed by each FDC educator stating how they will supervise and conduct physical checks on sleeping children whilst also maintaining adequate supervision of other children in their care.

Sleeping children are to be closely monitored and all sleeping children are to be within hearing range and physically check at least every 10 minutes with checking times noted on the sleep check chart. (note: if a child is sick or has a medical condition consideration should be made to check child more frequently. A risk assessment maybe required for some medical conditions)

Definition: **To physically check** is to visually assess that the child is breathing and the colour of their skin and lips.

Sleeping Arrangements

Policies and procedures should be based on current research and recommended evidence-based principles and guidelines. Red nose is considered the recognised National Authority on Safe Sleeping practices for infants and children

Educators will abide by the National Regulations 2011 and Red Nose Safe Sleeping, relating to the selection and use of cots and beds.

- Portable Cots are to meet mandatory **Australian Standard AS/NZS 2195.**
- Cots are to meet **Australian and New Zealand Standard for Cots (AS/NZS 2172:2003)**
- Mattresses in the portable cots should be the firm, well-fitting mattress that is supplied with the portable cots with no other padding added.

- Mattresses are to be a single, firm, mattress that fits snugly (within 20 mm of sides and ends) into a cot flatly.

Cots, portable cots and mattresses used by the children provided with the service at the home of an Educator are in good repair with no rips, tears or hazards on them.

Securely lock cots sides (portacots and cots) into place to ensure children's safety

Children should not be put asleep in bouncers, capsules, prams, bean bags, waterbeds, lounge or adult beds whilst in care at the premises.

No children aged seven or over sleeps in the same room as a child of the opposite sex, who is not a relative.

No child aged two or over and no child who is under the age of 2 years (except with the written consent of the parents of the child), sleeps in the same room in which an adult is sleeping.

Educators will discuss children's individual requirements and routines with the families. However if a family's beliefs and requests are in conflict with current recommended evidence-based guidelines, the service will need to determine if there are exceptional circumstances that allow for alternate practices. For example, with some rare medical conditions, it may be necessary for a baby to sleep on his or her stomach or side, which is contrary to Red Nose recommendations. It is expected that in this scenario the service would only endorse the practice, with the written support of the baby's medical practitioner. The service may also consider undertaking a risk assessment and implementing risk minimisation plans for the child.

Children can have rest or quiet time and those children who show no signs of falling asleep after a short period of time, can be engaged in quiet activities and experiences.

Practices to reduce the risk of sudden infant death syndrome (sids and sudi)

No child may eat or drink while lying down in their bed. If a child needs a bottle before bed they must be sitting up to drink.

Ensure the baby's head and face stay uncovered.

Place babies to sleep on their backs with their feet at the bottom of the cot tucked in firmly or placed in safe baby sleeping bag with fitted neck and armholes and no hood.

No hoods or necklaces to be worn by the children including the amber teething necklaces.

Ensure baby is firmly wrapped according to age and stage of development, with no wrapping over the babies face or head.

Once a child is able to roll onto their tummy they should no longer be wrapped.

Support breast feeding parents and children by following current guidelines

Families are encouraged to

Provide a letter from a medical practitioner if it is recommended for their child to sleep in a position contrary to Red Nose recommendations.

Discuss their child's sleeping routines with the educators

Work in partnership with Educators and Coordination team Staff to ensure their Child has consistent routines and settles into care with minimal stress.

Out of School Hours Care/Vacation Care

If a school age child requested a rest then there is a designated area for the child to be inactive and calm, away from the main group of children. The designated area may be a cushion, mat or seat in a quiet section of the care environment.

Quiet, solitary play experiences are available for those school age children who request the need for a rest or time away from their peers.

Safe resting practices are relevant to school age children because, if they are resting or sleeping they should be monitored at regular intervals and a school aged child's face should be uncovered when they are sleeping to allow for educators to assess a child's breathing and the colour of their skin and lips. Light bedding is the preferred option.

Should children require sleep no children aged seven or over sleeps in the same room as a child of the opposite sex, who is not a relative.

Sources

Acecgq:

<https://www.acecgq.gov.au/resources/preparing-nqf-policies-and-procedures>

Retrieved 8.9.21

<https://www.acecgq.gov.au/resources/supporting-materials/infosheet/safe-sleep-and-rest-practices>

Retrieved 8.9.21

Rednose Safe sleeping:

<https://rednose.com.au/section/safe-sleeping> retrieved 8.9.21

<https://rednose.org.au/article/what-is-a-safe-sleeping-bag> retrieved 8.9.21

<https://rednose.org.au/resources/education> retrieved 8.9.21

<https://rednose.org.au/section/safe-sleep-training> retrieved 8.9.21

Department of Education

<https://education.nsw.gov.au/content/dam/main-education/early-childhood-education/operating-an-early-childhood-education-service/media/documents/policy-and-procedure-guidance/sleep-and-rest-for-children-policy-guidelines-for-ecce-services.pdf>

retrieved 8.9.21

Education and Care Services National Law 2010 Regulation 81

National Quality Standards

Staying Healthy 5th Edition

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards,

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Sun Protection Policy

Aim

Exposure to ultraviolet (UV) radiation in childhood is a major risk factor for developing skin cancer later in life. By implementing a best-practice Sun Protection Policy and practices, early childhood education and care services can help protect staff, educators and children from UV radiation and teach children good sun protection habits from an early age.

Open Arms Care Inc.'s sun protection policy has been developed to protect all children, staff and educators from the harmful effects of ultraviolet (UV) radiation from the sun and teach children good sun protection from an early age.

COMMENCEMENT OF POLICY

This Policy will commence from 1/02/2020. It replaces all other Sun Protection policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Law 2010
- Education and Care Services National Regulations 2011
- NSW Cancer Council Sun Protection Policy
- National Quality Standards – Quality Area 2: Children's Health & Safety

Practice

Scheduling Outdoor Activities

Outdoor activity times and sun protection practices to include:

- **October - March:** Minimise outdoor activity between 11am and 3pm (daylight saving time). Sun protection practices are required at all times when outside or when the UV index is above 3.
- **April - September:** Outdoor activity can be planned at any time of the day. Sun protection practices are required between 10am and 2pm or when the UV index is above 3

UV Index can be checked at the Bureau of Meteorology website www.bom.gov.au/uv or the Cancer Council's Sun Smart app

All sun protection measures will be considered when planning excursions and incursions.

Shade

All outdoor activities will be planned to occur in shaded areas. Play activities will be set up in the shade and moved throughout the day to take advantage of shade patterns.

The service will provide and maintain adequate shade for outdoor play. Shade options can include a combination of portable, natural and built shade.

Hats

Staff, educators and children are required to wear sun-safe hats that protect their face, neck and ears. Sun-safe hats include:

- bucket hats with a deep crown and brim size of at least 5cm (adults 6cm)
- broad-brimmed hats with a brim size of at least 6cm (adults 7.5cm)
- legionnaire style hats

Please note: Baseball caps or visors are not sun-safe hats.

Children without a sun-safe hat are required to play in an area protected from the sun (e.g. under shade, veranda or indoors) or will be provided with a spare hat.

Clothing

Staff, educators and children are required to wear sun-safe clothing that covers as much of the skin (especially the shoulders back and stomach) as possible. This includes wearing:

- loose fitting shirts and dresses with sleeves and collars or covered neckline
- longer style skirts, shorts and trousers.

Please note: Midriff, crop or singlet tops are not sun-safe clothing.

Children without sun-safe clothing are required to play in an area protected from the sun (e.g. under shade, veranda or indoors) or will be provided with spare clothing.

Sunscreen

Staff, educators and children are required to apply at least SPF30+ broad-spectrum water-resistant sunscreen 20 minutes before going outdoors and reapply every 2 hours. Sunscreen is stored in a cool, dry place and the expiry date is monitored.

Sunscreen is provided by the service or families may choose to provide their own.

Roll on sunscreen is not to be shared and will not be provided by the service however families may supply for individual children.

To develop independent skills ready for school, children from 3 years of age are given opportunities to apply their own sunscreen under supervision of Staff, and are encouraged to do so.

Babies

Babies under 12 months should not be exposed to direct sunlight and are to remain in full shade when outside. They are required to wear sun-safe hats and clothing, and small amounts of SPF30+ broad-spectrum water-resistant sunscreen may be applied to their exposed skin.

Role Modelling

Staff /educators are required to act as role models and demonstrate sun-safe behaviour by:

- wearing a sun-safe hat, clothing and sunscreen, and using shade
- wearing sunglasses (optional) that comply with the Australian Standard 1067 (Sunglasses: Category 2, 3 or 4)
- encouraging families and visitors to role model positive sun-safe behavior when at the service.

Practices

- Sun protection is incorporated regularly into learning programs. Children understand why sun safety is important and learn how to take effective sun protection actions e.g. hat wearing, accessing daily UV levels
- Sun protection policy, procedures, requirements and updates are made available to staff, families and visitors.
- Sun protection information and resources are accessible and communicated regularly to families.
- All parents/families are informed of the sun protection policy including appropriate hat, clothing and sunscreen requirements on enrolling their child in the service.

Sources

NSW Cancer Council Family Day Care Sun Smart Guide www.cancercouncil.com.au

[Retrieved January 2020](#)

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Transport Policy

Aim

Open Arms Care Inc. protects the rights of the child and families to have safe and responsible transport arrangements whilst being cared for in our service, by requiring Educators to be aware all transporting requirements and meeting regulations and laws with procedures in place.

Commencement of Policy

This policy will commence from 1/10/2020. It replaces all other Transport Policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

Application of the Policy

This policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

Education & Care Services National Regulations 2011

NSW Government - Transport

Education & Care Services National Law

National Quality Standards 2018 Quality Area –Quality Area 2 health and Safety

Purpose

The sole purpose of this transportation policy is for the movement/transfer of children by means of motor vehicles ie bus, car, etc outside of an excursion.

Safety

Children should never be left alone in a car, even for short periods. This includes paying for petrol or picking up another child.

Animals should not be transported with children unless an emergency situation occurs and then done so with appropriately restraints.

Educators are to follow the road rules at all times whilst children are in the car, including no use of the mobile phones unless the car is pulled over to the side and turned off. Ensuring the provision of general road safety information about transporting children to and from the service (which might include using the 'safety door' (the rear kerbside door), driveway safety, child restraint information and role modelling safe road use) to parents/guardians/educators.

Educators are to have a current full Australian Drivers License which is to be kept on them when driving and a copy at the coordination office.

Child Restraints

Educators are to ensure that all children who travel in motor vehicles use the correct child care restraints depending on age, weight and height. Whilst laws are based on age there are provisions to allow a child to use other child care restraints depending on their weight and size. Discussions between families and Educators should take place to determine what size child care restraint your child needs especially if the child is not using the one designed for the age of the child.

Educators must use car seats that have not been in an accident, meet Australian Standards, have not expired, in good condition, has no tears in any of the restraints, seat has not cracks or other damage and used in the correct manner as stated by manufactories instructions. We recommend that a child car seat should not be used if it is more than 10 years old.

Car Restraints need to be assessed and certifiably installed by an authorised child restraint fitting station annually. Record is to be kept in the car, in compliance folder and at the Coordination office.

When using child care restraints Educators will follow the laws as set out by NSW Government – Transport Laws

- Children up to the age of six months must be secured in an approved rearward facing restraint
- Children aged from six months old but under four years old must be secured in either a rear or forward facing approved child restraint with an inbuilt harness
- Children under four years old cannot travel in the front seat of a vehicle with two or more rows
- Children aged from four years old but under seven years old must be secured in a forward facing approved child restraint with an inbuilt harness or an approved booster seat
- Children aged from four years old but under seven years old cannot travel in the front seat of a vehicle with two or more rows, unless all other back seats are occupied by children younger than seven years in an approved child restraint or booster seat
- Children aged from seven years old but under 16 years old who are too small to be restrained by a seatbelt properly adjusted and fastened are strongly recommended to use an approved booster seat
- Children in booster seats must be restrained by a suitable lap and sash type approved seatbelt that is properly adjusted and fastened, or by a suitable approved child safety harness that is properly adjusted and fastened.

If your child is too small for the child restraint specified for their age, they should be kept in their current child restraint until it is safe for them to move to the next level.

If your child is too large for the child restraint specified for their age, they may move to the next level of child restraint upon discussions with the family.

Only one child should be placed in each child care restraint.

Buses:

- School Buses: Seat Belts should be worn in rural and regional areas unless they are travelling in urban areas (in zones less than 80km/hr).
- Hired Buses: During excursions ensure fitted seatbelts are installed and are correctly used by all children, staff and volunteers for the entire trip.
- Public Buses: Seatbelts must be worn by educators and children where fitted in buses.

Company/private vehicles

- Motor vehicles are to be kept in good repair with regular maintenance checks, vehicles must be kept clean and tidy. Current registration and Insurance certificates are to be sent through to the Coordination Office on renewal.

Risk Assessment

Children are considered to be under the care of an education and care service at the point the service is taken to assume responsibility for their care and wellbeing, therefore transportation provided by or arranged by the services forms part of the service and requires a transportation risk assessment.

The transportation risk assessment must identify and assess risks and specify how the identified risks will be managed and minimised.

A transportation risk assessment must include:

- The proposed route and duration of the transportation
- The proposed pick-up location and destination
- The means of transport
- Any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported
- Any water hazards
- The number of adults and children involved in the transportation
- Given the risks posed by transportation, the number of educators or other responsible adults that is appropriate to provide supervision and whether any adults with specialised skills are required;

- Whether any items should be readily available during transportation; example, mobile phone and a list of emergency contact numbers for the children being transported.
- The process for entering and exiting— the education and care service premises; and (ii) the pick-up location or destination (as required);
- Procedures for embarking and disembarking the means of transport, including how each child is to be accounted for on embarking and disembarking.

Risks should be evaluated each time children are transported, unless the transportation is 'regular transportation'.

Definition of 'regular transportation': *means the transportation by the service or arranged by the service (other than as part of an excursion) of a child being educated and cared for by the service, where the circumstances relevant to a risk assessment are substantially the same for each occasion on which the child is transported. (An example is where the route or destination has altered)*

A regular transportation risk assessment is to be conducted every 12 months.

Permission

A child being educated and cared for by the service is not to be transported by the service or on transportation arranged by the service unless written authorisation has been given.

Authorisation for a child to be transported must be given by a parent or other person named in the child's enrolment record as having authority to authorise the child being transported by the service or on transportation arranged by the service before and must state—

- The child's name
- The reason the child is to be transported;
- If the authorisation is for regular transportation, a description of when the child is to be transported;
- If the authorisation is not for regular transportation, the date the child is to be transported;
- A description of the proposed pick-up location and destination;
- The means of transport;
- The period of time during which the child is to be transported;
- The anticipated number of children likely to be transported;
- The anticipated number of staff members and any other adults who will accompany and supervise the children during the transportation;

- Any requirements for seatbelts or safety restraints under a law of each jurisdiction in which the children are being transported;
- That a risk assessment has been prepared and is available at the education and care service;
- That written policies and procedures for transporting children are available at the education and care service.

If the transportation is regular transportation, the authorisation is only required to be obtained once in a 12 month period."

Note: Where transporting children as part of an excursion please also refer to Excursion Policy.

PROCEDURES FOR EMBARKING AND DISEMBARKING TRANSPORT

Excursion/Collection of children (ie. After School Care):

- Educator to be aware of children attending care prior to collection by observing roll.
- Children to be signed into care upon arrival to collection area (*if child fails to present to collection point follow Child Non-Attendance procedure for each individual service*)
- Children are to be grouped together until transport arrives
- Head count to occur as children embark on transport, if head count does not match with the roll then the roll is to be called to ascertain who is missing or extra. (*refer to Delivery and Collection of Children (Child Handover) Policy*)
- Children are to be grouped together on transport, with regular head counts to be completed as necessary
- When disembarking transport conduct head count to ensure all children are accounted for, if child/ren missing don't allow transport to leave until all child/ren are accounted for
- Once at destination complete roll call to ascertain all children are accounted for.

Delivery of children (ie. Before School Care):

- Conduct a roll call to ascertain all children are on premises and accounted for
- Children are to be grouped together until transport arrives
- Head count to occur as children embark on transport, if head count does not match with the roll then the roll is to be called to ascertain who is missing or extra. (*refer to Delivery and Collection of Children (Child Handover) Policy*)
- Children are to be grouped together on transport, with regular head counts to be completed as necessary
- When disembarking transport conduct head count to ensure all children are accounted for, if child/ren missing don't allow transport to leave until all child/ren are accounted for

- Children to be signed out of care upon arrival to destination.

What to do if a crash occurs?

- Stop immediately and give as much help as possible
- Protect the area if able to
- Switch off ignition of immobilised vehicle and switch on hazard lights
- Relocate anyone involved in the crash to safety away from road
- Call police, 000 if
 - Person is trapped, killed or injured
 - A bus or truck needs to be towed away
 - They are needed to direct traffic or deal with hazards
 - A person fails to stop or exchange information
 - Any driver is believed to be under the influence of alcohol or drugs
 - If driver is injured and children need supervision
- If police do not attend the crash scene, you must report the crash as soon as possible after leaving the crash site to the Police Assistance Line on 131444 where:
 - Either car needs to be towed
 - You are unable to provide particulars to the owner
 - There is damage to property or injured animals
- Police do not need to be notified of a crash when there are no injuries and the vehicles involved do not require towing. However, if someone is later treated for an injury (related to the crash), then call the Police Assistance Line on 131444.
- Ensure to call the Nominated Supervisor or Coordinator or office immediately for assistance to help attend and to call parents should you need assistance.
- Complete an incident report and ensure to inform Department of education.

Sources

Education & Care Services National Regulations 2011

NSW Government – Transport:

<https://roadsafety.transport.nsw.gov.au/stayingsafe/children/childcarseats/index.html>

Retrieved 14.1.2020

Road Users Handbook

https://www.rms.nsw.gov.au/documents/roads/licence/road_users_handbook-english.pdf
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Road Transport (Safety and Traffic Management) Amendment (Child Safety on School Buses) Bill 2012 Retrieved 1.9.2020

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Variations

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Review and evaluation of this policy and procedure

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Water Safety Policy

Aim

Open Arm's Care Inc. has a responsibility to protect the health, safety and wellbeing of children at all times. Supervision of children is paramount when in or around water. This relates to water play, excursions near water, drinking water, hot water and hygiene practices.

COMMENCEMENT OF POLICY

This Policy will commence from 17.8.2022. It replaces all other Water Safety policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- National Quality Standards – Quality Area 2: Children's Health & Safety

Practices

Children will be supervised at all times in and around any body of water including water troughs, toilets and nappy buckets.

Educators will ensure water troughs or containers for water play are filled to a safe level and emptied or covered securely after use. Educators will discuss with the children that this water is for the purpose of play and not for consumption.

Water for pets at the service will be changed regularly and not accessible to children unless supervised by an adult.

Water containers of any sort will be emptied or covered when not in use. This includes buckets used for cleaning which will be emptied immediately after use.

Drinking water containers will be emptied and cleaned daily.

Children will be provided with clean drinking water at all times.

Grey water systems or water tanks will be labelled with 'do not drink' signage and the children will be supervised in this area to make sure they are not accessing this water for drinking.

Educators will discuss with the children that this water is for the purpose of play and not for consumption.

No child while in the care of an Educator as part of the Education and Care service is to swim in a pool at the Educators home at any time while the service is being provided. FDC Educators are not to take children to a public swimming pool or other persons pool for any reason.

Ensure pools are fenced and gated according to the Swimming Pools Act 1992 and provide the Co-ordination Unit with a current certificate of currency which is to be updated as advised by the Local Council.

Ensure any pool filters are inaccessible to children.

A risk assessment will be conducted prior to any excursion taking place. Particular attention will be focused upon water safety where the excursion is near a body of water or where water hazards can occur after wet weather ie local parks.

All excursion risk assessments which contain water hazards must be identified and strategies implemented before seeking approval from the coordination office.

- In determining adequate supervision a range of factors shall determine the ratio for each excursion.
 - Numbers, ages and abilities of each child
 - Number of educators
 - Each educator's knowledge of each child in care, the experience, knowledge and skill of each educator.
 - The definition of the body of water ie local pool, lido, beach, river
- Check water conditions before entering or playing at waters edge and during the water excursion as tides and conditions can change
- If fishing ensure a safe spot is chosen, with appropriate footwear, clothing and fishing gear for each child.

Sources:

<https://www.kidsafensw.org/water-safety/> Retrieved August 2022

Variations

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Review and evaluation of this policy and procedure

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Physical Environment

Emergency and Evacuation Policy

Aim

Emergency and evacuation situations in Children's Services can arise in a number of circumstances and for a variety of reasons. In the event of an emergency or evacuation situation, the safety and wellbeing of educators, children, families and visitors is paramount. Our services' are committed to identifying risks and hazards of emergency and evacuation situations, and planning for their minimisation, and ongoing review of planned actions around handling these situations including: conducting ongoing risk assessment and reviews of all potential emergency and evacuation situations; developing specific procedures around each potential emergency situation; and ensuring regular rehearsal and evaluation of emergency and evacuation procedures.

COMMENCEMENT OF POLICY

This Policy will commence from 17.8.2022. It replaces all other Emergency and Evacuation policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Regulations 2011 Reg 97
- Education and Care Services National Law 2011
- Work Health and Safety Regulation 2017 Reg 43
- Work Health and Safety Act 2011
- National Quality Standards – Quality Area 2: Children's Health & Safety

An Emergency can include (but are not be limited to):

- | | |
|--|--|
| • Severe weather / storms | • Situation that requires an evacuation lockdown |
| • Flood | • Tsunami |
| • Cyclone | • Hazardous substance release |
| • Earthquake | • Pandemic and communicable diseases |
| • Bush fire / grass fire / house fire | • Major medical emergency |
| • Presence of dangerous animal / insects | • Heatwave |
| • Intruders / personal threat | |

The service will have and follow two sets of emergency and evacuation procedures:

- 1. Evacuation Drill**
- 2. Lockdown Drill**

All emergency scenarios will fall into either one of these categories.

Practices

- The Children's Services Manager will put in place an Emergency Risk Management Plan for each OSHC service which details all emergency information. The risk management plan is reviewed at least annually, in consultation with the school in which the centre is located in or each family day care educator and updated when needed and/or as circumstances change.
- Emergency evacuation procedures and floor plans will be clearly displayed in a prominent position near the main entrance and exit of each room used by the service.
 - The Evacuation Plan will include:**
 - routes of leaving the building suitable for all ages and abilities. These should be clearly mapped out.
 - plan to include where the fire extinguishers, fire blankets & smoke detectors are located.
 - a safe assembly point away from access of emergency services.
 - Date it was created/reviewed and version number. Evacuation plans are to be reviewed every 5 years.
 - an alternative assembly area in case where first assembly becomes unsafe.
 - list of items to be collected.
 - list of current emergency numbers
- All educators, including relief staff, will be informed of the procedure and their specific duties identified in their orientation to the service.
- Educators will discuss the emergency procedures with the children and the reasons for practicing the drills prior to each emergency drill being undertaken. Following each drill, children should be reassured and their suggestions and comments welcomed for how the drill might be improved to provide them with a sense of control and understanding of the process.
- Emergency and Evacuation drills (both Evacuation and Lockdown) will be conducted every three months (minimally) and recorded in the *Emergency Drill Record* forms. Details to be recorded include: date drill was conducted; children in attendance; emergency scenario; outcomes of the drill; recommendations for improvements etc. All Emergency drills are submitted to the Children's Services Manager to review then filed on the premises.
- Families will be informed of the procedures and assembly points at each premise through the Emergency Evacuation plans at prominent exit points.

- Each service will maintain a fire extinguisher, a fire blanket and smoke detectors and have them checked 6 monthly as per manufacturers instructions. Fire extinguishers will be installed and maintained in accordance with Australian Standard 2444.
- Educators will only attempt to extinguish fires if the fire is small, there is no threat to their personal safety and they feel confident to operate the extinguisher and all the children have been evacuated from the room
- Educators are to keep current parent / guardian contact numbers and emergency numbers such as poisons information in a prominent position. In Family Day Care it is good practice to also keep immediate back up numbers such as neighbours and FDC office with emergency contacts.
- Educators must have an approved first aid kit, fully equipped with emergency memorandum accessible, with no out of date supplies in the bags.
- No child or Educator is to go to their bags to collect personal items during an emergency evacuation. This would lead to confusion and delays.

Reporting to Regulatory Authority

- Educators are to advise Children's Services Manager and Nominated Supervisors in the case of any serious incident, where a child is in immediate danger. To ensure the Approved Provider can record this to the Regulatory authorities within 24 hours of the incident.
 - This could include any incident that requires the approved provider to close, or reduce the number of children attending, the education and care service for a period; **Example.** A flood or a fire that requires an Approved Provider to close the education and care service premises (or part of those premises) while repairs are undertaken.
- The following must be notified within 7 days: any circumstance at the service that poses a risk to the health, safety or wellbeing of a child or children; any incident or allegation of physical or sexual abuse of a child or children at the service.
- The attendance at the approved education and care service of any additional child or children being educated and cared for in an emergency, including—
 - a description of the emergency; and
 - a statement by the approved provider that the approved provider had taken into account the safety, health and wellbeing of all the children attending the education and care service when deciding to provide education and care to the additional child or children.

Family Day Care procedures

Evacuation Procedures

- make the announcement to evacuate, identifying where and how.
- Ensure you have all the children that is in your care include any visitors, or your own children.
- collect emergency bag which will include:
 - parents' and authorised nominees contact numbers.
 - emergency services numbers.
 - first aid kit.
- Collect a working phone to make the phone call to 000 or other appropriate service, management and parents as required.
- check that the building and environment is empty and that all doors and windows are closed as far as possible, to reduce the spread of a fire.
- supervise the children at the assembly area, and take a roll call of children.
Educators should be aware of any visitors.

LOCK DOWN PROCEDURE

Lock Down procedure is the action taken by educators when there is a perceived or immanent threat to life, safety and wellbeing of children, staff and visitors from an external source. The aim of a lockdown procedure is to reduce the threat of injury and/or personal harm to staff, educators, families, children and visitors at the services.

Lock Down Procedure:

- Educators are to ensure children and staff/visitors/volunteers, move indoors as soon as a risk has been identified.
- Educators are to ensure children are not alarmed and everyone is to remain calm.
- Educators are to ensure children move away from the doors and windows
- All doors and windows should be locked. Close blinds and curtains.
- Use children and visitors sign in sheets to account for all persons
- Emergency services and service management should be contacted as soon as possible by the educator
- Educators are to be aware if there is a custody issue that any unauthorised person must not have access to that child
- Document and review the process

OSHC procedures

1. Evacuation Procedure

When it is unsafe for children, staff and visitors to remain inside the facility's building the Responsible Person on-site will **remain calm**, take charge and activate the Emergency evacuation procedure.

- Make the announcement to evacuate : **One sharp blow of the whistle**
- Determine of the facilities pre-identified off-site evacuation points is most appropriate to use and which of the pre-identified routes would pose the least threat to the children, visitors or staff.
- Conduct a headcount as the children line up at the evacuation exit, check against roll
- Collect attendance records, emergency contact information (excursion folder), medical risk minimisation plans (excursion folder,) phone and first aid kit (containing medication).
- Turn off the lights and all other electric equipment
- Instruct an educator (if available) or the eldest capable child to close the door behind the group (if there is enough time to do so)
- Evacuate children, staff and visitors out of the OSHC room to your evacuation point/assembly point. Maintaining a state of calm and order within the group as you lead them.
- Once at the emergency assembly point, check all children, staff and visitors are accounted for; call the attendance record.
- Contact the emergency services (if you haven't done so already via the app "emergency plus" or via dialling 000) and maintain communication. Wait for the emergency services to arrive or provide further information whilst staying at the emergency assembly point.
- Notify the OSHC Children's Service's Manager who will notify the CEO and Approved Provider if required
- Maintain a record of actions taken/ decisions undertaken and times
- Confirm with the emergency service personnel that it is safe to return to normal operations
- Contact parents as required.

On Site Lock Down Procedure

When an external or immediate danger is identified and it is determined that the children should be secured inside the building for their own safety The Responsible Person in charge should enact the Lock Down Procedure.

- ‘Lockdown’ relayed to children and staff – blow whistle 3 times and say ‘lockdown’
Note: if a discrete approach is needed the Responsible Person in charge will decide on the best course of action and lead the other staff.
- Initiate lockdown and provide instructions to staff, for example, close internal windows and doors, children to move into **lockdown area** and sit below window level, draw blinds.
- Head count as the children enter the room, mark against the attendance record (roll), include staff in the headcount.
- Check that all external doors (and windows if appropriate) are locked.
- Note: if a child is missing then allow one staff member to be posted at locked doors to allow children, staff and visitors to enter if locked out.
- When all children are accounted for: collect: attendance records, medication, first aid kit and emergency contacts (OSHC phone) and move into the kitchen with the children.
- Call the attendance records and mark children present. Also note the educators present.
- Contact the emergency services via the “Emergency Plus” app or by dialling 000 and seek and follow advice.
- Divert parents and returning groups from the facility if required.
- Ensure a telephone line is kept free
- Keep main entrance as the only entry point. It must be constantly monitored and no unauthorised people allowed access and to guide emergency service personnel.
- As appropriate, confirm with emergency services personnel that it is safe to return to normal operations.
- Contact the Coordinator
- Maintain a record of actions/decisions undertaken and times
- Contact parents as required

Sources

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Variations

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Associated documents

- Emergency Management Plan
- Emergency and Evacuation Risk Assessment
- Emergency Evacuation Drill Record

Equipment Policy

Aim

Open Arms Care Children's Services Division believes children need to be safe at all times by minimising the risk of child accidents and injuries involving furniture and equipment provided within the service, in reference to the purchasing, **usage** and maintenance of such furniture and equipment.

COMMENCEMENT OF POLICY

This Policy will commence from 18.8.22. It replaces all other Equipment policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

- Education and Care Services National Law 2010
- Education and Care Services National Regulations 2011- Reg 165
- National Quality Standards – Quality Standard 2: Children's Health and Safety

Procedure and implementation

Equipment

Nursery Equipment: Teddy beds (stretcher beds); portable cots; prams/strollers and child safety restraints.

Please refer to Australian Standards:

- | | |
|---|--------------------------------|
| ○ AS 2172:2003 | Cots for Households Use |
| ○ AS 2195:1999 | Portable Cots |
| ○ AS/NZS 2088:2000 | Prams/strollers |
| ○ AS/NZS 1754:2010 or AS/NZS 1754:2013 | Child Restraints |

Educators

- Are required to purchase equipment (new or second hand) that meets current Australian Standards and **documentary evidence needs to be kept**. For more information contact the Department of Fair Trading, Safety & Standards Branch www.fairtrading.nsw.gov.au or Product Safety Australia <https://www.productsafety.gov.au/>.
- Need to attend to the appropriate warranty details as per the manufacturers instructions.

- Must ensure that equipment is assembled and utilised only as per the manufacturer's instructions (keep instructions in a safe place).
- Avoid unsafe equipment such as baby walkers.
- Ensure furniture is well built, easy to clean, non collapsible, non toxic and age appropriate.

Cots

Must comply with Australian Standards and documentation is required to be provided to the FAMILY DAY CARE OFFICE.

Look for fixed base cots with the lowest possible base (to prevent falls). There should be 500mm between the top of the lowest side or end of the cot and the top of the mattress with the access closed and the base in its lowest position.

Always make sure the mattress fits snugly to within 25mm of the sides and ends of the cot.
(Read instructions on recommended mattress size.)

Make sure there are no more than 2 legs with castors or that the castors have brakes on.

Minimum space between bars is of 50mm. Maximum is 95mm.

Ensure there are no protrusion hazards.

Ensure there is no lead base paint.

High chairs

For maximum safety, choose a high chair fitted with a 5 point restraint - a crotch strap (between the legs), straps over both shoulders and a waist belt.

Check folding high chairs are stable and the locks work.

If the high chair has four castors fitted, make sure at least one pair (either front or back) has brakes to prevent it from becoming unstable.

Adequate supervision and the proper use of restraints will substantially reduce the risk of injury.

Portable cots

Must comply with Australian standards

Make sure all locking devices are secure when the cot is assembled and that the child cannot release them and collapse the cot.

Follow the assembly instructions closely when setting up the cot.

Do not put an additional mattress in a portable cot, ***only use the original (Red nose recommendation)***. Small children can become wedged between the mattresses and may suffocate.

Do not use a portable cot if the child weighs more than 15 kg.

Older children may use the extra height and climb out.

Regularly check locking devices to ensure they have not become loose and are operating properly.

Baby hammocks

Are not recommended by Red nose.

Stretcher beds/sleeping mats

Stretcher beds are recommended for children over 14kg. These beds are low to the ground, easy to store and clean and have a greater airflow surrounding them.

Sleeping mats must have waterproof covers

Child safety restraints

Must comply Australian Standards. It is recommended that second hand safety restraints are not purchased or accepted for use in Open Arms Care Inc. Family Day Care unless you are aware of the history of the car restraint.

Ensure all safety restraints (pre used) are checked at an authorised fitting station before use and annually. (Retain your receipt and forward a copy to the office or present at your annual review).

It is industry practice and recommended that any restraints older than 10 years are not used.

Do not use a child safety restraint if it has been involved in an accident or shows signs of wear such as cracks, frayed straps or broken buckles. Ensure the restraint meets all Australian Safety Standards e.g. manufacturer's expiry date.

Refer to Transport Policy re safety restraints for car travel

Prams and strollers

Must meet Australian standards

Need to be stable and easy to steer with solid and durable wheel components. Wheel locks must be effective.

For maximum safety, choose a pram / stroller fitted with a 5 point restraint harness, i.e. a crotch strap between the legs, straps that go over both shoulders and a waist belt.

Babies under 6 months should not be placed in a stroller unless a backrest can be adjusted to an angle of more than 30 degrees to the seat.

All new prams are to have a tether strap.

Change tables

Change tables should have some form of roll-off protection e.g. raised sides around 100mm high or restraints.

Change tables must have a stable surface with have an impervious washable surface.

Make sure there are no gaps or spaces near the changing surface that could trap a child's fingers, head or limbs.

Make sure all locking devices work and are locked securely in place before use.
Ensure you have everything you need for nappy change close at hand.
Make sure no small objects are within the infant's reach.
Do not leave open pins, bottles, lotions or creams where they can be reached by the child.

Toys

Selecting toys, take into account the age and development of the child. Remember that toys are usually bitten, tugged, sucked, jumped on, thrown about and generally abused. For children up to the age of 3 years of age, make sure the toys are durable and easily cleaned and that they do not have detachable parts that can be put in the child's ear, nostrils or mouth.

Check toys for sharp edges or rough surfaces that can cause cuts and splinters.

Any toy chests big enough for a child to crawl inside must have ventilation holes and designed not to close on top of children.

Check toys regularly for loose parts, any item smaller than a 35mm film canister can choke a child under 3 years of age.

Be wary of toys that may make loud noises, as they can be harmful to hearing, particularly those held against the ear.

Check for ventilation before buying tents, masks, helmets.

Ensure that ride-on toys are appropriate to the age of the child and are stable.

Check for stability, wear and tear.

Educator premises

An approved service, including furniture and equipment must be maintained in a safe and clean manner and kept in good repair. This applies to the area registered to provide education and care. (Guide to National Law & National Regulations) QA3, Element 3.1.2

This will be supported by:

- Regular maintenance checks
- Repairing or discarding broken objects when appropriate.
- Removing hazards as they occur.
- Ensuring equipment is only used in the manner for which it is designed.
- Encouraging children to care for equipment.
- Removing furniture and equipment that has rough edges, sharp edges, points and small pieces that can break off.

Although the coordinator will monitor equipment, it is the educator's **responsibility** and **duty of care** to ensure that all equipment is safe and meets the relevant safety standards.

If an educator is using smaller pieces of equipment a risk assessment should be completed to identify potential risks and strategies to mitigate risks

Sources:

- Red nose <https://rednose.com.au/section/about-us> retrieved 14.1.2020
- Kids Safe Accident Prevention Foundation. www.kidsafensw.org.- retrieved 14.1.2020
- <https://www.productsafety.gov.au/product-safety-laws/safety-standards-bans/mandatory-standards/prams-strollers#toc-mandatory-standard> retrieved 18.8.22
- www.babysafety.com.au
- Family Day Care Safety Guidelines 7th Edition 2021
- <http://roadsafety.transport.nsw.gov.au/stayingsafe/children/childcarseats/index.html>
retrieved 14.1.2020
- <https://www.legislation.gov.au/Details/F2005L03885>
retrieved 18.08.2022

Pets and Animal Policy

Aim

Educators with pets will facilitate effective cleanliness, health and safety measure to prevent injury or illness of children in care, through the limitation of unsupervised access to animals and their surroundings in compliance with the Education and Care Services National Regulations 2011.

COMMENCEMENT OF POLICY

This Policy will commence from 1/02/2020. It replaces all other Pets and Animal policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Law 2010 Section 167
- Education and Care Services National Regulations 2011- Regulation 116
- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulation 2011 (NSW)
- National Quality Standards - Quality Area 2: Children's Health & Safety

Practice

Inform families of their procedures relating to pets and children in care.

Inform families prior to a new pet coming into the home environment.

Vacuum and clean furniture and floors daily, before children arrive if pets are kept indoors to ensure childcare areas are kept free of animal hair.

Develop a risk management plan which is completed prior to all animal experiences.

Research has indicated that dogs are a high risk with children, experiences involving dogs need to be discussed with Coordination Unit before the risk management plan is completed and the experience occurs.

An Educator must ensure that any animal (including livestock) or domesticated bird that enters or is kept on the premises of the Service does not constitute a health or safety risk to children (for example, by causing an allergic response or infection or in any way having a detrimental effect on the well-being of children provided by the Service).

Every domestic pet or farm animal is kept in an area separate to and apart from the areas used by children, unless involved in a specific activity that is directly supervised by the Educator, staff member or other adult (e.g. brushing the dog, bottle feeding a lamb, or providing food or water).

Any pet kept at home must be clean and well cared for.

All pet food and water containers are to be inaccessible to children.

All areas of the home and yard are to be kept free of animal excrement, bones or holes dug by animals.

Ensure adults and children wash hands after touching animal, cleaning an animals bedding, cages or tank (alcohol based hand wipes may be used if water is not available).

A restraining fence or separate fenced area for animals is to be used at all times.

When children are at an educator's home, whether playing inside or out, pets are to be kept in the restrained areas.

Do not allow animals in sandpits.

Entry to the property should not be hindered by animals.

Caged birds are to be kept away from food preparation areas.

No domestic pets to be inside the house in areas where children are playing or sleeping during the care period.

No animals are to travel in a motor vehicle with a Family Day Care child unless the animal is restrained in the car (eg, by a fixed barrier or harness in a cage).

Bedding, toys and equipment, food preparation areas, eating surfaces, food and eating utensils are to be kept animal free.

Prior to commencing ownership of or visits by animals, the service will:

- Consult families
- Complete a risk management plan
- Consider who will pay for animal, who will care for animal when service is closed, what physical space is there for animal, are there any children or educators who are allergic to animal, what are the health and safety risks?

Animals and birds visiting the Education and Care service as part of the educational program are the responsibility of the owner(s). The educators will ensure that the environment

remains safe and hygienic at all times during the visit. Educators will complete risk assessment paperwork in relation to the visit.

Sources

Education and Care Services National Law 2010

Education and Care Services National Regulations 2011

National Quality Standards

Guide to the National Quality Framework 2011 (ACECQA).

Staying Healthy in Childcare 5th Ed. NHMRC, 2012. <http://www.health.gov.au/nhmrc/>.

Kidsafe Act – Animal Related injury – July 2012

Retrieved January 2020

[https://www.acecqa.gov.au/sites/default/files/2019-](https://www.acecqa.gov.au/sites/default/files/2019-07/QA3_InfoSheetKeepingPetsAndAnimalsInEducationAndCareServices.pdf)

[07/QA3_InfoSheetKeepingPetsAndAnimalsInEducationAndCareServices.pdf](https://www.acecqa.gov.au/sites/default/files/2019-07/QA3_InfoSheetKeepingPetsAndAnimalsInEducationAndCareServices.pdf) retrieved

January 2020

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Storage of Dangerous Chemicals, Substances and Equipment Policy

Aim

Educators will protect staff, children, families and visitors from the risks associated with chemical products, medicines, other dangerous substances and dangerous equipment used in the home environment.

Background

Accidental poisoning is the second most common hospital admission for child injuries in Australia, and 75% of these are attributed to medications. The most common of these involve respiratory and cough medications, antihistamines, paracetamol, iron tablets, benzodiazepines, eucalyptus and other vapouriser oils. Other poisoning agents include household chemicals such as pesticides including snail bait and mothballs, bleach and other cleaners, detergents, solvents, petroleum, kerosene, and cosmetics. Many of these chemicals are routinely used in the home and are potentially hazardous, either by ingestion, inhalation or skin contact. Information on chemical products can be obtained from manufacturers on Material Safety Data sheets that provide information on chemical toxicity, health effects, safe handling together with safe storage and First Aid instructions.

COMMENCEMENT OF POLICY

This Policy will commence from 1.2.2020. It replaces all other Storage of Dangerous Chemicals, Substances and Equipment policies of Open Arms Care Inc. relating to Children's Services, (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Law 2010 Section 167
- Education and Care Services National Regulations 2011
- NSW Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011
- National Quality Standard – Quality Area 2: Children's Health and Safety

Practices

Choose the least hazardous chemical, product or equipment for the task.

Ensure chemicals or medicines have child resistant locks, caps or lids and are stored inaccessible to children.

Return all medicines and poisons to their safe storage area immediately after use.

Ensure that all dangerous cleaning material (including detergents), disinfectants, poisons and other dangerous substances and medications are stored in their original labelled container and are not transferred to any other container. Do not reuse containers once they are empty.

If the original container for hazardous substances does not have a childproof lid, the container is to be kept in a locked place, which is secure and inaccessible to children.

All storage facilities for cleaning materials, medications, first aid, toiletries, poisons, dangerous tools and equipment are to be secure and inaccessible to children.

Ensure that any dangerous substance that needs to be refrigerated eg medication, is stored in a child resistant container, preferably in a separate compartment or in a section of the refrigerator that is inaccessible to children.

If bulk chemicals or non-domestic products and quantities are used or stored, have a Hazardous Substance Register and Risk assessment in accordance with the WH&S Act and Regulation. This should record the product name, application, labelled or not, class risk, required controls for prevention of exposure and action to be taken on any exposure.

When using bulk chemicals for domestic use eg liquid soap, dishwashing liquid, transfer to a clearly labelled container. Store bulk items in safe and secure areas inaccessible to children.

Follow the manufacturer's instructions for storage, use and first aid instructions. Refer to manufacturer's Material Safety Data Sheets (MSDS).

When disposing of unwanted hazardous chemicals, substances and equipment do so safely or in accordance to the manufacturer's instructions.

Seek medical advice immediately if poisoning or potentially hazardous ingestion, inhaled, skin or eye exposure has occurred, or ring the Poisons Information Hotline on 131126 or call an ambulance on 000.

In the case of any educator, child or other person injured by a chemical, substance or equipment, follow your emergency, medical and first aid procedures; notify Work Cover NSW and any other person as required by the regulations and service policies.

Be aware that dangerous substances are not to be transported in a vehicle with children.

Ensure premises are not fumigated whilst children are in care on the premises.

Ensure any alcohol kept on the premises / educators home, are stored away from areas accessible to children

Ensure that sharp or jagged objects that pose a hazard for children are kept in secure storage facilities that are inaccessible to children.

Ensure indoor heaters are regularly serviced / cleaned to keep carbon monoxide emissions at a safe level.

Only use toys or devices containing batteries if the batteries are secured inside the device and store spare in a safe and inaccessible place from children

Other household substances such as pesticides, plant fertiliser, paints and car products need to be stored in safe and secure areas inaccessible to children such as a locked shed.

Gas bottles from BBQ's/heaters need to be unattached and stored away from access of children.

Sources

NSW Health and Safety Act 2011 www.safework.nsw.gov.au

NSW Poisons Information Centre www.poisoninfo.nsw.gov.au

Australian Standard for storage and handling of hazardous chemicals and materials (AS 3780) https://www.safework.nsw.gov.au/_data/assets/pdf_file/0005/50729/storage-handling-dangerous-goods-1354.pdf

Retrieved January 2020

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Supervision of Children Policy

Aim

Supervision is a critical aspect of caring for children. It is the educator's duty of care and responsibility to provide adequate supervision to children at all times and ensure children are safe while attending Children's Services

Commencement of Policy

This Policy will commence from 1/2/2020. It replaces all other Supervision policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

Application of the Policy

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

- Education and Care Services National Law 2010
- Education and Care Services National Regulations 2011- Reg 101, 176, 166, 168
- National Quality Standards – Quality Standard 2: Children's Health and Safety

Practice

Supervision of children involves keeping children within sight and/or hearing of staff/educators at all times with ratios being adhered to. Ratio in Family Day Care is 7 children with no more than 4 being under school age, this includes any of the Educators own children. OSHC service 1 Educator to 15 children each.

Families/carers are responsible for their children's supervision while they are on premises, including siblings not enrolled in the centre/service.

Students, volunteers, family members and visitors are not to be left alone with the children. They are to be informed of the supervision policy.

Areas that have blind spots in terms of proper supervision needs to be drawn to everyone's attention and a plan needs to be developed to overcome this situation, both long and short term. This includes whilst out on excursions.

The environment, both the indoors and outdoors, needs to be set up in a way to ensure clear and unobstructed views of all areas for effective supervision.

The environment should be checked for hazards daily or when transitioning between environments to ensure the areas are safe and to prevent incidents or accidents.

Any animals that are on the premises are to be made inaccessible to the children unless they are under direct supervision of the educator/staff.

Gates and entrances to a Family Day Care service must be lockable to prevent visitors from entering and children from leaving.

No other duties or other daily jobs are to be performed whilst supervising children ie administrative tasks or hanging out washing.

Children must not be left unattended whilst outside or on the nappy change table. Routine tasks should be carried out with supervision still being effective.

Children will be supervised whilst they are sleeping and resting as per the *Monitoring Rest and Sleep Policy*

Educators can regularly review their supervision plans, risk assessments and strategies to evaluate the safety and effectiveness of the plans and their implementation.

Ensure effective supervision and appropriated ratios due to risk assessment are adhered to whilst on excursions.

OSHC Services will

Negotiate appropriate plans with school principals to ensure that gates and entrances to school premises are closed to assist in preventing children entering or leaving the school grounds.

Centres may use the school toilet blocks where necessary if toilets are not provided within the centre. The centre has a toileting procedure to ensure children are supervised during these times.

Service Coordinators need to ensure inclusion support staff is aware of their supervision responsibilities with additional needs children.

Ensure that supervision arrangements are respectful and that interactions with children are meaningful. Educators will encourage children's independence while respecting the development of each child and the planned activities.

Be aware of the importance of communicating with each other about their location within the environment.

Scan the environment while interacting with individuals or small groups. Educators will position themselves to maximise their view of the environment and the children's play.

Monitor children's health by checking for early signs of illness and unusual behaviour particularly when supervising children with known medical conditions

Staff rosters and routines should be designed to maximise the consistency of supervision, sufficient number of educators to meet ratios each time children are being educated and cared for. Staff will maintain a ratio of approximately 1 staff member to each 15 children depending on the needs of those children.

Single staff model services, where the educator is alone with children for the majority of the time, will need to modify their strategies to supervise children because they are unable to rely upon colleagues to assist them. This may involve strategies such as having the group of children all indoors or all outdoors at any given time depending on the visibility available, giving older children more responsibilities in assisting younger children and notifying families that discussions may need to wait until other times if the distraction could put children at risk of harm. Single staff model services obviously still need to consider the safety of children to be paramount at all times, however Management in these cases also need to recognise the difficulties faced for those educators who are working alone and ensure they provide adequate support and information for educators to maintain their supervision standards.

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Staffing Arrangements

Anti-Discrimination and Equal Employment Opportunity Policy

Purpose

- 1.51 Open Arms Care Incorporated ('Open Arms Care Inc.'), aims to provide an environment where employees and others in the workplace are treated fairly and with respect, and are free from unlawful discrimination, harassment and vilification.
- 1.52 Open Arms Care Inc. aims to ensure that when employment decisions are made, they are based on merit, not on attributes or characteristics that an individual may possess. Open Arms Care Inc. also tries to create a work environment which promotes good working relationships.

Commencement of Policy

- 1.53 This Policy will commence from 01/02/2020. It replaces all other Anti-Discrimination & Equal Employment Opportunity Policies (whether written or not).

Application of Policy

- 1.54 This Policy applies to employees, agents and contractors (including temporary contractors) of Open Arms Care Inc., collectively referred to in this Policy as 'workplace participants'.
- 1.55 This Policy is not limited to the workplace or work hours. This Policy extends to all functions and places that are work related for example, work lunches, conferences, Christmas parties and client functions. Equal Employment Opportunity (EEO) laws apply to all areas of employment, as well as the provision of goods and services.
- 1.56 This Policy does not form part of workplace participant's contract of employment or contract for service.

EEO laws

- 1.57 Under EEO laws, discrimination, vilification, sexual harassment, bullying and victimisation are unlawful and strictly prohibited.

Discrimination

- 1.58 Direct discrimination in employment occurs when a person is treated less favourably than another in their employment because of a reason or ground which is prohibited by law. The prohibited grounds of discrimination are set out in the Federal, State and Territory anti-discrimination laws and include sex, race, age etc. A full list of the grounds of discrimination which operate federally and in the State and/or Territories in which workplace participants undertake their work for Open Arms Care Inc. may be relevant and are listed below.

- Race (including colour, nationality, descent, ethnic, ethno-religious or national origin)
- Religious belief, affiliation, conviction or activity
- Sex
- Marital status, domestic status,

- | | |
|---|--|
| | relationship status |
| <ul style="list-style-type: none"> • Pregnancy (including potential pregnancy) | <ul style="list-style-type: none"> • Homosexuality, transsexuality, sexuality, sexual preference/orientation, lawful sexual activity, gender identity |
| <ul style="list-style-type: none"> • Carers' responsibilities, family responsibilities, carer or parental status, being childless | <ul style="list-style-type: none"> • Disability/impairment, including physical, mental and intellectual disability |
| <ul style="list-style-type: none"> • Breastfeeding | <ul style="list-style-type: none"> • Age (including compulsory retirement) |
| <ul style="list-style-type: none"> • Physical features (VIC only) | <ul style="list-style-type: none"> • Profession, trade, occupation or calling (ACT only) |
| <ul style="list-style-type: none"> • Industrial/trade union membership, non-membership or activity | <ul style="list-style-type: none"> • Political belief, opinion, affiliation, conviction or activity |
| <ul style="list-style-type: none"> • Employer association membership, non-membership or activity | <ul style="list-style-type: none"> • Irrelevant criminal record (NT and TAS only) |
| <ul style="list-style-type: none"> • Employment activity (VIC only) | <ul style="list-style-type: none"> • Irrelevant medical record (NT and TAS only) |
| <ul style="list-style-type: none"> • HIV/AIDS | <ul style="list-style-type: none"> • Defence service |
| <ul style="list-style-type: none"> • Association (i.e. association with a person who has one or more of the attributes for which discrimination is prohibited) | <ul style="list-style-type: none"> • Religious appearance or dress (in work or study) (SA only) |
| <ul style="list-style-type: none"> • Gender history (WA only) | <ul style="list-style-type: none"> • Association with a child (in customer service) (SA only) |
| <ul style="list-style-type: none"> • Spent convictions (ACT only) | |

Indirect discrimination

- 1.59 Indirect discrimination may occur when an employer imposes a policy, requirement or condition which applies to everyone equally, but it in fact operates to disadvantage a particular group because of a characteristic of that group, such as their sex, age, race (ie a prohibited ground of discrimination).
- 1.60 Example: An employer imposes a height restriction on all applicants for the position of 'Security Officer', that is, an applicant must be over 185cm (6 feet) tall in order to be considered for the position. This requirement at first glance appears fair because it applies to all applicants irrespective of gender. However, in practice this

requirement will disadvantage women as a group because statistically, are naturally shorter than men. So the effect is to disadvantage women because of their sex.

- 1.61 Discrimination also includes the situation where a workplace participant harasses another person based on a ground of discrimination. Harassment is unwelcome conduct that a reasonable person would expect to offend, humiliate or intimidate.

Vilification

- 1.62 Vilification is a public act which incites hatred, severe contempt or severe ridicule of a person or group, because of race, homosexuality, transgender, transsexuality or HIV/AIDS. Vilification is a particularly serious breach of EEO laws and will be dealt with accordingly.

Sexual harassment

- 1.63 Sexual harassment is unwelcome conduct of a sexual nature, which makes a person feel offended, humiliated or intimidated. Conduct can amount to sexual harassment even if the person did not intend to offend, humiliate or intimidate the other person. However, conduct will not be sexual harassment if a reasonable person, having regard to all the circumstances, would not have anticipated that the conduct would offend, humiliate or intimidate the other person. Sexual harassment does not have to be directed at a particular individual to be unlawful. Behaviour which creates a hostile working environment for other workplace participants can also be unlawful.

- 1.64 Examples of sexual harassment include, but are not limited to:

- physical contact such as pinching, touching, grabbing, kissing or hugging
- staring or leering at a person or at parts of their body
- sexual jokes or comments
- requests for sexual favours
- persistent requests to go out, where they are refused
- sexually explicit conversations
- displays of offensive material such as posters, screen savers, internet material etc
- accessing or downloading sexually explicit material from the internet
- suggestive comments about a person's body or appearance
- sending rude or offensive emails, attachments or text messages.

Bullying

- 1.65 Bullying is repeated, unreasonable and inappropriate behaviour directed towards an individual or group, which creates a risk to health and safety.
- 1.66 Please refer to the Open Arms Care Inc. Workplace Bullying Policy for more information in relation to workplace bullying.

Victimisation

- 1.67 Victimisation is where a person is retaliated against or subjected to a detriment because they have lodged a complaint, they intend to lodge a complaint or they are involved in a complaint of unlawful conduct. Workplace participants must not retaliate against a person who raises a complaint or subject them to any detriment.

Rights and responsibilities

- 1.68 All workplace participants must:

- understand and comply with this Policy;
- ensure they do not engage in any unlawful conduct towards other workplace participants, customers/clients or others with whom they come into contact through work;
- ensure they do not aid, abet or encourage other persons to engage in unlawful conduct;
- follow the complaint procedure in this Policy if they experience any unlawful conduct;
- report any unlawful conduct they see occurring to others in the workplace in accordance with the complaint procedure in this Policy; and
- maintain confidentiality if they are involved in the complaint procedure.

- 1.69 Workplace participants should be aware that they can be held legally responsible for their unlawful conduct.

- 1.70 Workplace participants, who aid, abet or encourage other persons to engage in unlawful conduct, can also be legally liable.

Gender equality in the workplace

- 1.71 'Open Arms Care Inc.' aims to fulfil its obligations under the *Gender Equality Act 2012* (Cth) ('the **Act**'), by developing and implementing a workplace program which will attempt to eliminate discrimination and contributing to gender equality in employment and in the workplace.

- 1.72 The aim of Open Arms Care Inc.'s actions are to:

- (a) promote and improve gender equality (including equal remuneration between women and men) in employment and in the workplace; and
- (b) support employers to remove barriers to the full and equal participation of women in the workforce, in recognition of the disadvantaged position of women in relation to employment matters; and
- (c) promote, amongst employers, the elimination of discrimination on the basis of gender in relation to employment matters (including in relation to family and caring responsibilities); and

- (d) foster workplace consultation between employers and employees on issues concerning gender equality in employment and in the workplace; and
 - (e) improve the productivity and competitiveness of Australian business through the advancement of gender equality in employment and in the workplace.
- 1.73 These actions are about attempting to achieve the potential of all workplace participants. It has direct benefits throughout the organisation. These benefits include increased productivity, increased morale, reduced absenteeism, and higher retention rates of employees. For these reasons, actions in this area have been incorporated into Open Arms Care Inc.'s strategic plan.

Breach of this Policy

- 1.74 All workplace participants are required to comply with this Policy at all times. If an employee breaches this Policy, they may be subject to disciplinary action. In serious cases this may include termination of employment. Agents and contractors (including temporary contractors) who are found to have breached this Policy may have their contracts with Open Arms Care Inc. terminated or not renewed.
- 1.75 If a person makes an unfounded complaint or a false complaint in bad faith (e.g. making up a complaint to get someone else in trouble or making a complaint where there is no foundation for the complaint), that person may be disciplined and may be exposed to a defamation claim.

Complaint handling procedure

- 1.76 If a workplace participant feels that they have been subjected to any form of unlawful conduct contrary to EEO laws or this Policy, they should not ignore it. Open Arms Care Inc. has a complaint procedure for dealing with these issues. The complaint procedure has numerous options available to suit the particular circumstances of each individual situation. The manner in which a complaint will be handled is solely at the discretion of Open Arms Care Inc.'s Complaint Officer.

Examples of the ways in which a complaint can be dealt with

Confront the issue

- 1.77 If a workplace participant feels comfortable doing so, they should address the issue with the person concerned. A workplace participant should identify the offensive behaviour, explain that the behaviour is unwelcome and offensive and ask that the behaviour stop. It may be that the person was not aware that their behaviour was unwelcome or caused offence.
- 1.78 This is not a compulsory step. If a workplace participant does not feel comfortable confronting the person, or the workplace participant confronts the person and the behaviour continues, the workplace participant should report the issue to a Open Arms Care Inc. Complaints Officer.
- 1.79 If a workplace participant is unsure about how to handle a situation and is also unsure if they want to make a complaint, they should contact an EEO Contact Officer

for support and guidance. The EEO Contact Officers aim to assist people uncertain about their rights. EEO Contact Officers are listed at the end of this EEO Policy.

Report the issue

- 1.80 A workplace participant should report the issue to a Complaints Officer. The Complaints Officer(s) in the workplace participant's workplace is/are Service Coordinators.
- 1.81 The Complaints Officer will aim to deal with the workplace participant's complaint in accordance with this Policy. There are two complaint procedures that can be used: informal and formal (detailed further below). The type of complaint procedure used will be determined by the nature of the complaint that is made.

Informal complaint procedure

- 1.82 Under the informal complaint procedure there is a broad range of options for addressing the complaint. The procedure used to address the issue will depend on the individual circumstances of the case. Possible options include, but are not limited to:
- the Complaints Officer discussing the issue with the person against whom the complaint is made; and/or
 - the Complaints Officer facilitating a meeting between the parties in an attempt to resolve the issue and move forward.
- 1.83 The informal complaint procedure is more suited to less serious allegations that if founded, would not warrant disciplinary action being taken.

Formal complaint procedure

- 1.84 The formal complaint procedure involves a formal investigation of the complaint. Formal investigations may be conducted by a Complaints Officer or a person from outside Open Arms Care Inc., appointed by Open Arms Care Inc.
- 1.85 An investigation generally involves, collecting information about the complaint and then making a finding based on the available information as to whether or not the alleged behaviour occurred. Once a finding is made, the Complaints Officer or the external investigator will make recommendations about resolving the complaint.
- 1.86 If Open Arms Care Inc. considers it appropriate for the safe and efficient conduct of an investigation, workplace participants may be required not to report for work during the period of an investigation. Open Arms Care Inc. may also provide alternative duties or work during the investigation period. Generally, employees will be paid their normal pay during any such period.

Confidentiality

- 1.87 The Complaints Officer will endeavour to maintain confidentiality as far as possible. However, it may be necessary to speak with other workplace participants in order to determine what happened, to afford fairness to those against whom the complaint

has been made and to resolve the complaint. If a complaint is raised and it appears that unlawful conduct has potentially occurred, Open Arms Care Inc. will endeavour to take appropriate action in relation to the complaint.

- 1.88 All workplace participants involved in the complaint must also maintain confidentiality, including the workplace participant who lodges the complaint. Spreading rumours or gossip may expose workplace participants to a defamation claim. Workplace participants may discuss the complaint with a designated support person or representative (who is not a workplace participant employed or engaged by Open Arms Care Inc.). However, the support person or representative must also maintain confidentiality.

Possible outcomes

- 1.89 The possible outcomes will depend on the nature of the complaint and the procedure followed to address the complaint. Where an investigation results in a finding that a person has engaged in unlawful conduct or breach of this Policy, that person may be disciplined. The type and severity of disciplinary action will depend on the nature of the complaint and other relevant factors. Where the investigation results in a finding that the person complained against has engaged in serious misconduct, this may result in instant dismissal. Any disciplinary action is a confidential matter between the affected workplace participant and Open Arms Care Inc.
- 1.90 Agents and contractors (including temporary contractors) who are found to have engaged in unlawful conduct and/or breached this Policy may have their contracts with Open Arms Care Inc. terminated or not renewed.
- 1.91 Open Arms Care Inc. may take a range of other non-disciplinary outcomes to resolve a complaint, depending on the particular circumstances. Examples include, but are not limited to:
- training to assist in addressing the problems underpinning the complaint;
 - monitoring to ensure that there are no further problems;
 - implementing a new policy;
 - requiring an apology or an undertaking that certain behaviour stop; and/or
 - changing work arrangements.

What to do if you are not satisfied with the outcome

Review

- 1.92 If any of the parties are not satisfied with the way the complaint was handled or the outcome of the complaint process, they can contact the Service Coordinator. The complaint handling process and/or the outcome may then be reviewed by the Chief Executive Officer. If a review is undertaken, the Chief Executive Officer's decision in relation to the review will be final.

- 1.93 Open Arms Care Inc.'s goal is to resolve issues in-house wherever possible. Workplace participants can seek the assistance of an outside agency if they feel that their complaint has not been adequately addressed

Questions

- 1.94 If a workplace participant is unsure about any matter covered by this Policy, a workplace participant should seek the assistance of the Service Coordinators.

Contacts for outside agencies

Australian Human Rights Commission

Toll Free: 1310 656 419

*Equal Opportunity
Commission (VIC)*

Toll free: 1800 134 142

*Anti-Discrimination
Commission (TAS)*

Toll free: 1310 315 062

*Anti-Discrimination
Commission (NT)*

Toll free: 1800 813 846

*Anti-Discrimination Board
(NSW)*

Toll Free: 1800 670 812

*Equal Opportunity
Commission (SA)*

Toll free: 1800 188 163

*Equal Opportunity
Commission (WA)*

Toll free: 1800 198 149

*Anti-Discrimination
Commission (QLD)*

Toll free: 1310 131 670

Variations

- 1.95 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.96 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.97 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Assistant Family Day Care Educator and Recruitment Policy

Aim

To provide the facility for an Educator to engage an assistant educator when required to provide care for children in an education and care service.

COMMENCEMENT OF POLICY

This Policy will commence from 18/08/2022. It replaces all other Assistant family day care educator and Recruitment policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

Education and Care Services Nationals Regulation: Reg 144

Education and Care Services National Law

National Quality Standards – Quality Area 7: Governance and Leadership

Quality Area 4: Staffing arrangements

Quality Area 5: Relationships with Children

Definition

A family day care educator is engaged by or registered with a family day care service to provide education and care for children in a residence

A family care educator assistant means a person engaged by or registered with a family day care service to assist family day care educators, who will be referred to in this document as "assistant"

A family day care residence means a residence at which a family day care educator educates and cares for children as part of a family day care service

Approval Procedures

An assistant must be approved by the service provider and demonstrate they are a fit and proper person by satisfying the following criteria; they must:

- ✓ Be over 18 years old
- ✓ Provide name, address, date of birth and contact details
- ✓ Provide the name of the educator/s they will provide assistance for
- ✓ Complete a satisfactory personal interview
- ✓ Completed Working with Children Check and National Police check
- ✓ Have current first aid certificate (HLTAID 012)
- ✓ Have current anaphylaxis management training
- ✓ Have current asthma management training

- ✓ Complete in service training including but not limited to: child protection; emergency procedures and use of emergency equipment; health and safety; transport safety
- ✓ Comply with excursion/transport policy if applicable
- ✓ Link to family day care Educator's public liability insurance
- ✓ To complete a Service Agreement and adhere to the conditions of the Service Agreement
- ✓ An annual assistant educator review will be conducted every July.

The educator must nominate an assistant to be attached to their registration of their residence on a log of registered family day care assistant form

The assistant educator must adhere to the regulations, policies and directions of the service, as well as follow the directions and programs of the educator and will be expected to:

1. Ensure the implementation of appropriate programs for the child/children attending the service.
2. Facilitate effective communication with families.
3. Report allegations of abuse, injury or illness in accordance with the Education and care Services National Regulations and FDC Service policy.

Purpose of Assistant

An assistant can be used when an educator is absent in the following circumstances only:

- ✓ Transporting children between the family day care residence and school; childcare and/or the child's home
- ✓ In emergency situations, including when the educator requires urgent medical care or treatment
- ✓ While the educator attends an emergency appointment for less than 4 hours

An assistant can be used to provide assistance while the educator is educating and caring for the children for any length of time

- An assistant cannot be used:
 - ✓ for educator non emergency absences for more than 4 hours
 - ✓ when parents do not provide consent
 - ✓ when the service denies approval

Educator's Responsibility

To seek approval from the Nominated Supervisor to have an assistant linked to their registration.

To notify families of their intention to use a family day care assistant and for what purpose and gain written approval.

The educator & the educator assistant will sign in /out on the attendance record to determine person responsible at the service at any given time

Ensure the Educator Assistants get to know the child/children prior to caring for them (whenever possible).

Inform the assistant of;

- i. the location of the first aid kit
- ii. the location of fire protection and evacuation plan
- iii. access to emergency contact details including educators number
- iv. access to parent contact numbers
- v. awareness of individual child details including allergies; special requirements; belongings
- vi. awareness of routines
- vii. access to required equipment and resources
- viii. any business requirements including collection of fees if required
- ix. access to policies, procedures, National regulations and National Law.

To ensure the residence meets all applicable Education and Care Services National Regulations and Work Health Safety requirements

Ensure assistant has appropriate insurance / linked to Primary educator

Negotiate payment to the assistant if required

The educator's own children can be cared for by the assistant when the educator is absent providing the children have been enrolled; all relevant paperwork completed and correct educator: child ratio is maintained; no Child Care Subsidy will be applicable

Consent

The family day care educator must collect written consent from each child in care's parent before the start of intended use of the assistant

In the event of the assistant being required in an emergency, the parent must be notified as soon as possible by the educator, assistant or the service representative

In the event of the assistant providing non regular transport, the educator must provide prior notice to the parent

In the event of the assistant providing the care and education for a non emergency for less than four hours:

- ✓ the educator must first seek approval from the Nominated Supervisor on each occasion.
- ✓ the family must be notified by the educator before each occurrence

Source

Education and Care Services Nationals Regulation

Education and Care Services National Law

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Attendance and Absenteeism Policy

Purpose

- 1.98 This Policy sets out what is expected of Open Arms Care Incorporated ('Open Arms Care Inc.') employees in terms of their attendance at work, and what they are required to do if they are absent from work.

Commencement

- 1.99 This Policy will commence from 01/02/2020. It replaces all other attendance and absenteeism policies of Open Arms Care Inc. (whether written or not).

Application of the Policy

- 1.100 This Policy applies to employees of Open Arms Care Inc. It does not form part of any employee's contract of employment.

Attendance

- 1.101 Regular attendance is essential to the efficient workflow and productivity of Open Arms Care Inc. An employee not attending for duty as required will not be paid for such time as they are absent from the workplace, unless they are on authorised paid leave. Open Arms Care Inc. may require the employee to make up any time lost due to an unauthorised non-attendance.

Absence

- 1.102 Employees must comply with any enterprise agreement or award that applies to their employment and deals with attendance or absence. They must also comply with any requirements set out in their contract of employment. This policy or any other Open Arms Care Inc. policy concerning leave and absenteeism.
- 1.103 If an employee is absent for any reason, they must notify their supervisor or manager as soon as reasonably practicable, indicating the reason for the absence and extent of the anticipated absence. During absences extending more than one day, employees must contact their supervisor regularly to keep Open Arms Care Inc. updated as to the circumstances of the employee's continuing absence. Where an employee finds that they cannot return to work as scheduled, they must notify their supervisor or manager as soon as possible.
- 1.104 Depending on the circumstances of the absence, the leave of absence may be approved, denied, paid or unpaid. Further, Open Arms Care Inc. may require reasonable evidence (e.g. medical certificate or statutory declaration) to support the reason(s) for the absence. If such evidence is required, it must be supplied as soon as reasonably practicable.
- 1.105 Where an employee is absent for a reason specified in another Open Arms Care Inc. policy (for example, personal leave, carer's leave, annual leave, parental leave etc), the employee must comply with any requirements set out in that policy.

Disciplinary action

- 1.106 Repeated late attendance or absence from work without a valid reason, proper notification or a failure to provide requested evidence to support the absence will be cause for disciplinary action, which may include termination of the employee's employment.

Variations

- 1.107 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.108 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.109 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Children in the Workplace Policy

Purpose

- 1.1 This Policy sets out Open Arms Care Inc.'s guidelines with regard to the bringing of children into the workplace. Open Arms Care Inc. understands that some employees may have a responsibility to care for children. Employees are encouraged to utilise carer's leave where available to care for children in such circumstances. Where employees access carer's leave, they must follow the terms of Open Arms Care Inc.'s Leave Policy.
- 1.2 Children may only be brought to the workplace by employees with prior approval from Chief Executive Officer. Circumstances where management may allow children at the workplace may include, for example, where Open Arms Care Inc. is having an open day. Parents must ensure that work health and safety laws and relevant company policies are followed at all times when bringing children into the workplace.
- 1.3 If approval to bring children into the workplace has been granted, parents/carers must be sensitive to the needs of other employees and should not expect others to care for their children. Likewise, the needs of other employees and customers should be respected.
- 1.4 Parents/carers must be aware that the ultimate responsibility for the safety of their children rests with them.

Commencement of Policy

- 1.5 This Policy will commence from 01/02/2020. It replaces all other policies of Open Arms Care Inc., if any, relating to Open Arms Care Inc. bringing children in the workplace (whether written or not).

Scope

- 1.6 This Policy applies to casual, part-time and full-time employees of Open Arms Care Inc.
- 1.7 This Policy does not form part of any employee's contract of employment.

Direct supervision

- 1.8 Any child in the workplace must be directly supervised at all times. This is because:
 - a) children do not have the same capacities, skills, training and experience as adults. They are unlikely to have knowledge or judgment about workplace hazards, and lack the maturity to respond appropriately in unexpected or dangerous situations. As such, their ability to assess risks to health and safety is limited. Hazards could pose a higher risk to children, and situations which are not hazardous to competent adults can be hazardous to children (for example, power cords).
 - b) depending on the hazard, children may not know if they are being exposed to health and safety risks; and

- c) children's behaviour increases the risk of harm. They may, for example, play near equipment, machinery etc without realising the risks involved.

1.9 If you are supervising a child onsite, ensure that you:

- a) inform Chief Executive Officer prior to bringing the child onsite and once you have brought the child onsite;
- b) follow any directions from Chief Executive Officer in relation to the child being onsite;
- c) monitor the child at all times;
- d) ensure the child is kept away from any hazards at all times; and
- e) do not allow the child access to any restricted areas.

Alternatives

1.10 As an alternative to bringing children to the workplace, Open Arms Care Inc. may, in appropriate circumstances, consider alternative arrangements such as:

- a) flexible working agreement;
- b) working from home;
- c) enrolment of children in Out of School Hours Care services provided by the employer where vacancies are available.

1.11 Approval must be gained from Open Arms Care Inc. for any alternative arrangement to be introduced.

Breaches of this Policy

1.12 A breach of this Policy may lead to disciplinary action including, but not limited to, termination of employment.

Variations

1.13 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

1.14 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

1.15 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Code of Conduct

- 1.16 The Code of Conduct ('Code') relates to Open Arms Care Incorporated ('Open Arms Care Inc.') and, where relevant, operates in conjunction with other policies relating to minimum standards of behaviour and conduct, the Contract of Employment or Contract for Services.

Commencement of the Code

- 1.17 This Code will commence from 01/02/2020. It replaces all other codes of conduct of Open Arms Care Inc., if any (whether written or not).

Scope

- 1.18 The Code applies to all employees, volunteers, agents and contractors (including temporary contractors) of Open Arms Care Inc., collectively referred to as 'workplace participants'.
- 1.19 The Code does not form part of any employee's contract of employment. Nor does it form part of any other workplace participant's contract for services.

Purpose

- 1.20 Open Arms Care Inc. recognises the importance of a work environment which actively promotes best practice. The purpose of this Code is to describe the standards of behaviour and conduct expected from workplace participants in their dealings with customers, suppliers, clients, co-workers, management and the general public.
- 1.21 Open Arms Care Inc. expects all workplace participants to observe the standards set out in this Code. Compliance with this Code is expected and non-compliance may result in disciplinary action up to and including the termination of employment or contract for services.

The Code requirements

- 1.22 All workplace participants are expected to observe the highest standards of ethics, integrity and behaviour during the course of their employment or engagement with Open Arms Care Inc. This Code provides an overview of Open Arms Care Inc.'s fundamental business values. It is by no means exhaustive, but summarises some of Open Arms Care Inc.'s most important policies, which are based on standards that underlie business ethics and professional integrity, standards that apply to all workplace participants.
- 1.23 As representatives of Open Arms Care Inc., all workplace participants are expected to conduct themselves in a professional and courteous manner and observe the following standards of behaviour both inside the workplace and outside the workplace where the workplace participant can be perceived as representing Open Arms Care Inc.:
- a) Comply with all laws, policies, procedures, rules, regulations and contracts.
 - b) Comply with all lawful and reasonable directions from Open Arms Care Inc.
 - c) Be honest and fair in dealings with customers, clients, suppliers, co-workers, management and the general public.
 - d) Display the appropriate image of professionalism at the workplace. This may include wearing the required uniform, safety equipment or work clothes, and if a

workplace participant wears their own clothes, ensuring their appearance is neat and tidy.

- e) Treat customers, clients, suppliers, co-workers, company management and the general public in a non-discriminatory manner with proper regard for their rights and dignity. In this regard, discrimination, victimisation or harassment based on a person's race, colour, religion, national origin, age, sex, sexual orientation, marital status, family responsibilities, pregnancy or potential pregnancy, union membership or non-membership, mental or physical disability, or any other classification protected by law will not be tolerated.
- f) Promptly report any violations of law, ethical principles, policies and this Code.
- g) Maintain punctuality. If a workplace participant is late or cannot report for work, please telephone and let the supervisor know as soon as possible.
- h) Do not use work time for private gain. If a workplace participant is required to leave the work premises for personal reasons they should advise their Manager well in advance.
- i) Open Arms Care Inc. has a legitimate interest in the private activities of workplace participants where such activities may bring disrepute upon Open Arms Care Inc. in its relationships with customers, clients, suppliers, and the general public at large and may possibly call the workplace participant's fitness for continued employment or to provide services into question.
- j) Maintain and develop the knowledge and skills necessary to carry out duties and responsibilities.
- k) Observe health and safety policies and obligations, and co-operate with all procedures and initiatives taken by Open Arms Care Inc. in the interests of work health and safety.
- l) Be truthful in all dealings with persons encountered at the workplace. Workplace participants must not make false or misleading declarations during the performance of their duties or when providing services on behalf of Open Arms Care Inc. A declaration can be considered to be misleading if information is omitted or presented in a manner that enables a misleading view of the situation to be formed. This includes failure to comply with reporting requirements and falsifying records and other documents.
- m) Refrain from any form of conduct which may cause any reasonable person unwarranted offence or embarrassment or give rise to the reasonable suspicion or appearance of improper conduct or biased performance.
- n) Not act for an improper or ulterior purpose to the detriment (whether perceived or actual) of Open Arms Care Inc.
- o) Workplace participants must not abuse the advantages of their position for private purposes, or solicit or accept any gift or benefit in connection with their employment or engagement which might compromise, or be seen to compromise their integrity or Open Arms Care Inc.'s reputation.

- p) Respect Open Arms Care Inc.'s ownership of all of its property including but not limited to funds, equipment, supplies, books, records and confidential information (however described).
- q) Maintain during their employment or engagement with Open Arms Care Inc. and after the termination of employment or engagement, the confidentiality of any confidential information, records or other materials acquired during the employment or engagement with Open Arms Care Inc.
- r) While employed at Open Arms Care Inc., not accept any employment with another organisation that is a supplier or competitor of Open Arms Care Inc., or any other employment that is in conflict with your position at Open Arms Care Inc.
- s) Not make any unauthorised statements to the media about Open Arms Care Inc.'s business (requests for media statements should be referred to the Chief Executive Officer).
- t) Do not fight in the workplace.
- u) Do not use inappropriate language in the workplace.
- v) Never report for work in circumstances where there is a risk that you could be affected by or 'under the influence' of illicit drugs or alcohol (eg if you have ingested or otherwise taken drugs or alcohol the night before or in the period leading up to your next work period). If a workplace participant is taking prescription medication, they must inform their manager at the commencement of their working day. Workplace participants may be required to produce medical evidence to prove their medication does not affect their capacity to perform their duties in a safe manner without harm to themselves or others.
- w) Do not smoke during working hours unless it is during prescribed breaks and within designated areas.

Issues for managers and supervisors

1.24 Managers and supervisors should:

- a) Promote a team spirit.
- b) Maintain confidentiality so far as is reasonably practicable when conducting investigations into grievances and disputes.
- c) Avoid bias in decision making.
- d) Ensure compliance with Open Arms Care Inc.'s procedures when carrying out counselling and discipline.
- e) Exercise objectivity when administering rewards or discipline.
- f) Not condone, permit, or fail to report any breaches of the Code as outlined above by workplace participants under their supervision.

Breaches of this code

- 1.25 A breach of this Code may lead to disciplinary action including, but not limited to, termination of employment or services.

Variations

- 1.26 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.27 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.28 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Conflicts and Personal Relationships in the Workplace Policy

Purpose

- 1.29 This Policy has been created for the purposes of ensuring that all Workplace Participants understand the appropriate standards of behaviour and other requirements for the purposes of managing their personal relationships in connection with the workplace.
- 1.30 The appropriate management of personal relationships in the context of the workplace and the potential for them to affect the workplace is essential to:
- (a) manage the personal, reputational and legal risks of all Workplace Participants; and
 - (b) manage the reputational, commercial and legal risks of the business.
- 1.31 Failing to appropriately manage personal relationships in connection with the workplace can result in significant detriment to the personal, commercial and reputation of Workplace Participants and Open Arms Care Inc.

Commencement of Policy

- 1.32 This Policy will commence from 01/02/2020.

Application of Policy

- 1.33 This Policy applies to all Workplace Participants.
- 1.34 This Policy does not form part of any employee's contract of employment. Nor does it form part of any other workplace participant's contract, agreement, deed or other arrangement.

Definitions

- 1.35 In this Policy:

Personal Relationship	<p>A relationship that goes beyond the bounds of a platonic working relationship, and includes:</p> <ul style="list-style-type: none">• being personally involved, i.e. dating, romantic relationships, sexual and similar close personal relationships that may be consensually undertaken by both individuals;• a close relationship, i.e. friendships formed outside the workplace, relationship by marriage or law, current or former business relationship, cultural connections or relationships;• immediate family (a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee; or a child, parent, grandparent, grandchild or
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	<p>sibling of a spouse or de facto partner of the employee); or</p> <ul style="list-style-type: none"> • a member of the Workplace Participant's household.
Workplace Participant	Employees, contractors (including temporary contractors), consultants, volunteers and board members of Open Arms Care Inc.

Obligations of Workplace Participants

- 1.36 Workplace Participants are responsible for identifying, declaring and managing conflicts of interests as they arise.
- 1.37 Workplace Participants must comply with the obligations they have to Open Arms Care Inc. under their contract of employment or any other contract or arrangement they have with Open Arms Care Inc.
- 1.38 Workplace Participants must not use their influence, authority or to otherwise cause another person to receive a benefit as a result of a Personal Relationship.
- 1.39 Workplace Participants are required to conduct themselves in a professional and appropriate manner at all times while at work, in the workplace, or otherwise undertaking an activity that has some connection with the workplace or could otherwise impact on the workplace in terms of reputational issues.
- 1.40 This includes during non-work time, such as lunches, breaks, before and after work periods, Workplace Participants engaging in personal exchanges in non-work areas should observe an appropriate workplace manner to avoid offending other workers or putting others in an uncomfortable position.
- 1.41 Workplace Participants are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while anywhere at work or a work related function or activity, whether during working hours or not.

Disclosure Requirements

- 1.42 Workplace Participants are required to make a declaration or otherwise make a notification in accordance with this Policy:
- (a) if any actual, perceived or potential conflict of interest arises involving them or another Workplace Participant;
 - (b) if they have a Personal Relationship with a direct or indirect report; or
 - (c) if they find themselves in a position of influence in the workplace in relation to a Personal Relationship.
- 1.43 A declaration may be required if a Workplace Participant has a Personal Relationship with and individual where they:
- (a) work on the same engagements or projects;

- (b) are assigned to the same client during overlapping engagements;
 - (c) report to or are supervised by one another;
 - (d) are responsible for the performance or evaluation of one another;
 - (e) are involved in the decision making or procedures relating to promotion, working conditions, or benefits for one another;
 - (f) have access to the personnel file of one or the other, or both; or
 - (g) are responsible for determining or influencing the remuneration or incentives for one another.
- 1.44 If a Workplace Participant has doubts or is otherwise unsure about whether to declare a Personal Relationship, then the Workplace Participant should make a declaration, noting the doubts.
- 1.45 A declaration should be made to the Chief Executive Officer or, where it is not suitable to report it to the Chief Executive Officer, then the Open Arms Care Inc's Board.

Managing Risks and Potential Conflicts of Interests

- 1.46 Where a declaration is made, the Chief Executive Officer will work with the Workplace Participant and any other affected individuals in an attempt to find a suitable and fair solution, if one is considered necessary or desirable by Open Arms Care Inc.
- 1.47 Solutions may include:
- (a) altering reporting arrangements of Workplace Participants;
 - (b) altering responsibilities of one or more Workplace Participants; and
 - (c) altering the working arrangements, including a different position, division, department or area.
- 1.48 Open Arms Care Inc. will endeavour to find solutions that are fair and reasonable. However, it will remain Open Arms Care Inc.'s discretion as to what arrangements are to be implemented and may take into account in whole or in part, the needs of the business.

Breaching this Policy

- 1.49 If a Workplace Participant is found to have failed to comply with their obligations under this Policy or otherwise engaged in conduct that is in breach of the conduct prohibited by this Policy, then Open Arms Care Inc. may take whatever action it considers reasonable, including (but not limited to):
- (a) a Workplace Participant who is an employee may face disciplinary action (including up to termination of employment);
 - (b) a Workplace Participant who is an contractor or consultant may face action such as termination of their engagement;

- (c) a Workplace Participant who is a board member or other officer may face termination of their employment/engagement;
- (d) other Workplace Participants may face termination of their engagements.

Privacy

- 1.50 Open Arms Care Inc. will take all reasonable steps to respect the privacy of individuals in accordance with applicable privacy laws and principles.

Variations

- 1.51 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.52 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.53 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Family Day Care De-Registration of an Educator Policy

Breach of Regulations and Law Procedure

Aim

Open Arms Care Inc. has the right and responsibility to protect Families and Children's safety and wellbeing by ensuring Educators are adhering to the rules and regulations as set out in Educator Agreements, Service Policies, National Regulations, Law or Standards. If this is not the case then the Approved Provider has a responsibility to deregister the Educator.

Commencement of Policy

This Policy will commence from 1/05/2018. It replaces all other Deregistration of an Educator policies and Breach of Regulations and Law Procedure of Open Arms Care Inc. relating to Children's Services (whether written or not).

Application of the Policy

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

- Education and Care Services National Law 2010
- Education and Care Services National Regulations 2011
- National Quality Standards – Quality Standard 2: Children's Health and Safety
- National Quality Standards – Quality Standard 7: Governance and Leadership

Practice

The Approved Provider has the right and the responsibility to de-register an Educator under the following circumstances:

1. Operating continuously outside the Regulations, Law Scheme Policies or National Quality Standards.
2. Operating below Scheme standards (safety and health).
3. Failing to comply with the Organisation's Code of Conduct.
4. Failing to comply with relevant Regulations under which an Educator is registered.
5. Failing to meet the criteria set out in the Regulations as to the suitability of a person to remain on the Family Day Care Registry both as the Educator or a person who is normally living at the Educator's home.

Immediate De Registration of the Educator's name from the Service Register if:

- Child abuse in any forms – physical, emotional, psychological, sexual and neglect.
- Educator working under the influence of any form of alcohol or drugs while children are in care.

- Conviction of a serious offence
- Evidence of fraudulent activity towards the service, other Educators or families has occurred.
- An Educator subjects Staff, other Educators or Families to physical or verbal abuse

Suspension

Immediate suspension may occur in instances where an Educator or member of her/his household is involved in or suspected of child abuse, drug and/or alcohol abuse or domestic violence while investigation takes place.

It is possible for Community Services to direct the Approved Provider to suspend or de-register an Educator without prior involvement of the organisation.

The Coordination Unit must be contacted immediately when he/she or a member of the family are accused, charged or convicted of an offence. See Education and Care National Regulations 2011 for description of notifiable offences.

The Nominated Supervisor shall ensure that a complaint by a parent or community member, or a report of non-compliance or breach with scheme policies and or Education and Care National Regulations is in the first instance, assessed and discussed with the Educator.

The Nominated Supervisor will follow the Procedure of Breach for regulation breaches. The Educator will be issued clear verbal directions for change as well as a written report signed by the Educator, if required, and where appropriate, advise a date when assessment of the required change will take place.

In the instance of non-compliance with verbal directions or any documentation, a written statement requesting change will be issued by the Nominated Supervisor and /or Approved Provider, dependent on circumstances.

The statement will contain:

- a) The complaint
- b) Sections of quotes from the Regulations, policies, Educator agreement, Educator Handbook or Scheme Inc policies supporting the need for change
- c) Change required. (Samples of strategies / options)
- d) Date by which any change must be implemented
- e) Support available to facilitate change

The Nominated Supervisor will ensure that a staff member and the scheme's resources shall be made available to the Educator for support during the compliance \ investigatory period.

The Educator will also be referred to the scheme's grievance procedure.

Where no change has occurred within the set time or the outcome of an investigation presents evidence of breach, the Nominated Supervisor will consult with the Approved Provider and / or Community Services before the Educator is deregistered.

Educators have the right of appeal by the Administrative Decisions Tribunal.

Procedure of Breach of Regulations or Law

Educators are registered under Family Day Care and the Education and Care National Regulations 2011.

If a breach of regulations / scheme policies occurs the following protocols will be followed.

- Breach identified during Coordinator /staff visit. Discussions with Educator as soon as breach is identified and an attempt to rectify breach immediately if possible.
- All breaches recorded on Educator visit form, referring to the National Law/Regulation/Quality Standard/Policy which has been breached then signed and dated by staff member and Educator.
- Risk assessment done.

If breach identified as major risk with extreme consequences, it must be addressed immediately by elimination or isolation of risk.

- This will be followed up by full report to Nominated Supervisor; Approved Provider; Early Childhood Education and Care Directorate if relevant and a formal written follow up to the Educator.
- This may result in suspension from working as a registered Educator until rectified or removal from register.

If breach identified as moderate, not affecting immediate health and safety of children in care, the consequences will be considered and Educator will be given options with written notice of need to rectify/comply with chosen option within a realistic timeframe. This will be recorded and followed up within 7-14 days. This will be reported to Nominated Supervisor and Approved Provider, including follow-up/outcome. Failure to comply may result in suspension from the family day care Register.

Note on visiting report –time given to comply and/ or letter to be sent by Nominated Supervisor.

If breach identified as minor it will be recorded on the Educator's visit form. The Educator will be monitored to ensure breach does not reoccur/situation has been rectified.

Educators will be monitored for any continuing breach of regulations.

Formal breaches are recorded separately on Educator file, and will be assessed annually.

If three moderate breaches occur, a full written report will be given to the Approved Provider, Early Childhood Education and Care Directorate if relevant, and may result in suspension from working as a registered Educator until rectified or removal of the Educator from the family day care register.

If minor breaches continue to occur, re-occur or are not rectified, a formal report will be given to Nominated Supervisor and at the discretion of the Nominated Supervisor a written follow up will occur, and a report to the Approved Provider.

Sources

Guide to the Education and Care Services National Law 2010 and the Education and Care Services Law

National Quality Standards 2018

Associated documents

- Educator Home Visit Report
- Environment Risk Assessment

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Disclosure of Employment Records Policy

Purpose

- 1.54 Open Arms Care Inc. understands that Personal Information can be used to identify a person and should only be used by Open Arms Care Inc. in limited circumstances. Personal Information concerning employees is confidential and it will only be used by Open Arms Care Inc. for Relevant Purposes.

Disclosure of Employment Records Policy

- 1.55 The Disclosure of Employment Records Policy ('Policy') relates to Open Arms Care Incorporated ('Open Arms Care Inc.') and, where relevant, operates in conjunction with other policies relating to the disclosure of Personal Information and the contract of employment.

Commencement of Policy

- 1.56 This Policy will commence from 01/02/2020. It replaces all other policies of Open Arms Care Inc., if any, relating to the disclosure of Personal Information and Employment Records (whether written or not).

Scope

- 1.57 The Policy applies to all full-time, part-time and casual employees of Open Arms Care Inc. These employees can be prospective, current or former employees.
- 1.58 This Policy does not form part of any person's contract of employment.

Definitions

- 1.59 In this Policy, the following terms are defined as:
- (a) 'Personal Information' refers to information or an opinion about employees from which an employee's identity can reasonably be ascertained. This includes any personal information or opinions about the person, whether true or not, no matter how the information or opinions are recorded. Open Arms Care Inc. only collects Personal Information that it needs for a Relevant Purpose.
 - (b) 'Sensitive Information' is a special category of Personal Information and includes information about a person's health, race or ethnic origin, political or religious beliefs, membership of a trade union or association, sexual preference or criminal record. Open Arms Care Inc. will not disclose a person's Sensitive Information without the person's consent, unless there is a need to disclose such information in accordance with Privacy Act 1988 (Cth) or to comply with any other legislation.
 - (c) 'Employment Records' is a record of Personal Information relating to the employment of the employee or a former employee. This may include health information; the engagement, training, disciplining or resignation of the employee; the termination of employment of the employee; the terms and conditions of employment; the employee's personal and emergency contact details; leave records; taxation, superannuation or banking details; and the employee's salary or wages.

- (d) 'Relevant Purpose' is a purpose related to the person's employment, interaction or engagement with Open Arms Care Inc. whether it be prospective, current or retrospective. Examples of a Relevant Purpose include but are not limited to, recruitment, selection, training, development, consulting, counselling, or engagement of services.
- (e) 'Confidential Information' includes (but is not limited to) the following, Open Arms Care Inc.'s and its Related Bodies Corporate: trade secrets; intellectual property; confidential know-how; policies, systems and protocols; information about the business and its affairs such as pricing and fee information, marketing or strategic plans, commercial and business plans, financial information and data, and operational information and methods; methodologies and supporting documentation; software products, manuals and associated tools; commercial information in relation to current and prospective operations; information about suppliers, dealers, clients or customers such as their specific requirements, arrangements and past dealings; client lists, customer lists, supplier lists, dealer lists; customer, client and supplier lists; business cards and diaries, calendars or schedulers; reports; working papers; training manuals; equipment; computer information and programs; Personal and financial information of which employee's become aware, and all other information obtained from Open Arms Care Inc. or obtained in the course of an employee's employment with Open Arms Care Inc. that is by its nature confidential
- (f) 'Related Bodies Corporate' as defined in the Corporations Act 2001 (Cth).

Prospective employees

Information collected

- 1.60 Open Arms Care Inc. collects Personal Information from job applicants and candidates in the recruitment process. A failure by an applicant to provide any lawfully requested information may result in the processing of the application being delayed or may result in the application being unsuccessful. Any information which is provided by a job applicant which is later found to be false may result in the person's application being unsuccessful. If the person is employed, it may result in the termination of that person's employment.
- 1.61 The collection of Personal Information from job applicants may be obtained from a third party source, such as a recruitment agency. If we collect information about a job applicant in this way, we will take reasonable steps to contact the job applicant and ensure that they are aware of the use for which we are collecting this Personal Information.
- 1.62 If a prospective employee seeks access to and/or correct their Personal Information held by Open Arms Care Inc. they should contact Service Coordinator.
- 1.63 We may also share a job applicant's Personal Information amongst our Related Bodies Corporate, some of which may be located overseas, for a Relevant Purpose.

Unsuccessful applications

- 1.64 If a job applicant applies for a job and their application is unsuccessful but they would like Open Arms Care Inc. to hold on to their application to consider them for other positions which may arise from time to time, the applicant should provide their written consent to Open Arms Care Inc. to do so.

Access to and correction of Personal Information

- 1.65 Subject to any agreed or lawful exceptions, an employee or job applicant may apply to:
- (a) access and copy their Personal Information which is held by Open Arms Care Inc.; and
 - (b) correct any incorrect information held by Open Arms Care Inc. about the employee or job applicant.

Security of Personal Information

- 1.66 Open Arms Care Inc. will take reasonable steps to keep a job applicant's Personal Information secure.

Complaints

- 1.67 If a job applicant has a complaint about Open Arms Care Inc.'s privacy practices, they should contact the Service Coordinator.

Employees

Access of certain records by employees

Open Arms Care Inc. employees do not have a general right to access and review their personal records which are held about them by Open Arms Care Inc.. An employee may, however, access certain records as specified in statute, about their employment, including:

- (a) basic employment details
 - **the employer's name**
 - **the employee's name**
 - **whether the employee's employment is full-time or part-time**
 - **whether the employee's employment is permanent, temporary or casual**
 - **the date on which the employee's employment began**
 - **the Australian Business Number (if any) of the employer.**
- (b) pay

- the rate of remuneration paid to the employee
 - the gross and net amounts paid to the employee
 - any deductions made from the gross amount paid to the employee.
 - hours worked by the employee (casual and irregular part-time employees only)
 - any incentive-based payment, bonus, loading, penalty or other monetary allowance, if applicable
 - pay slips, as defined by the *Fair Work Regulations 2009* Chapter 3, Part 3-6, Division 3, Subdivision 2
- (c) overtime hours
- the number of overtime hours worked each day or
 - when the employee started and ceased overtime hours
- (d) averaging of hours arrangements
- (e) leave entitlements
- any leave taken
 - the balance of the employees leave from time to time
 - if any cashing out of leave occurs, a copy of the agreement that contains the rate of payment for the amount of leave cashed out and when the payment was made
- (f) superannuation contributions
- the amount of the contributions made
 - the period over which the contributions were made
 - the date on which each contribution was made
 - the name of any fund to which a contribution was made
 - the basis on which the employer became liable to make the contribution, including:
 - a record of any election made by the employee as to the fund to which contributions are to be made
 - the date of any relevant election.
- (g) the employee's individual flexibility arrangements and a copy of the notice or agreement that terminates the arrangement (should it be terminated)
- (h) a guarantee of annual earnings
- (i) termination of employment
- the name of the person who acted to terminate the employee and whether the employment was terminated by consent, notice, summarily or in some other manner
- (j) transfer of business records
- original records, as per the above requirements, from the old employer

- 1.68 Open Arms Care Inc. will provide an employee with a copy of these records within 3 business days of the request being made at the premises where the employee works. Alternatively, a copy will be posted to the employee or former employee within 14 days of the request being made. If the record is not kept at the premises Open Arms Care Inc. will make a copy available or post a copy of the record as soon as practicable after receiving the request. A current or former employee is entitled to ask and be informed where such records are kept. All other Employment Records are exempt from the *Privacy Act 1988* (Cth) and those Employment Records may not be made available to employees.
- 1.69 An Employment Record including statutory required records may be disclosed to our Related Bodies Corporate for a Relevant Purpose, these entities may be located overseas.
- 1.70 An employee will not be provided with access to the records of any other employee.

Maintenance of records

- 1.71 Open Arms Care Inc. is required to keep Employment Records for seven years from the date on which an entry is made or from termination of an employee's employment, depending on which happens first.
- 1.72 In the case of other records such as tax records, Open Arms Care Inc. must maintain those records for a continuous period of seven years from the date the entry is made.

Non-disclosure

- 1.73 Employees of Open Arms Care Inc. are not permitted to disclose Confidential or Personal Information which is collected by Open Arms Care Inc. about its suppliers, customers, agents or contractors. If an employee is not sure whether information is Confidential or Personal, they must check with Open Arms Care Inc.'s Privacy Officer or their immediate manager.
- 1.74 Confidential and Personal Information is information that is not in the public domain. It includes, but is not limited to, the following types of information:
- (a) any Personal Information about an individual which has been collected by Open Arms Care Inc.;
 - (b) any information about a supplier, customer, agent or contractor of Open Arms Care Inc.;
 - (c) any Personal Information about an employee or colleague (including a prospective or former employee); and
 - (d) any information about Open Arms Care Inc.'s business affairs or business systems.

Breaches of this Policy

- 1.75 A breach of this Policy may lead to disciplinary action including, but not limited to, termination of employment.

Variations

- 1.76 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.77 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.78 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Dress Policy

Purpose

- 1.79 The purpose of this Dress Policy (Policy) is to describe the standard of dress expected by Open Arms Care Incorporated ('Open Arms Care Inc.') in the workplace.
- 1.80 Open Arms Care Inc. requires that all staff wear a standard of dress appropriate to the circumstances and environment in which work is performed. Importantly, attire should be neither offensive nor likely to give rise to health and safety risks in the workplace.

Commencement of the Policy

- 1.81 This Policy will commence from 01/02/2020. It replaces all other Open Arms Care Inc. dress policies (whether written or not).

Application of the Policy

- 1.82 This Policy applies to employees, volunteers and contractors (including temporary contractors) of Open Arms Care Inc., collectively referred to in this Policy as 'workplace participants'. This Policy does not form part of any employee's contract of employment. Nor does it form part of any other workplace participant's contract for service.

Health and safety

- 1.83 Open Arms Care Inc. is required to remove any reasonably foreseeable risk to workplace health and safety. If Open Arms Care Inc. considers that a particular item of clothing or jewellery constitutes a foreseeable hazard having the potential to harm health or safety, Open Arms Care Inc. may take whatever action it considers necessary to satisfactorily address the situation.
- 1.84 Action may include directing the workplace participant to remove the particular item of clothing or jewellery whilst in the workplace. If it is not practicable to remove the particular item, Open Arms Care Inc. may direct the workplace participant to leave the workplace. A workplace participant is required to comply with any such direction.

Acceptable attire

- 1.85 Acceptable attire at Open Arms Care Inc. is as follows:
- approved uniforms, or in absence of uniform, by consent of Open Arms Care Inc. neat and tidy industry appropriate clothing;
 - enclosed shoes
- 1.86 Costume and garments worn to comply with religious or cultural requirements are acceptable as long as they do not pose a **foreseeable hazard having the potential to harm health or safety**. If a workplace participant is uncertain as to whether an item of clothing poses a foreseeable hazard, the workplace participant should ask his/her manager or supervisor for clarification.

Unacceptable attire

- 1.87 The following is a guide to attire that is unacceptable in the workplace. It is not an exhaustive list. A workplace participant that presents for work wearing unacceptable

attire may be directed to go home and change before being permitted to resume work.

- clothing which provides midriff, chest or off the shoulder exposure, see through clothing or clothing exposing undergarments;
- thongs, platform shoes, clogs, stilettos, open toed shoes;
- clothing with pronounced logos or band promotion.

Jewellery

- 1.88 Any item of jewellery that constitutes a foreseeable hazard having the potential to harm health or safety must not be worn in the workplace. In particular, rings and chains or any other hanging pieces that may have the potential to become entangled in machinery or equipment and therefore pose a risk to health and safety.

Hair

- 1.89 Hair should be worn in a neat and tidy fashion. If directed to do so by Open Arms Care Inc., a workplace participant must tie back long hair in either a hair net or another similar device.

Body and facial piercing

- 1.90 Body and facial piercings may present the potential for harm to health or safety and/or interfere with the work carried out by a workplace participant and are therefore unacceptable. Management reserves the right to instruct an employee to remove piercings while at work. Pierced ear lobes may be acceptable if there is no potential for harm to health or safety.

Uniform

- 1.91 Any staff member supplied with a uniform is required to wear it whilst on duty and to take responsibility for its maintenance.

Casual days

- 1.92 When a 'casual' day is held, it is expected that employees will dress in 'smart casual' clothing.
- 1.93 If it is found that workplace participants are abusing the privilege of 'casual' days then management may, at their discretion, decide to withdraw the privilege.

Breach of this Policy

- 1.94 Any breaches of this Policy by an employee may result in Open Arms Care Inc. taking disciplinary action, against that person.
- 1.95 Any breaches of this Policy by a contractor may result in Open Arms Care Inc. terminating my contract for services.

Variations

- 1.96 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.97 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy,

procedure and related documents based on the level of risk to individuals and the organisation.

- 1.98 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Educational Assistance Policy

Purpose

- 1.99 Open Arms Care Incorporated ('Open Arms Care Inc.') recognises that appropriate continual learning can be valuable for the development and welfare of its employees. Appropriate education can contribute to the quality and competence of employees and in turn increase further the productivity and success of Open Arms Care Inc.'s business.
- 1.100 The objective of this Policy is to outline the assistance Open Arms Care Inc. may provide to employees who wish to undertake relevant continuing education courses with Open Arms Care Inc.'s approval. This Policy covers both the financial assistance and assistance with working arrangements, which may be provided by Open Arms Care Inc., to assist employees balance the demands of work and further studies.

Application of the Policy

- 1.101 This Policy applies to employees who wish to undertake further education courses, who meet the eligibility requirements listed below. This Policy does not form part of any employee's contract of employment.

Commencement of Policy

- 1.102 This Policy will commence from 01/02/2020. It replaces all other Education Assistance Policies of Open Arms Care Inc. (whether written or not). This Policy may at Open Arms Care Inc.'s absolute discretion, apply to employees who have already commenced a relevant course of study prior to 01/02/2020.

Definitions

- 1.103 Education: includes, but is not limited to, part-time (including block attendance) and distance learning education courses leading to the award of a recognised academic or vocational qualification, from a recognised educational institution.

Provision of assistance

- 1.104 Open Arms Care Inc. may, at its absolute discretion, provide assistance to employees to complete education courses where:
- (a) the proposed educational course is relevant to Open Arms Care Inc.'s business requirements;
 - (b) the proposed course, subject or unit of study is relevant to the employee's career development with Open Arms Care Inc.; and
 - (c) the employee has consistently demonstrated a satisfactory or above average job performance.
- 1.105 The assistance offered by Open Arms Care Inc. may, at its absolute discretion, extend to the whole course of study or may be limited to particular subjects or units of study determined to be relevant to the employee's position and career development with Open Arms Care Inc.

Eligibility

- 1.106 Employees will be eligible to apply for educational assistance where:

- (a) the employee has been employed by Open Arms Care Inc. for a minimum period of 12 months, prior to commencing the course, subject or unit of study; and
- (b) the course, subject or unit of study directly relates to the employee's current/prospective job description and responsibilities with Open Arms Care Inc.

Application process and terms of assistance

1.107 Employees must make a written application for educational assistance prior to enrolment in the relevant educational course.

1.108 Written applications should include the following details:

- (a) course name;
- (b) type of qualification being pursued;
- (c) the name of the educational institution in which the course will be undertaken;
- (d) the duration of the course, indicating whether it will be completed on a part-time (including block attendance), full-time or by distance learning basis;
- (e) a list of the course subjects and a summary of the contents of each course;
- (f) where the employee has already completed some components of the course, a list of the subjects already completed, and evidence of the grading received for each completed subject;
- (g) a list of the prescribed reading materials (textbooks/resources etc);
- (h) an itemised list of the costs involved in completing the course (eg course fees and other expenses expected to be incurred such as textbooks, travel time etc) and evidence to confirm these costs;
- (i) an explanation of how the course, subject or unit of study directly relates to the employee's current/prospective job description and responsibilities and how it will contribute to the employee's career development; and
- (j) an explanation of how the course, subject or unit of study is relevant to the business objectives of Open Arms Care Inc.

Approval process and terms of assistance

1.109 Once an application has been received, the Chief Executive Officer will advise in writing, whether Open Arms Care Inc. will provide educational assistance, in what form this assistance will be provided, and over what period of time. For example, Open Arms Care Inc. may choose to provide assistance on a term by term basis.

1.110 Any assistance provided is at the absolute discretion of Open Arms Care Inc. and may be withdrawn at the end of the specified approved period without additional assistance being provided. As such, employees should bear this in mind prior to enrolling in an education course.

1.111 The employee will be required to incur all education costs upfront and Open Arms Care Inc. will reimburse those approved expenses provided the employee has

satisfied all other requirements. The provision of assistance is also conditional upon the following:

- (a) the employee passing the relevant units/subject for which assistance has been approved and provides evidence to Open Arms Care Inc.'s satisfaction of this;
- (b) the employee has, during the course of study, consistently maintained a satisfactory standard or above in their work performance;
- (c) the employee is still employed by Open Arms Care Inc., at the completion of the relevant course units/subject for which assistance has been approved; and
- (d) the employee agreeing to repay the financial assistance provided in the circumstances listed below.

1.112 Retrospective assistance will not be granted to an employee. This means that applications for financial assistance made after the completion of a course, subject or unit will not be accepted. An employee must make an application in writing, notifying Open Arms Care Inc. prior to enrolment in the course or units/subjects for which they are seeking financial assistance.

1.113 Approval for educational assistance is valid for a maximum period of 12 months. Employees must re-apply at the end of the approval period, prior to re-enrolling in an education course. Continuation of assistance is subject to the satisfactory completion of course units in the prior approval period and the additional criteria listed above.

Repayment of educational assistance costs

1.114 Where an employee ceases to be engaged by Open Arms Care Inc. for any reason:

- (a) while completing the education course; or
- (b) within 2 years of completion of the education course or part thereof, for any part of a course that the employee has been reimbursed or had the fees otherwise paid by or on behalf of Open Arms Care Inc.,
the employee will be required to repay to Open Arms Care Inc. as a debt, in accordance with the following scale, all relevant financial assistance provided by Open Arms Care Inc. in connection with the education course:
- (c) up to 12 months from the date of the relevant reimbursement date — 100% of the costs reimbursed by Open Arms Care Inc.;
- (d) from 12 months to 18 months from the date of the relevant reimbursement date — 50% of the costs reimbursed by Open Arms Care Inc.;
- (e) from 18 months to 24 months from the date of the relevant reimbursement date — 25% of the costs reimbursed by Open Arms Care Inc..

1.115 If Open Arms Care Inc. has paid any education costs on behalf of an employee in advance and the employee commences but later withdraws from the education course, the employee agrees to immediately repay to Open Arms Care Inc. any education assistance costs which have been paid by Open Arms Care Inc.

- 1.116 The employee agrees, that any debt that the employee is due to repay to Open Arms Care Inc., may be deducted from any monies owed to the employee by Open Arms Care Inc. on the date of termination of their employment. If no such monies are owed to the employee, the employee agrees to repay the debt immediately.

Variations

- 1.117 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.118 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.119 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Employee Input Policy

Commencement of Policy

- 1.120 This Policy will commence from 01/02/2020. It replaces all other policies of Open Arms Care Incorporated ('Open Arms Care Inc.'), if any, relating to employee input (whether written or not).

Scope

- 1.121 The Policy applies to all full-time, part-time and casual employees of Open Arms Care Inc.
- 1.122 This Policy does not form part of any employee's contract of employment.

Purpose

- 1.123 Open Arms Care Inc. values the input that it receives from employees.
- 1.124 The input provided by employees may be used to improve the working environment and be used to further develop and improve the business of Open Arms Care Inc.
- 1.125 Employee input enhances Open Arms Care Inc.'s decision making process by providing information in support of improving various areas of Open Arms Care Inc.'s business.
- 1.126 Open Arms Care Inc. seeks to encourage and facilitate employee feedback by providing options for employees to provide input in various different ways.

Employee suggestion box

- 1.127 A suggestion box is located in the Urunga and Bellingen Offices and will remain locked until emptied by the Service Coordinator. The suggestion box will be emptied weekly.
- 1.128 Employees are encouraged to make suggestions where they feel processes can be improved or if they have any issues of concern. Suggestions can be made anonymously.
- 1.129 Suggestion forms will be made available next to the suggestion box. If suggestion forms are not available, employees are encouraged to write their suggestions on a piece of paper and inform Service Coordinator that there are no available suggestion forms.
- 1.130 Employees are requested to date their suggestion prior to placing it in the suggestion box. This enables Open Arms Care Inc. to track the dates of suggestions. Employees are not required to identify or sign their suggestions unless they wish to do so.
- 1.131 Suggestions may be considered by management for their validity and usefulness for implementation into Open Arms Care Inc.'s business.
- 1.132 Where relevant, the employee who made the suggestion (if they have chosen to be identified) may be contacted to further clarify the suggestion.
- 1.133 Action may be taken on suggestions where management considers it to be appropriate and recognition for the idea will be given to the employee who made the suggestion where due.

- 1.134 The suggestion box is not intended to be used as a mechanism for making complaints in relation to equal employment opportunity, discrimination or workplace harassment. Those matters should be raised directly with management and in accordance with the Anti-discrimination and EEO Policy.

Staff meetings

- 1.135 Open Arms Care Inc. recognises the importance of communication between employees and management to the success of the business.
- 1.136 To ensure communication channels between employees and management remain strong, a regular staff meeting will be held monthly or as required at one of Open Arms Care Inc's office locations.
- 1.137 The frequency and location of the staff meeting may however, be varied to suit operational requirements.
- 1.138 Attendance at staff meetings is compulsory (except where such attendance is not reasonably practicable, for example, if the employee is on leave). However, if an employee is unable to attend, they must provide their coordinator/manager with as much notice as reasonably possible and the reason for their non-attendance, preferably prior to the meeting.

Employee appraisals

- 1.139 Employee appraisals provide managers with a formal opportunity to keep employees informed in relation to Open Arms Care Inc.'s views on the employee's performance.
- 1.140 Employee appraisals give employees a chance to discuss issues which they wish to raise with their coordinators/managers about the business of Open Arms Care Inc.
- 1.141 Open Arms Care Inc. will endeavour to consider and respond to employee input in appraisals.
- 1.142 Employee appraisals are not an avenue to raise complaints about equal employment opportunity, discrimination or workplace harassment. If any of these matters arise, they should be immediately raised with management and in accordance with the Anti-discrimination and EEO Policy.

Approaching management

- 1.143 Open Arms Care Inc. encourages an 'open door' management policy. All employees should feel they can approach management to discuss suggestions where they feel processes can be improved or if they have any issues of concern about the business of Open Arms Care Inc.
- 1.144 If an employee has any suggestions or issues they wish to discuss, they are encouraged to approach their immediate supervisor or manager in the first instance. If an employee feels they cannot approach this person then they may approach a more senior officer of Open Arms Care Inc.

Variations

- 1.145 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.146 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.147 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Ethical Conduct Policy

Aim

Professionalism at Open Arm's Care Inc. is demonstrated when management, educators and other staff develop and maintain relationships with each other that are based on the principles of mutual respect, equity and fairness. Our service is committed to a code of professional conduct, upholding ethical principles and professional standards that guides the behaviour and decision making at the service and is underpinned by respect for, and the valuing of children, families, educators, staff and the extended service community.

Commencement of Policy

This Policy will commence from 1/04/2018. It replaces all other Ethical Conduct policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

Application of the Policy

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

- Education and Care National Law Act 2010:
- Education and Care National Regulations 2011
- National Quality Standards – Quality Area 4: Staff Arrangement

Early Childhood Australia's (ECA) Code of Ethics (2016)

Early Childhood Australia's Code of Ethics (2016) is an integral resource to our service as it guides the ethical principles and professional standards of conduct towards children, families, communities, students, volunteers, staff, educators, and the conduct of research. Our service acknowledges that the ECA's Code of Ethics (2016) provides us with:

- A basis for critical reflection about our ethical responsibilities.
- A guide for professional behaviour.
- Principles to inform individual and collective decision-making.

The Core Principles of the code of ethics are:

- Each child has unique interests and strengths and the capacity to contribute to their communities.
- Children are citizens from birth with civil, cultural, linguistic, social and economic rights.
- Effective learning and teaching is characterised by professional decisions that draw on specialised knowledge and multiple perspectives.
- Partnerships with families and communities support shared responsibility for children's learning, development and wellbeing.

- Democratic, fair and inclusive practices promote equity and a strong sense of belonging.
- Respectful, responsive and reciprocal relationships are central to children's education and care.
- Play and leisure are essential for children's learning, development and wellbeing.
- Research, inquiry and practice-based evidence inform quality education and care.

These standards of professional conduct are supported by, and should be read in conjunction with: *The National Quality Framework*; service *Philosophy*; and the service *Code of Conduct*, which provide a framework for accountable and responsible professional practice.

Practice

Open Arm's Care Children's Services will:

Ensure the service operates in line with the Education and Care Services National Law and National Regulations 2011 at all times.

Ensure all educators are made aware of their obligations through personal discussions and coordinator – educator visits to critically reflect upon ethical practice and practices in relation to continuing improvement.

Develop strategies to ensure information is appropriately shared between management and educators.

Ensure changes within the service are explained to educators and families prior to implementation.

Ensure training is available to staff.

Ensure educators become familiar with the ECA Code of Ethics.

Ensure educators understand and sign the service Code of Conduct.

Educators will:

Be familiar with and maintain knowledge of the legislation and statutory documents that apply to their role with children, families and other staff in the service.

Develop their understanding of their obligations in following the ECA Code of Ethics and regularly reflect upon their own practices and use the ECA Code of Conduct as a guide of conduct and decision making within the service.

Families will:

Respect confidentiality at all times.

Give feedback in relation to educators' professional conduct to management as necessary.

Act in a professional manner whenever they are involved in the programs provided by the service. Communicate to management any individual requests regarding staff or educators' code of conduct.

Sources

Guide to The National Quality Standards: February 2018

Early Childhood Australia – Code of Ethics 2016 www.earlychildhoodaustralia.org.au

Retrieved March 2018

Associated documents

- Early Childhood Australia Code of Ethics

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Fit And Proper Person Assessments Policy

Aim

The service is a child-safe and friendly organisation and choosing the right people to work with children important, therefore it is expected that the people who children have contact with during the day in the absence of their family, will not compromise their safety. Thorough procedures and checks are conducted to establish if applicants and adult household members are initially and continue to be fit and proper to be in the company of children.

COMMENCEMENT OF POLICY

This Policy will commence from 19.8.2022. It replaces all other fit and proper person assessment policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Regulation 2011: Reg 163
- Education and Care Services National Law 2010

Family Day Care Procedures

Probity Checks

- To assess suitability, prospective educators and assistants are assessed on:
 - ✓ The written application
 - ✓ The personal interview
 - ✓ Referee checks
 - ✓ Compliance history statement
- A working with children check is conducted on Educators and assistants
- A National Police Check will be conducted on all Educators and assistants.
- A working with children check is conducted all household members over 18 years
- The educator must notify the Nominated Supervisor for any new person over the age of 18 years who resides or intends to reside at the residence
- Any resident who turns 18 or new resident over 18 years will require a Working With Children Check
- Any student or volunteer will complete a NSW Working With Children Check – Volunteer/Student Declaration

Notification of Changes

- The educator must notify the nominated supervisor of any issue that arises that may affect themselves or adult household members suitability as a fit and proper person such as:
 - ✓ Traffic offence resulting in loss of licence
 - ✓ Conviction requiring jail sentence
 - ✓ Conviction of fraud
 - ✓ Conviction requiring community service
 - ✓ Conviction relating to violence
 - ✓ Apprehended violence order
 - ✓ Conviction relation to illegal drugs
 - ✓ The nominated supervisor will conduct a risk assessment to determine if the educator can remain on the family day care register. A Conviction relating to offence against children will result in immediate de-registration
 - ✓ Illness or pregnancy

Unsatisfactory Probity Check or Change in Status

- If the results of any probity checks are unsatisfactory, an assessment of risk is undertaken by the nominated supervisor; the result may include;
 - ✓ Discontinuation of the registration process
 - ✓ Removal from the family day care register
 - ✓ Risk management conditions applied
- The content of any probity check will only be discussed with the applicant

Children's Services Procedures

The Approved Provider is responsible for:

- Ensuring the safety and wellbeing of children at the service and will consider a person's qualifications, experience and age when deciding whether they are suitable to be placed in day to day charge.
- Ensuring a Responsible Person is on the premises at all times the service is delivering Education and Care programs for children
- Ensuring that the name and position of the Responsible Person in charge of the service is displayed and easily visible from the main entrance of the service.
- Ensuring that the name of the Nominated Supervisor is displayed prominently at the service
- Notifying the Regulatory Authority in writing if there is a change of person in the role of Nominated Supervisor.
- Ensuring the Nominated Supervisor has provided written consent on accepting the role.

A responsible person must:

- In regards to Family Day Care, they must have a Diploma in Early Childhood Education and Care Services
- Have practical knowledge of the day-to-day responsibilities of being an educator at the service, including how to work through unexpected problems
- Have knowledge of current Child Protection legislation and have an ongoing commitment to participate in ongoing professional development on child protection
- Must be over 18 years of age
- Consideration will be also given regarding whether the individual has been subject to compliance action or disciplinary proceedings under a Children's services law, education law, or a previous Education and Care Services law, in any state or territory. Candidates will be asked to submit a Compliance History Statement.
- Provide written consent to accept the role of Responsible Person.
- Checking that the name and position of the Responsible Person in charge of the service is displayed and easily visible from the main entrance of the service.
- Ensure they have a sound understanding of the role of Responsible Person.

Source

- Education and Care Services National Regulations: 163
- Child Care Provider Handbook accessed 15.1.2020
- <https://www.acecqa.gov.au/sites/default/files/acecqa/files/NQF/ResponsiblePersonRequirements.pdf> accessed 15.1.2020
- <https://ocg.nsw.gov.au/working-children-check> accessed 19.8.2022

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Flexibility Policy

Purpose

- 1.148 Open Arms Care Incorporated ('Open Arms Care Inc.') acknowledges that employees need to be able to achieve an effective balance between their work and outside-work commitments. Outside-work commitments may include family and carer responsibilities, further education, and involvement in various community organisations and activities.

Commencement of Policy

- 1.149 This Flexibility Policy (Policy) will commence from 01/02/2020. It replaces all other Work/Life Balance or Flexibility Policies (whether written or not).

Application of the Policy

- 1.150 This Policy applies to employees of Open Arms Care Inc.
- 1.151 This Policy does not form part of any employee's contract of employment.

Achieving workplace flexibility

- 1.152 Achieving an optimum work/life balance is beneficial in maintaining high productivity at work.
- 1.153 To help achieve and maintain an effective work/life balance, Open Arms Care Inc. may give consideration to a range of flexible working arrangements, leave entitlements and other forms of assistance which are aimed at meeting the needs of both the organisation and its employees who have outside-work commitments.
- 1.154 As part of Open Arms Care Inc.'s desire to achieve and obtain optimal flexibility in the workplace, Open Arms Care Inc. acknowledges its obligations under workplace legislation to consider an employee's requests for flexible working arrangements.
- 1.155 Consideration will be given to all requests made for flexible working arrangements, however the particular categories of employees that may be eligible under the *Fair Work Act 2009* (Cth) to request flexible working arrangements are:
- (a) employees 55 years of age or older;
 - (b) an employee with a disability;
 - (c) an employee who is the parent of or has the responsibility of caring for, a child who is of school age or younger;
 - (d) a carer (within the meaning of the *Carer Recognition Act 2010* (Cth))
 - (e) an employee who is experiencing violence from a member of the employee's family; and
 - (f) an employee who provides care or support to a member of their immediate family or household, who requires care or support because they are experiencing violence from the member's family.

- 1.156 Furthermore, notwithstanding clause 4.4, an employee is not entitled to make a request for flexible working arrangements under the FW Act unless the employee has been employed with Open Arms Care Inc. for at least 12 months of continuous service (or for casual employees, whether they have been employed for at least 12 months on a regular and systematic basis, and have a reasonable expectation that the employment will continue in the same manner).
- 1.157 The list below notes some flexible work arrangements that may be considered. However, Open Arms Care Inc. retains the discretion to consider each case separately, and on its individual merits.
- 1.158 The range of flexible working arrangements that may be considered is as follows:
- (a) part-time work;
 - (b) part-time work after resuming from parental leave;
 - (c) casual work;
 - (d) job sharing;
 - (e) variable starting and finishing times;
 - (f) time off in lieu after extra hours have been worked;
 - (g) annualised working hours, where working hours are varied according to workloads but averaged out over each 6-month period;
 - (h) working from home on either a permanent or occasional basis;
 - (i) phasing in to retirement;
 - (j) career breaks, for employees who have completed a specified period of service with the business; and
 - (k) other arrangements reasonably proposed by employees.

Assessment

- 1.159 In assessing any request, Open Arms Care Inc. will take into account the facts and circumstances of each case, the requirements of the business and any other relevant factor, including (but not limited to) whether:
- (a) the proposed working arrangement requested by the employee would be too costly for Open Arms Care Inc.;
 - (b) there is the capacity to change the working arrangements of other employees to accommodate the proposed working arrangements requested by the employee;
 - (c) it would be practical to change the working arrangements of other employees, or recruit new employees in order to accommodate the proposed working arrangements requested by the employee;
 - (d) the proposed working arrangements requested by the employee would be likely to result in significant loss in efficiency or productivity;
 - (e) the proposed working arrangements requested by the employee would be likely to have a significant negative impact on customer service.

It is important to note that the above list is not exhaustive and there may be other reasons Open Arms Care Inc. has that could be taken to be reasonable business grounds in refusing a request for a flexible working arrangement.

Further information

1.160 Further information for employees, is available from the Chief Executive Officer.

Variations

1.161 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

1.162 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

1.163 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Incident Report and Investigation Procedure

Purpose

1.164 This policy outlines Open Arms Care Inc.'s incident reporting and investigation procedure.

Commencement of Policy

1.165 This Policy will commence from 01/02/2020. It replaces all other policies of Open Arms Care Incorporated ('Open Arms Care Inc.'), if any, relating to fees (whether written or not).

Scope

1.166 The Policy applies to all service users, contractors, full-time, part-time and casual employees and volunteers of Open Arms Care Inc.

1. Incident reporting

1.1 An incident may be:

- a) an unplanned event that causes harm to people, property or the environment; or
- b) a near miss, which is an incident that does not cause harm to people, property or the environment but which under different circumstances could result in harm (that is, where there is a clear potential to cause harm).

1.2 All incidents must be reported and investigated as soon as possible after the event to prevent re-occurrences.

1.3 If a near miss occurs or an incident occurs where someone has been hurt doing a particular task, then a hazard exists, which could hurt someone else. These incidents need to be investigated to find the hazard that could have caused, or did cause, the injury or illness.

1.4 An incident involving someone who is not an employee is also to be recorded. Such persons include site visitors, contractors or members of the public.

1.5 Incident investigation involves the collection of factual data for analysis to identify where improvements can be made in the WHS Management system.

2. Recording and reporting incidents

2.1 All types of incidents, including near misses (whether or not they involve damage to persons or property) must be reported immediately to Coordinator.

2.2 An Incident Report must be recorded on the Open Arms Care Incorporated Incident and Investigation Report form.

2.3 A hard copy version of the Incident and Investigation Report form will be kept.

2.4 There may be legal implications from the Incident including the possibility that legal action will be taken by a regulatory body. Subject to the circumstances of the Incident, the relevant Manager should consider whether there is a need to engage legal services.

- 2.5 Also, certain types of incidents must be notified to government authorities. Each State and Territory has different definitions and notification requirements for incidents. Details of these requirements may be found on the website for the relevant work health and safety regulator in each State/Territory.

3. Incident response

- 3.1 A notifiable incident is an incident involving the death of a person, a serious injury or illness of a person, or a dangerous incident. (Please refer to the Work Health and Safety Act for the specific definitions of these categories of notifiable incidents).
- 3.2 The Work Health and Safety Act requires that:
- a) A person who conducts a business or undertaking must ensure that the relevant work health and safety regulator is notified by the fastest possible means (telephone or in writing) after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred.
 - b) A person with management or control of a workplace at which a notifiable incident has occurred (including any plant, substance, structure or thing associated with the notifiable incident) must ensure so far as is reasonably practicable, that the site where the incident occurred is not disturbed until an inspector arrives at the site or any earlier time that an inspector directs.
 - c) Written records in relation to notifiable incidents must be kept for at least 5 years.

4. Investigation of incidents

- 4.1 In addition to incident reporting, Managers are responsible for ensuring an investigation is completed and corrective action taken.
- 4.2 The level of investigation must match the level of the incident. Before an investigation can proceed, consideration must be given as to whether the regulator has issued a non-disturbance notice for the site and/or whether any of the steps proposed to be taken in the investigation may have the effect of interfering with an investigation by the regulator and/or the police. Subject to these considerations and any restrictions arising, an investigation may proceed.
- 4.3 When conducting an investigation, the following steps should be taken:
- a) nominate the appropriate person(s) to undertake the investigation.
 - b) plan the investigation which might include arranging to visit the relevant site, coordinating interviews, reviewing of documents and records and setting timeframes for completion.
 - c) examine the relevant area where the incident or near-miss occurred.
 - d) interview people directly involved and any witnesses to get a variety of points of view on what happened.

- e) examine any relevant documents and records which might include risk or job safety assessments, maintenance records, inspection of checklists, hours of work records etc.
- f) analyse the information and determine what happened and why did it happen.
- g) write up the investigation findings and keep a record of this report.

5. Causes of incidents

5.1 Incidents may be a result of multiple causes, ranging from work methods, the worker, work environment, the equipment being used and organisational structure. Incidents occur as a result of a deficiency in the whole workplace health and safety management system, not a fault in an individual.

5.2 The factors to consider when identifying causes to incidents include:

- a) Work organisation
Look at how the work is organised including work processes, production demands, etc.
- b) Work methods
Identify whether the job being performed at the time of the incident had been subject to a job safety analysis. If the job had been analysed, then the risk control measures may require modification. If the job has not been analysed then an analysis may identify hazards associated with the job that contributed to the incident.
- c) Work environment
Identify environmental conditions and stressors that may have affected the health of employees. Examples of environmental factors can include chemicals; noise; illumination; vibration; climate; radiation and biological agents.
- d) Work equipment/plant
Identify if plant is:
 - (i) designed for the work it is intended for
 - (ii) adjustable to accommodate the user
 - (iii) adequately safeguarded
 - (iv) regularly inspected for defects and repaired where required
 - (v) routinely maintained
 - (vi) not used beyond its rated capacity
 - (vii) used in accordance with manufacturer's specifications
- e) Employees
Identify the skills, attitudes, habits, physical attributes, experience and

training of the individual/s involved.

6. Formulation of safety solutions

6.1 Recommended safety solutions will be identified from the careful analysis of the facts obtained from the incident investigation. These will include the:

- a) identification of appropriate risk control measures in consultation with employees. Refer to the hierarchy of hazard control outlined in the Risk Management Procedure;
- b) implementation of agreed risk control measures; and
- c) establishment of a system for regular review and evaluation of risk control measures.

7. Record keeping

A central register of all reported incidents will be kept with Coordinator.

Variations

1.167 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

1.168 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

1.169 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Internet, Email and Computer Use Policy

Purpose

- 1.170 This Internet, Email and Computer Use Policy ('Policy') sets out the standards of behaviour expected of persons using Open Arms Care Incorporated ('Open Arms Care Inc.')
- its computer facilities, or when making reference to Open Arms Care Inc. on external sites.

Commencement of Policy

- 1.171 This Policy will commence from 01/02/2020. It replaces all other policies relating to use of Open Arms Care Inc.'s computers, internet and email facilities (whether written or not).

Application of Policy

- 1.172 This Policy applies to all people who use Open Arms Care Inc.'s computer network by any means ('users'). The Policy also applies to users who contribute to external blogs and sites that identify themselves as associated with Open Arms Care Inc.
- 1.173 This Policy also sets out the type of surveillance that will be carried out in Open Arms Care Inc.'s workplace, relating to the use of Open Arms Care Inc.'s computer network.
- 1.174 This Policy does not form part of any employee's contract of employment. Nor does it form part of any other user's contract for service.

Definitions

- 1.175 In this Policy:

- (a) 'Blogging' means the act of using web log or 'blog'. 'Blog' is an abbreviated version of 'weblog' which is a term used to describe websites that maintain an ongoing chronicle of information. A blog is a frequently updated website featuring diary-style commentary, audio-visual material and links to articles on other websites.
- (b) 'Confidential information' includes but is not limited to trade secrets of Open Arms Care Inc.; non-public information about the business and affairs of Open Arms Care Inc. such as: pricing information such as internal cost and pricing rates, production scheduling software, special supply information; marketing or strategy plans; exclusive supply agreements or arrangements; commercial and business plans; commission structures; contractual arrangements with third parties; tender policies and arrangements; financial information and data; sales and training materials; technical data; schematics; proposals and intentions; designs; policies and procedures documents; concepts not reduced to material form; information which is personal information for the purposes of privacy law; and all other information obtained from Open Arms Care Inc. or obtained in the course of working or providing services to Open Arms Care Inc. that is by its nature confidential.
- (c) 'Computer surveillance' means surveillance by means of software or other equipment that monitors or records information input or output, or other

use, of Open Arms Care Inc.'s computer network (including, but not limited to, the sending and receipt of emails and the accessing of websites).

- (d) 'Computer network' includes all Open Arms Care Inc.'s internet, email and computer facilities which are used by users, inside and outside working hours, in the workplace of Open Arms Care Inc. (or a related corporation of Open Arms Care Inc.) or at any other place while performing work for Open Arms Care Inc. (or a related corporation of Open Arms Care Inc.). It includes, but is not limited to, desktop computers, laptop computers, Blackberrys, Palm Pilots, PDAs, other handheld electronic devices, smart phones and similar products, and any other means of accessing Open Arms Care Inc.'s email, internet and computer facilities, (including, but not limited to, a personal home computer or personal electronic devices such as iPads, Tablets, Blackberrys, Palm Pilots, PDAs, other personal handheld electronic devices, smart phones and similar products which have access to Open Arms Care Inc.'s IT systems).
- (e) 'Intellectual property' means all forms of intellectual property rights throughout the world including copyright, patent, design, trade mark, trade name, and all confidential information and including know-how and trade secrets.
- (f) 'Person' includes any natural person, company, partnership, association, trust, business, or other organisation or entity of any description and a person's legal personal representative(s), successors, assigns or substitutes.

Use of internet, email and computers

- 1.176 Where use is allowed, users are entitled to use Open Arms Care Inc. computer network only for legitimate business purposes.
- 1.177 Users are permitted to use Open Arms Care Inc.'s computer network for limited and reasonable personal use. However any such personal use must not impact upon the user's work performance or Open Arms Care Inc. resources or violate this Policy or any other Open Arms Care Inc. Policy.
- 1.178 A user must not use Open Arms Care Inc.'s computer network for personal use if that use interferes with the efficient business operations of Open Arms Care Inc. or relates to a personal business of the user.
- 1.179 Open Arms Care Inc. gives no warranty or assurance about the confidentiality or privacy of any personal information disclosed by any user in the course of using the computer network for the user's personal purposes.

Requirements for use

- 1.180 Users must comply with the following rules when using Open Arms Care Inc.'s computer network.
 - (a) Users must use their own username/login code and/or password when accessing the computer network.
 - (b) Users in possession of Open Arms Care Inc.'s electronic equipment must at all times handle the equipment in a responsible manner and ensure that the equipment is kept secure.

- (c) Users should protect their username/login code and password information at all times and not divulge such information to any other person, unless it is necessary to do so for legitimate business reasons.
- (d) Users should ensure that when not in use or unattended, the Computer System is shut down.
- (e) A disclaimer is automatically included in all Open Arms Care Inc. emails, and must not be removed.
- (f) If a user receives an email which the user suspects contains a virus, the user should not open the email or attachment to the email and should immediately contact the Administration for assistance.
- (g) If a user receives an email the content of which (including an image, text, materials or software) is in breach of this Policy, the user should immediately delete the email and report the matter to the Administration. The user must not forward the email to any other person.

Prohibited conduct

1.181 Users must not send (or cause to be sent), upload, download, use, retrieve, or access any email or material on Open Arms Care Inc.'s computer network that:

- (a) is obscene, offensive or inappropriate. This includes text, images, sound or any other material, sent either in an email or in an attachment to an email, or through a link to a site (URL). For example, material of a sexual nature, indecent or pornographic material;
- (b) causes (or could cause) insult, offence, intimidation or humiliation;
- (c) may be defamatory or could adversely impact the image or reputation of Open Arms Care Inc.. A defamatory message or material is a message or material that is insulting or lowers the reputation of a person or group of people;
- (d) is illegal, unlawful or inappropriate;
- (e) affects the performance of, or causes damage to Open Arms Care Inc.'s computer system in any way;
- (f) gives the impression of or is representing, giving opinions or making statements on behalf of Open Arms Care Inc. without the express authority of Open Arms Care Inc.. Further, users must not transmit or send Open Arms Care Inc.'s documents or emails (in any format) to any external parties or organisations unless expressly authorised to do so.

1.182 Users must not use Open Arms Care Inc.'s computer network:

- (a) to violate copyright or other intellectual property rights. Computer software that is protected by copyright is not to be copied from, or into, or by using Open Arms Care Inc.'s computing facilities, except as permitted by law or by contract with the owner of the copyright;
- (b) in a manner contrary to Open Arms Care Inc.'s Privacy Policy;

- (c) to create any legal or contractual obligations on behalf of Open Arms Care Inc. unless expressly authorised by Open Arms Care Inc.;
- (d) to disclose any confidential information of Open Arms Care Inc. or any customer, client or supplier of Open Arms Care Inc.'s unless expressly authorised by Open Arms Care Inc.;
- (e) to install software or run unknown or unapproved programs on Open Arms Care Inc.'s computer network. Under no circumstances should users modify the software or hardware environments on Open Arms Care Inc.'s computer network;
- (f) to gain unauthorised access (hacking) into any other computer within Open Arms Care Inc. or outside Open Arms Care Inc., or attempt to deprive other users of access to or use of any Open Arms Care Inc.'s computer network;
- (g) to send or cause to be sent chain or SPAM emails in any format;
- (h) to use Open Arms Care Inc.'s computer facilities for personal gain. For example, running a personal business.

1.183 Users must not use another user's computer network facilities (including passwords and usernames/login codes) for any reason without the express permission of the user or Open Arms Care Inc.

Details on blocking email or internet access

1.184 Open Arms Care Inc. reserves the right to prevent (or cause to be prevented) the delivery of an email sent to or from a user, or access to an internet website by a user, if the content of the email or the internet website is considered:

- (a) obscene, offensive or inappropriate. This includes text, images, sound or any other material, sent either in an e-mail message or in an attachment to a message, or through a link to an internet website (URL). For example, material of a sexual nature, indecent or pornographic material;
- (b) causes or may cause insult, offence, intimidation or humiliation;;
- (c) defamatory or may incur liability or adversely impacts on the image or reputation of Open Arms Care Inc.. A defamatory message or material is a message or material that is insulting or lowers the reputation of a person or a group of people;
- (d) illegal, unlawful or inappropriate;
- (e) to have the potential to affect the performance of, or cause damage to or overload Open Arms Care Inc.'s computer network, or internal or external communications in any way;
- (f) to give the impression of or is representing, giving opinions or making statements on behalf of Open Arms Care Inc. without the express authority of Open Arms Care Inc..

1.185 In the case that an email is prevented from being delivered to or from a user, the user will receive a prevented delivery notice. The notice will inform the user that the

delivery of the email has been prevented. The notice will not be given if delivery is prevented in the belief that:

- (a) the email was considered to be SPAM, or contain potentially malicious software; or
- (b) the content of the email (or any attachment) would or might have resulted in an unauthorised interference with, damage to or operation of any program run or data stored on any of Open Arms Care Inc.'s equipment; or
- (c) the email (or any attachment) would be regarded by a reasonable person as being, in all the circumstances, menacing, harassing or offensive.

1.186 Open Arms Care Inc. is not required to give a prevented delivery notice for any email messages sent by a user if Open Arms Care Inc. is not aware (and could not reasonably be expected to be aware) of the identity of the user who sent the e-mail or is not aware that the e-mail was sent by the user.

TYPE OF SURVEILLANCE IN **Open Arms Care Inc.**'S WORKPLACE

1.187 On a continuous and ongoing basis during the period of this Policy, Open Arms Care Inc. will carry out computer surveillance of any user at such times of Open Arms Care Inc.'s choosing and without further notice to any user.

1.188 Computer surveillance occurs in relation to:

- (a) storage volumes;
- (b) internet sites — every web site visited is recorded including the time of access, volume downloaded and the duration of access;
- (c) download volumes;
- (d) suspected malicious code or viruses;
- (e) emails — the content of all emails received, sent and stored on the computer network (this also includes emails deleted from the Inbox); and
- (f) computer hard drives — Open Arms Care Inc. may access any hard drive on the computer network.

1.189 Open Arms Care Inc. retains logs, backups and archives of computing activities, which it may audit. Such records are the property of Open Arms Care Inc., are subject to State and Federal laws and may be used as evidence in legal proceedings, or in workplace investigations into suspected misconduct.

What will the computer surveillance records be used for?

1.190 Open Arms Care Inc. may use and disclose the computer surveillance records where that use or disclosure is:

- (a) for a purpose related to the employment of any employee or related to Open Arms Care Inc.'s business activities; or
- (b) use or disclosure to a law enforcement agency in connection with an offence; or
- (c) use or disclosure in connection with legal proceedings; or

- (d) use or disclosure reasonably believed to be necessary to avert an imminent threat of serious violence to any person or substantial damage to property.

1.191 For example, use or disclosure of computer surveillance records can occur in circumstances of assault, suspected assault, theft or suspected theft of Open Arms Care Inc.'s property (or that of a related corporation of Open Arms Care Inc.) or damage to Open Arms Care Inc.'s equipment or facilities (or that of a related corporation of Open Arms Care Inc.).

Standards in relation to blogs and sites not operated by Open Arms Care Inc.

1.192 Open Arms Care Inc. acknowledges that users have the right to contribute content to public communications on websites not operated by Open Arms Care Inc., such as social networking sites like MySpace, Facebook or YouTube. However, inappropriate use of such communications has the potential to cause damage to Open Arms Care Inc., employees, clients and suppliers. For that reason, the following provisions apply to all users:

- (a) As it may be possible for any user of an external site to conduct a search that will identify any blogged comments about Open Arms Care Inc., users must **not** publish any material which identifies themselves as being associated with Open Arms Care Inc.
- (b) Users must not publish any material that may expose Open Arms Care Inc. to any possible legal liability. Examples include, but are not limited to, defamation or discrimination proceedings.
- (c) If it comes to Open Arms Care Inc.'s attention that a user has made inappropriate and/or unauthorised comments about Open Arms Care Inc. or a Open Arms Care Inc. employee, or Open Arms Care Inc. contractor, Open Arms Care Inc. may choose to take disciplinary action against a user as outlined in this Policy.

Warning

1.193 Apart from the potentially damaging effects a blog may have on Open Arms Care Inc., inappropriate blogs on internal or external sites can also have adverse consequences for a user in terms of future career prospects, as the material remains widely and permanently accessible to other site users.

Use of personal computers and electronic devices

1.194 This Policy applies to the use of personal computers, personal electronic devices such as iPads, Tablets, Blackberrys, Palm Pilots, PDAs and other personal handheld electronic devices, smart phones and similar products which have access to Open Arms Care Inc.'s IT systems, to the extent that such use may damage Open Arms Care Inc.'s business interests and employment relationships.

Enforcement

1.195 Users must comply with the requirements of this Policy. Any breach of this Policy may result in disciplinary action which may include termination of employment (or, for persons other than employees, the termination or non-renewal of contractual arrangements).

- 1.196 Other disciplinary action that may be taken includes, but is not limited to, issuing a warning, suspension or disconnection of access to all or part of Open Arms Care Inc.'s computer network whether permanently or on a temporary basis.

Variations

- 1.197 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.198 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.199 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Associated documents

- Social Media Policy

Leave Policy

Purpose

- 1.200 This Leave Policy ('Policy') covers the following types of leave: annual, personal/carer's, compassionate leave, community service and long service. It applies to all full-time, part-time and casual employees (where applicable) as detailed in the Policy.

Commencement of the Policy

- 1.201 This Policy will commence from 01/02/2020. It replaces all other leave policies of Open Arms Care Incorporated ('Open Arms Care Inc.') which deal with the taking of annual leave, personal/carer's leave, compassionate leave, community service leave and long service leave.

Application of the Policy

- 1.202 This Policy applies to employees (including temporary employees) of Open Arms Care Inc. who apply for or take leave after 01/02/2020.
- 1.203 This Policy does not form part of any employee's contract of employment. The Policy is not intended to override the terms of any award, enterprise agreement or contract that applies to an employee.
- 1.204 This Policy reflects the National Employment Standards (NES) as set out in the *Fair Work Act* 2009 (Cth) (the Act), but does not override the NES.

Definitions

- 1.205 'Immediate family' means:
- (a) a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee; or
 - (b) a child, parent, grandparent, grandchild or sibling of a spouse of the employee.
- 1.206 'Spouse' includes a former spouse, a de facto spouse or a former de facto spouse.
- 1.207 'De facto partner' means a person who, although not legally married to the employee, lives with the employee in a relationship as a couple on a genuine domestic basis (whether the employee and the person are of the same sex or different sexes) and includes a former de facto partner of the employee.
- 1.208 'Child' includes an adopted child, stepchild, an ex-nuptial child and an adult child.

Annual leave

Open Arms Care Inc. provides annual leave in accordance with the Act.

Amount of leave

- 1.209 For each year of service, an employee (other than a casual employee), subject to their hours and employment status, progressively accrues 4 weeks of paid annual leave.
- 1.210 An employee will accrue one (1) extra week's leave if they are described by a relevant award or agreement as a shiftworker for the purposes of the NES.
- 1.211 Annual leave accrues progressively from year to year.

Taking annual leave

- 1.212 Annual leave is to be taken for a period agreed between the employee and Open Arms Care Inc. Open Arms Care Inc. will not unreasonably refuse a request for annual leave from the employee.
- 1.213 In addition to Open Arms Care Inc. directing an employee to take annual leave, employees can be directed to take annual leave in accordance with the relevant award or agreement that applies to them and under the terms set out in the NES.
- 1.214 Without limiting Open Arms Care Inc.'s capacity to direct the taking of annual leave, employees may be directed to take annual leave where it is reasonable. This might include where the employee has accrued an excessive amount of paid annual leave, or where Open Arms Care Inc. is being shut down for a period such as Christmas or New Year.

Payment on annual leave

- 1.215 Annual leave will be paid at the employee's base rate of pay for the employee's ordinary hours of work in the period. This will not include payment for any allowances, loadings, penalties or the like. The payment will be processed at the usual pay time.

Cashing out annual leave

- 1.216 Award covered and agreement covered employees may only cash out annual leave in accordance with the terms of the award or agreement that applies to them. Cashing out annual leave will **not** be permitted if there is no provision in the award or agreement which expressly permits cashing out.
- 1.217 Award free and agreement free employees may request Open Arms Care Inc. cash out some of their accrued annual leave from time to time provided that:
- (a) the employee maintains a minimum of 4 weeks annual leave after the cashing out;
 - (b) Open Arms Care Inc. agrees; and
 - (c) the agreement to cash out is made in writing and signed by the employee and Open Arms Care Inc.

Payment of annual leave on termination

- 1.218 Subject to the terms of any other agreement, contract or award, any accrued but untaken annual leave will be paid out on termination. Such payment will be the amount that would have been payable to the employee in accordance with clause 1.215 of this policy, had the employee taken that period of leave.

Casual employees

- 1.219 Casual employees have no entitlement to annual leave.

Personal/carer's leave

- 1.220 Open Arms Care Inc. provides personal/carer's leave in accordance with the Act.

- 1.221 Personal/carer's leave encompasses sick leave and carer's leave.

- 1.222 For each year of service with Open Arms Care Inc., an employee (other than a casual employee) will, subject to their hours and terms of employment, accrue 10 days of paid personal/carer's leave. Such leave accrues progressively during a year of service according to the employee's ordinary hours of work, and accumulates from year to year.

Taking paid personal/carer's leave

- 1.223 An employee may use their accrued paid personal/carer's leave for personal illness or personal injury affecting the employee. An employee may also use this leave to provide care and support to a member of the employee's immediate family, or a member of the employee's household, who requires care or support because of a personal illness, or personal injury affecting the member, or an unexpected emergency affecting the immediate family /household member.

Paid personal/carer's leave — notice and documentation requirements

- 1.224 In order to access an entitlement to personal/carer's leave, an employee must:
- (a) comply with any requirements in their award, agreement, relevant policies and contract;
 - (b) as soon as practicable, inform the Coordinator that the employee will be absent from work because of personal illness or injury;
 - (c) inform Open Arms Care Inc. of the expected period of the absence; and
 - (d) provide evidence that would satisfy a reasonable person that the leave is taken for personal/carer's reasons as specified in this Policy, such as either medical certificate or a statutory declaration.

Payment for personal/carer's leave

- 1.225 Paid personal/carer's leave for employees, other than casuals, will be paid at the employee's base rate of pay for all ordinary hours of work in the period. This will not include payment for any allowance, loadings, penalties or the like. The payment will be processed at the usual pay time provided the employee has complied with the notice and documentation requirements.

Cashing out personal/carer's leave

1.226 Employees may only cash out personal/carer's leave in accordance with the award or agreement that applies to them. Cashing out personal/carer's leave will not be permitted if there is no provision in the award or agreement which expressly permits cashing out.

1.227 If personal/carer's leave is cashed out, each cashing out of a particular amount of paid personal/carer's leave should be by a separate agreement in writing between Open Arms Care Inc. and the employee. The employee must retain a balance of 15 days personal/carer's leave after the cashing out, and will be paid the full amount that would have been payable to the employee had the employee taken the leave that the employee had forgone.

1.228 Award-free and agreement-free employees may not cash out personal leave.

Payment for personal/carer's leave on termination

1.229 Subject to the terms of any other agreement, contract or award, any accrued but untaken personal/carer's leave will **not** be paid out on termination of employment.

Unpaid carer's leave

1.230 Casual employees and those full-time and part-time employees who have used their entitlement to paid carer's leave, are entitled to up to 2 days' unpaid carer's leave for each occasion when a member of the employee's immediate family or household requires care or support because of:

- (a) a personal illness or injury of the member; or
- (b) an unexpected emergency affecting the member.

Compassionate leave

1.231 Open Arms Care Inc. provides compassionate leave in accordance with the Act.

1.232 Employees (other than casuals) are entitled to up to 2 days' paid compassionate leave for each occasion when a member of the employee's immediate family or a member of their household has a personal illness or injury that poses a serious threat to his or her life, or dies.

Payment for compassionate Leave

1.233 Compassionate leave for employees other than casuals will be made at the employee's base rate of pay for the employee's ordinary hours of work in the period. This will not include payment for any allowances, loadings, penalties or the like. The payment will be processed at the usual pay time provided the employee has complied with the notice and documentation requirements.

Cashing out personal/carer's leave

1.234 Compassionate leave cannot be cashed out.

Casuals

1.235 Casual employees are entitled to up to 2 days off unpaid for each occasion when a member of the employee's immediate family, or a member of their household has a personal illness or injury that poses a serious threat to his or her life, or dies.

Compassionate leave — notice and documentation requirements

- 1.236 In order to access an entitlement to compassionate leave, employees must as soon as practicable, inform the Coordinator that they need leave to:
- (a) grieve following the death of a member of the employee's immediate family or a member of the employee's household; or
 - (b) attend the funeral of that immediate family member or a member of the employee's household; or
 - (c) spend time with an immediate family member or a member of the employee's household because that member has a personal illness or injury that poses a serious threat to his or her life.
- 1.237 An employee must also provide Open Arms Care Inc. with any evidence Open Arms Care Inc. requires to substantiate the fact that the leave is to provide care and support for an immediately family member suffering a personal illness or personal injury (such as a medical certificate or a statutory declaration), or is for one of the reasons for compassionate leave listed above.

No accumulation

- 1.238 As compassionate leave is an event based leave, it does not accrue and accordingly, will not be paid out on termination of employment.

Long service leave

- 1.239 Long service leave will be granted to all employees in accordance with applicable long service leave legislation as varied from time to time.

Community service leave

- 1.240 Open Arms Care Inc. provides Community Service Leave in accordance with the Act.
- 1.241 Community service leave incorporates jury service and voluntary emergency management activities.

Jury service

- 1.242 Employees are entitled to be absent from work in order to perform jury service.

Payment for jury service leave

- 1.243 Subject to the provisions detailed below, employees (other than casuals) who are absent from work in order to perform jury service are entitled to receive payment at their base rate of pay for ordinary hours of work for which they are absent for the first 10 days of absence on jury service only (unless applicable state legislation says otherwise). This will not include payment for any allowances, loadings, penalties or the like. The payment will be processed at the usual pay time provided the employee has complied with the notice and documentation requirements.
- 1.244 The amount Open Arms Care Inc. will pay to the employee for the absence for jury service will be reduced by the jury service pay which the employee receives or is entitled to receive from the court.

Voluntary emergency management activities

- 1.245 An employee is entitled to be absent from work to undertake voluntary emergency management activities if:
- (a) the employee engages in an activity that involves dealing with an emergency or natural disaster; and
 - (b) the employee engages in the activity on a voluntary basis (whether or not the employee is paid a gratuity); and
 - (c) the employee is a member of, or has a member-like association with, a recognised emergency body such as a fire-fighting, civil defence or rescue body, and either:
 - (i) is requested by or on behalf of the body to engage in the activity; or
 - (ii) it is reasonable to expect that a such a request would have been made if circumstances permitted; and
 - (d) the employee's absence is reasonable in all the circumstances.
- 1.246 The amount of time which Open Arms Care Inc. will permit an employee to be absent from work for a voluntary emergency management activity will depend on whether the employee's absence is reasonable and will be reassessed from time to time. However, as a guide, the absence time may consist of the time the employee engages in the activity, reasonable travelling associated with the activity and reasonable rest time immediately following the activity.

Notice and documentation for community service leave

- 1.247 In order to access an entitlement to community service leave, an employee must:
- (a) comply with any requirements in their award, agreement, relevant policies and contract;
 - (b) as soon as practicable, inform the Coordinator that the employee will be absent from work due to either a voluntary emergency management activity or jury service leave;
 - (c) inform Open Arms Care Inc. of the period of the absence;
 - (d) provide evidence that the absence is because the employee has been or will be engaging in a voluntary emergency management activity or jury service leave;
 - (e) in the case of absence for jury service, provide Open Arms Care Inc. with evidence of any jury service pay they have received or may be entitled to receive.

Leave without pay

1.248 Please see Open Arms Care Inc.'s Leave Without Pay Policy.

Parental leave

1.249 Please see Open Arms Care Inc.'s Parental Leave Policy.

Applications for leave

1.250 Any employee who requests leave of a type specified by this Policy should submit a Leave Request online through EasyEmployer, and comply with the other relevant

notice and documentation requirements outlined in this Policy. All documents, including additional documents requested where reasonable, should be provided to the relevant Coordinator.

Variations

- 1.251 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.252 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.253 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Monitoring, Supporting and Supervising FDC Educators Policy

Aim

To ensure Educators receive effective ongoing support and guidance from Co-ordination Unit Staff to deliver a service which complies with current legislative and duty of care requirements whilst maintaining a high standard of child care.

It is the responsibility of the Coordinator to support and guide the Educator in the quality of care they provide through personal visits to the Educators residence or venue. The coordination unit will continue to support and guide the Educator through phone contact and the delivery of written information.

Commencement of Policy

This Policy will commence from 1.6.2022. It replaces all other Monitoring, Supporting and Supervising FDC Educators policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

Application of the Policy

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

Education and Care Services National Law 2010

Education and Care Services National Regulations 2011- Reg, 118,148,128,123A

National Quality Standards – Quality Area 4: Staffing Arrangements

National Quality Standards – Quality Area 7: Governance and Leadership

Practice

Home visits

Are usually no more than 1 hour duration and are made monthly.

A mixture of **announced and unannounced home visits** will be made by the Coordinator to:

- Monitor the quality of care.
- Focus visit check – Ongoing compliance with Regulations and scheme and organisation policies.
- Exchange ideas on experiences offered to children by working collaboratively and affirm, challenge, support and learn from each other to further skills to improve practice and relationships.
- Ensure all staff and Educator interactions convey mutual respect, equity and recognition of each other's strengths and skills.
- Be professional and respectful to the role of Educator to ensure the channels of communication are kept open.
- Provide resources and information to carers and families that can include information regarding Child Care Subsidies.
- Evaluate the placement of children.

- Assist with information of the educational frameworks for young and school aged children and may include
 - Assisting with weekly planning and programming.
 - Providing activities.
- Assessment on the ongoing provision of a work environment that meets WH&S standards.
- Observations and advice on children's development and behaviour.
- Quality Improvement and National Quality Standard mentoring.

All **visits** are recorded on a home visit report:

- Listing the day, time and date of visit.
- Children in attendance.
- Activity children engaged in.
- Observations from Regulations focus check and reference to written report if applicable.
- Any appropriate information or follow up as listed on visit reports.
- Educators read and sign reports.

Coordinators will:

- Provide assistance and support to all Educators at all times the family care service is operational. Including at night or on the weekends, if children are using care.
- Provide support for all Educators in all locations, via personal visits, phone and written information.
- If necessary, follow-up an issue or concern that has been raised during a visit, with the Children's Services Manager or Nominated Supervisor.

The **Educational Leader** will: law – 169. Regulation 118, 148

- Lead the development and implementation of the Educational Programs.
- Guide Educators in their planning and reflection.
- Mentor colleagues in their implementation practices.
- Develop and evaluate individual development plans to support performance improvements relevant to the implementation of the Educational Programs.

Procedures of how to support Educators on visits

Prior to visit a Coordinator will:

- Prepare themselves with information and resources which will be required or requested on a previous visit.
- Ensure home visits are conducted monthly.
- Plan visits on alternate days each visit.
- Preplanning of visits maybe organised with the Educator prior due to a specific reason for the visit.

During the visit:

- Communication will be respectful between the Educator and the Educator's family.
- Respect the Educator's workplace.
- Introduce themselves to any visitors and outline the Coordinator role.
- Sign the Visitors register.

- Observe childcare practices to monitor compliance with regulatory requirements i.e. NQF, Child Protection.
- Address and document any concerns with the Educator.
- Comply with visiting procedures when conducting visits at other venues e.g. play session.
- Assist Educator's to reflect on their practise and make any necessary improvements on a regular basis.
- Promote the ongoing Professional Development of the individual Educator.
- Provide resources, in a variety of formats to Educators which enhance Professional Development and encourage resourcing to influence childcare practise.
- Consistently implement the Guidance of Children's Behaviour Policy. This includes discussion with Educators, families and Co-ordination Unit staff about strategies to be implemented.
- Complete visit records and outline any follow up required. Educators have an opportunity to provide feedback through email or phone.

Action Plan when quality of care issues arise

Quality of care issues that do not breach regulations or service policy will be discussed in an informal manner with the educator. The staff member, educator or both parties may choose to diarise the discussion for future reference. Internal or external resourcing may be recommended in line with quality improvement plan procedures.

A member of staff identifying a matter that breaches legislation or service policy will discuss the issue with the educator, providing links to the legislation and/or service policy that is contravened. Such discussions are written and signed off by both the staff member and the educator and kept in Educators file.

IF THE BREACH IS IDENTIFIED AS A MAJOR RISK with extreme consequences, it must be addressed immediately by elimination or isolation of risk.

- Together, the educator and staff member will negotiate an agreed outcome (including timeframe) that will rectify the breach. (Be mindful of any necessary support or assistance the educator may need from the service to initiate the necessary change).
- The educator will be advised that the Nominated Supervisor will be informed and a letter will be forwarded, outlining the breach, the agreed outcomes and timeframes.
- Inform the Regular Authority within the designated timeframe.
- A staff member will follow up within the agreed timeframe, signing off the breaches that have been corrected. All correspondence will be kept in the educator's file.
- If the time frame is exceeded, a second letter will follow with a renegotiated time frame depending on the risk involved and the possibility of suspension if the issue is not addressed.
- If the deadline is again exceeded, a formal meeting including the Nominated Supervisor, the educator and the staff member will take place outlining the suspension mechanism and the right of appeal. At this time the educator will be given a final opportunity to amend the breach within restricted time. The meeting will be minuted and signed by all parties. A copy will be forwarded to the Manager.

- If the issue remains unresolved the Approved Provider will follow the organisation's Grievance Policy and the scheme's De registration policy where appropriate.

Sources

Education and Care Services National Regulations 2011

National Quality Standards

Education and Care Services National Law

Community Services Division-Administrative Decisions Tribunal NSW

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Parental Leave Policy

Purpose

1.254 This Policy deals with unpaid parental leave which is governed by:

- a) the *Fair Work Act 2009* (Cth) ('**FW Act**');
- b) the Australian Government Paid Parental Leave scheme governed by the *Paid Parental Leave Act 2010* (Cth) ('**PPL Act**') incorporating changes as a result of the *Paid Parental Leave and Other Legislation Amendment (Dad and Partner Pay and Other Measures) Act 2012* (Cth);
- c) the *Fair Work Amendment Act 2013* (Cth); and
- d) where applicable company funded paid parental leave.

1.255 Open Arms Care Incorporated ('Open Arms Care Inc. ') provides parental leave in accordance with the aforementioned legislation, as varied from time to time.

1.256 Parental leave is a general term encompassing birth-related and adoption-related leave.

Commencement of policy

1.257 This Policy will commence from 01/02/2020. It replaces all other parental leave policies (whether written or not), however, it does not create or confer any obligation, entitlement or benefit on any employee who is on parental leave at the time this Policy came into operation.

Application of this policy

1.258 This Policy applies to employees of Open Arms Care Inc. It does not form part of any employee's contract of employment.

1.259 This Policy largely summarises the National Employment Standards on parental leave contained in the FW Act, but is not intended to override that standard or provide any legal entitlements.

Definitions

1.260 'Appropriate safe job' is a job that has the same ordinary hours of work as the employee's present position, or a different number of hours, as agreed to by the employee.

1.261 'Base Rate of Pay' means the rate of pay the employee receives for their ordinary working hours. It does not include any of the following:

- a) Incentive based payments and bonuses;
- b) Loadings;
- c) Monetary allowances; and
- d) Overtime or penalty rates.

1.262 'Child' includes an adopted child, stepchild and an adult child.

1.263 'Dad and Partner Pay' is a one-off payment made to eligible fathers and partners that relates to a period of up to 2 weeks. The period is called the person's DAPP period. The person's DAPP period may be the full 2 weeks or a lesser period.

- 1.264 'De facto partner' means a person who, although not legally married to the employee, lives with the employee in a relationship as a couple on a genuine domestic basis (whether the employee and the person are of the same sex or difference sexes) and includes a former de facto partner of the employee.
- 1.265 'Employee couple' means two employees who are spouses or de facto partners of each other.
- 1.266 'Immediate family' means:
- (a) a spouse, de facto partner, child, parent, grandparent, grandchild or sibling of the employee; or
 - (b) a child, parent, grandparent, grandchild or sibling of a spouse or de facto partner of the employee.
- 1.267 'PPL instalments' are the payments made to the employee pursuant to the Australian Government Paid Parental Leave scheme which provides eligible working mothers and initial primary carers paid leave for the duration they are not working, to a maximum of 18 weeks at the National Minimum Wage.
- 1.268 'Spouse' includes a former spouse, a de facto spouse or a former de facto spouse.

Eligibility for parental leave in accordance with the FW Act

- 1.269 An employee, other than a casual employee, will be eligible to take unpaid parental leave if the employee has (or will have) completed at least 12 months' continuous service with Open Arms Care Inc. immediately before:
- a) the date of birth of the child, or expected date of birth (for birth-related leave); or
 - b) the day of placement of the child, or expected day of placement (for adoption-related leave).
- 1.270 For employees accessing adoption-related leave, the child must, at the day of placement or expected day of placement:
- a) be under 16;
 - b) not have lived continuously with the employee for at least 6 months; and
 - c) not be a child of the employee's spouse or de facto partner.

Casual employees

- 1.271 A casual employee will be eligible to take unpaid parental leave if:
- a) the employee has been (or will be) employed by Open Arms Care Inc. on a regular and systematic basis for a sequence of periods of employment during a period of at least 12 months prior to the taking of parental leave; and
 - b) would have a reasonable expectation of employment by Open Arms Care Inc. on a regular and systematic basis but for the birth, the expected birth, the placement or the expected placement.
- 1.272 Eligibility for all employees is also subject to employees meeting the relevant documentation requirements outlined below.

Concurrent leave

Concurrent leave from date of birth

- 1.273 If an employee wishes to take a period of leave at the same time as their spouse, that concurrent period must not be for more than 8 weeks, which may be taken from the date of birth (for birth-related leave) or the day of placement (for adoption-related leave) (Concurrent Leave). Employees must give 10 weeks' notice of their intention to take concurrent parental leave and the concurrent leave is deducted from the total entitlement to unpaid parental leave. Open Arms Care Inc. may extend the period of Concurrent Leave at its discretion.

Extended concurrent leave following the birth

- 1.274 If an employee wishes to take a longer period of concurrent leave or take multiple periods of concurrent leave at the same time as their spouse, that concurrent period must not be for more than 8 weeks, which may be taken from the date of birth (for birth-related leave) or the day of placement (for adoption-related leave) (Short Parental Leave) or in periods of at least two weeks each with four weeks' notice for the second and subsequent periods.

Period of parental leave — the 12 month limit

- 1.275 Except as noted below, the amount of parental leave that an eligible employee is entitled to take is 12 months (the Guarantee Period), less any leave taken as outlined below:
- a) any period of leave that the employee has taken concurrently with the other member of the employee couple;
 - b) any period of parental leave taken by the employee's spouse;
 - c) any period of birth-related leave the employee has been required to take under the 'Timing of Parental Leave' section of this Policy;
 - d) any period of paid leave the employee has taken while taking unpaid parental leave (called the '**Deducted Leave**').
- 1.276 An employee may not take paid personal/carer's leave or be paid community service leave while taking unpaid parental leave.

Continuous period

- 1.277 With the exception of special maternity leave, concurrent leave and keeping in touch days, any parental leave taken must be taken in one continuous period unless otherwise agreed between Open Arms Care Inc. and the employee.

Extending unpaid parental leave within the Guarantee Period

- 1.278 An employee who initially applied for a period of less than the Guarantee Period may extend once, without requiring the consent of Open Arms Care Inc., the period of unpaid parental leave by giving Open Arms Care Inc. written notice of the extension at least 4 weeks before the end of the original leave period (the First Extension).
- 1.279 The notice must specify the new end date for the First Extension. The total period of leave, including the First Extension and all Deducted Leave, must not total more than 12 months.

- 1.280 During the Guarantee Period, if an employee wishes to extend their period of parental leave after the First Extension, they may do so only with Open Arms Care Inc.'s consent.

Extending unpaid parental leave for up to an additional 12 months after the expiration of the guaranteed period

- 1.281 An employee may request that their period of unpaid parental leave be extended for up to an additional 12 months following the expiry of the Guarantee Period (the Extended Leave Period).
- 1.282 In order to request an extension past the Guarantee Period, the employee must submit the request in writing to Open Arms Care Inc. at least 4 weeks before the end of the Guarantee Period. That request must include any particulars nominated by Open Arms Care Inc.
- 1.283 Employees should be aware that Open Arms Care Inc. does not have to grant the request for the Extended Leave Period. Open Arms Care Inc. is entitled to refuse the request on reasonable business grounds. If Open Arms Care Inc. refuses the request, it will write to the employee detailing the reasons for the refusal.
- 1.284 A member of an employee couple who wishes to request the Extended Leave Period must also specify in their request:
- a) the length of the proposed extension;
 - b) the amount of unpaid parental leave that the other member of the employee couple has taken up to the time of making the request;
 - c) the amount of time that the other member proposes to take after submission of the request;
 - d) that they will be responsible for the care of the child during the Extended Leave Period;
 - e) that the amount of Extended Leave Period for the couple will not exceed 12 months.

Reducing unpaid parental leave

- 1.285 If Open Arms Care Inc. agrees, an employee whose period of unpaid parental leave has started may reduce the period of unpaid parental leave he or she takes.

Timing of parental leave

Birth-related leave

- 1.286 Birth-related leave for a female employee who is pregnant may start up to 6 weeks before the expected date of birth of the child. Otherwise, the employee's leave must not start later than the day of the birth of the child, or immediately after the parental leave of their spouse.
- 1.287 Open Arms Care Inc. may ask that the pregnant employee provide a medical certificate or other evidence that would satisfy a reasonable person stating:
- a) that the employee is fit for work, and

- b) if the employee is fit for work — whether it is inadvisable for the employee to continue working, considering illness or risks arising out of the pregnancy or hazards connected with the position.
- 1.288 Open Arms Care Inc. may require the pregnant employee to take unpaid parental leave during the 6 week period before the expected date of birth if:
- a) the employee has not provided the requested medical evidence within 7 days after the request; or
 - b) the employee has provided the medical evidence but the evidence states that it is inadvisable for her to continue in her present position during the stated risk period, and there is no safe job available to transfer the employee to.

Adoption-related leave

- 1.289 Any employee who applies for and is granted unpaid adoption-related leave must, as a condition of the leave, start the leave on the day of the placement of the child. However, if the other member of the employee couple has responsibility for the care of the child from the day of the placement, the employee may take the unpaid adoption related leave from the date their partner's leave finishes.
- 1.290 An employee may also access up to 2 days' unpaid pre-adoption leave if required to attend an interview or an examination in order to obtain approval for the adoption and the employee cannot take some other form of leave.

Notice and evidence

- 1.291 An employee who wishes to take parental leave must submit a Request for Parental Leave Form to Open Arms Care Inc. to provide notice of the intention to take parental leave and the intended start date and end dates of the leave:
- a) at least 10 weeks before starting the leave, or
 - b) if 10 weeks' notice is not practicable, as soon as is practicable.
- 1.292 At least 4 weeks before the intended start date, an employee is required to confirm their intended start and end dates of the leave.
- 1.293 Open Arms Care Inc. will consider the request and whether the employee is eligible for leave and will, advise the employee whether the request is granted or declined.
- 1.294 At the time an employee submits a request for parental leave, they must, if requested, give Open Arms Care Inc. evidence of:
- a) the date of birth/expected date of birth — (for birth-related leave); or
 - b) the day of placement/expected day of placement and that the child is or will be under 16 as at this day (for adoption-related leave).
- 1.295 If any of the information provided by an employee who applies for parental leave changes, the employee must notify Open Arms Care Inc. of the change as soon as practicable.

Ending unpaid parental leave

- 1.296 An employee who takes parental leave should be aware that Open Arms Care Inc. may give the employee 4 weeks' notice directing the employee to return to work if the employee ceases to be responsible for the care of the child.

Unpaid special maternity leave

- 1.297 Special Maternity Leave is leave taken by a female employee because she is suffering from a pregnancy related illness or whose pregnancy ended (other than by the birth of a living child) within 28 weeks of the expected date of birth.
- 1.298 Special Maternity Leave can arise during pregnancy (in circumstances of pregnancy-related illness) or at the end of pregnancy if the pregnancy ends other than by the birth of a living child.
- 1.299 An employee who wishes to apply for unpaid special maternity leave should submit a Request for Leave form together with a medical certificate outlining the period of the absence.

Special maternity leave taken does not affect an employee's entitlement to unpaid parental leave or the "guarantee period" of parental leave.

Transfer to a safe job

- 1.300 Open Arms Care Inc. may direct a pregnant employee to provide medical information concerning her pregnancy to determine whether it is safe for the employee to perform her position and/or work during her pregnancy.
- 1.301 If an employee provides a medical certificate stating that she is unfit to work, she may be entitled to unpaid special maternity leave, as outlined above. Alternatively, Open Arms Care Inc. will consider appropriate arrangements having regard to the particular circumstances.
- 1.302 If an employee provides a medical certificate stating that she is fit to work, but that it is inadvisable for her to continue in her present position because of illness, or risks arising out of her pregnancy, or hazards connected with that position, Open Arms Care Inc. :
 - (a) may transfer the employee to a safe job if there is an appropriate safe job available. The employee's terms and conditions of employment will otherwise remain unchanged; or
 - (b) may require the employee to take paid leave. The paid leave will cease at the end of the risk period in the medical certificate, when the employee gives birth, or when the pregnancy otherwise ends. This leave will be paid at the base rate of pay for the employee's ordinary hours in the risk period.
- 1.303 In the event that an employee who:
 - (a) is not eligible to take a period of unpaid parental leave; and
 - (b) is unable to perform their job; and
 - (c) there is no 'safe job' to be transferred into;
 - (d) then they will be entitled to take a period of unpaid 'no safe job' leave.
- 1.304 In the event that an employee who:
 - (a) is eligible to take a period of unpaid parental leave; and
 - (b) is unable to perform their job; and

- (c) there is no 'safe job' to be transferred into;
- (d) then they will be entitled to a period of paid 'no safe job' leave.

1.305 In order to be entitled to transfer to a safe job and/or 'no safe job' leave (paid or unpaid) in these circumstances, must comply with the documentation requirements outlined in this Policy.

Return to work from parental leave

1.306 Upon return to work from parental leave, the employee is entitled to:

- (a) return to the position that they held immediately before going on parental leave; or
- (b) if the employee was promoted or voluntarily transferred to a new position during the period of parental leave, be employed in the new position; or
- (c) if, before commencing parental leave, the employee began working part time because of her pregnancy (or because of his spouse or de facto partner's pregnancy) or was transferred to a safe job because of her pregnancy, to the position the employee held immediately before working part time or being transferred to a safe job; or
- (d) if that position no longer exists, an available position for which the employee is qualified and suited nearest in status and pay to the pre-parental leave position.

Request for flexible working arrangements

1.307 An employee that has returned from parental leave may request in writing a flexible working arrangement.

1.308 The employer will consider the request and respond in writing within 21 days to advise the employee of the outcome of the request.

1.309 Flexible working arrangements may take any form but typically relate to the hours of work and arrangements for the performance of work including examples such as the timing of meal breaks, span of hours, a temporary or permanent shift to part-time employment or working from home arrangements.

Replacement employees

1.310 Open Arms Care Inc. may engage a temporary replacement for an employee who is on parental leave. The replacement employee will be advised that the engagement to do that work is temporary and advised of the employee's right to return to their former position.

'Keeping in touch days' during parental leave

1.311 An employee on parental leave may return to the workplace and perform work during the period of parental leave for the purposes of keeping in touch with work.

1.312 The employee must not take more than ten 'keeping in touch days' during a period of paid parental leave.

1.313 An employee must be paid as they normally would during the keeping in touch days.

1.314 Employees may work ten 'keeping in touch days' in a row or spread them out and take them individually.

- 1.315 Keeping in touch days have to be taken at least 42 days after the birth of the child. An employee can apply to their employer to take the 'keeping in touch days' earlier than 42 days after the birth of the child. If an employee requests a keeping in touch day earlier than 42 days, it cannot be taken earlier than 14 days after the birth.

Contact during leave

- 1.316 Open Arms Care Inc. may be required to consult with employees whilst they are on parental leave about significant work matters that directly impact on them. It is therefore important that an employee informs Open Arms Care Inc. of their contact details no less than 2 weeks before the commencement of leave and as and when those details change during the period of parental leave.

Obligations during leave

- 1.317 The employee must not engage in any conduct during the period of parental leave which is inconsistent with the employee's contract of employment or their general employee obligations to Open Arms Care Inc. This includes but is not limited to engaging in other employment and using or disclosing confidential information.
- 1.318 Employees can also obtain further guidance regarding their entitlements to parental leave and obligations to Open Arms Care Inc. during any period of parental leave from Human Resources.

Paid parental leave under the PPL Act

- 1.319 An employee may be entitled to paid parental leave in accordance with the *Paid Parental Leave Act 2010 (Cth)* ('PPL Act')
- 1.320 The PPL Act is an Australian Government scheme which provides eligible working mothers and initial primary carers paid leave for the duration they are not working, to a maximum of 18 weeks at the National Minimum Wage ('PPL Instalments').
- The PPL scheme also provides eligible working dads or partners (including adopting parents and same-sex couples) to receive up to two weeks' pay at the National Minimum Wage after the birth of their baby if born or adopted.
- 1.321 Eligible working dads or partners must not be working during this time or must be on unpaid leave.
- 1.322 Employees are required to make their own request for PPL Instalments and/or DAPP to the Department of Human Services who will make an independent assessment of an employee's eligibility. More detailed information can be found at the Department of Human Services website.
- 1.323 Employees are encouraged to obtain independent advice in relation to the Australian Government's PPL scheme.

Continuity of service and accruals

- 1.324 Any period of parental leave does not break an employee's continuity of service. However, a period of parental leave does not count as service for the calculation of entitlements and benefits. This includes calculation of payment in lieu of notice, redundancy/severance payments and bonuses and incentives.
- 1.325 During the period of time while the employee is absent from work on parental leave and receiving PPL Instalments, the employee will not accrue any form of paid leave including annual leave, personal carers leave and long service leave.

- 1.326 The PPL Act provides for 'Keeping in Touch' days which allow an employer and an employee to agree upon attendance of up to a maximum of 10 occasions whilst on parental leave make-up pay without affecting the break of unpaid parental leave. Employees who extend their unpaid leave by 12 months are entitled to a further 10 'Keeping in Touch' days.
- 1.327 Employees may request 'Keeping in Touch' days a fortnight from the birth or placement of their child, but requires the employer to wait 42 days before asking the employee for such a day.
- If an employee works on a 'Keeping in Touch' day, that employee is entitled to payment under their relevant contract or industrial instrument.

Forms

- 1.328 The forms referred to in this Policy can be obtained from Human Resources.

Variations

- 1.329 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.330 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.331 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Personal Grievance Policy

1. Purpose

The procedures outlined in this Personal Grievance Policy ('Policy') aim to achieve consistent treatment in the handling of personal grievances in the workplace and provide a procedure to follow in the event a personal grievance arises.

2. Commencement of Policy

2.1 This Policy will commence from 01/02/2020. It replaces all other personal grievance policies of Open Arms Care Inc. ('Open Arms Care') (whether written or not).

3. Application of the Policy

3.1 This Policy applies to employees of Open Arms Care. It does not form part of any employee's contract of employment.

3.2 This Policy does not apply to grievances related to discrimination, harassment or bullying. If such a grievance arises, refer to the Workplace-Bullying-Policy, which outlines a specific complaints procedure to deal with those grievances.

3.3 Open Arms Care may at its sole discretion, on a case by case basis, alter the manner in which the process outlined in this Policy is conducted to ensure it suits the particular grievance.

4. What is a grievance?

4.1 A grievance is any type of problem, concern or complaint related to an employee's work or the work environment. A personal grievance can be about any act, behaviour, omission, situation or decision impacting on an employee, which the employee believes is unfair or unjustified.

4.2 A grievance can relate to almost any aspect of employment, for example:

- a) safety in the workplace;
- b) staff development or training;
- c) leave allocation;
- d) supervision;
- e) rosters or hours of work;
- f) performance appraisal;
- g) transfer or promotion; and

h) wage or salary levels.

5. Dealing with personal grievances

5.1 Open Arms Care recognises that an employee may not perform to the best of their ability if they feel they are being treated unfairly or are feeling aggrieved. Accordingly, Open Arms Care will endeavour to provide a fair and just working environment, by aiming to ensure that employees have access to processes for the resolution of genuine personal grievances related to the workplace.

5.2 As such, Open Arms Care will use its reasonable endeavours to:

- a) encourage staff to come forward with personal grievances;
- b) deal with personal grievances in a supportive way, without victimisation or intimidation of any person connected with the grievance;
- c) encourage fairness, impartiality and the resolution of personal grievances as reasonably promptly and as close as possible to the source of the grievance; and
- d) have managers and supervisors seek to prevent and resolve personal grievances.

5.3 Where a personal grievance arises, Open Arms Care will endeavour, if appropriate, to resolve the dispute in line with the following procedure:

6. Summary of Open Arms Care's personal grievance procedure

Preliminary steps	<p>Attempt to resolve the grievance yourself</p> <p>If the employee feels comfortable in doing so, they should attempt to address the issue directly with the person(s) involved in the grievance. The employee may discover that the other person was not aware of their grievance and the matter may be able to be resolved directly.</p> <p>Report the grievance to management</p> <p>If the employee does not feel comfortable talking to the person(s) involved, or they have attempted to and it was ineffective in resolving the grievance, or if there is no other person involved in the grievance, the employee should report the grievance to a Open Arms Care Contact Person. The Contact Persons include:</p> <ul style="list-style-type: none">• Clayton Sippel (CEO)• Lisa Page (Ageing Services Coordinator)• Cindy Warren (Children's Services Manager) <p>After reporting a personal grievance, the Contact Person will use</p>
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	<p>reasonable endeavours to conduct an initial meeting with the employee to:</p> <ul style="list-style-type: none"> • obtain information about the employee's personal grievance and what they consider will resolve it; • explain how the personal grievance procedure works; • decide if they are the appropriate person to handle the grievance. This includes considering whether they have the necessary authority and can deal with the grievance in an impartial manner. If the Contact Person feels they cannot effectively handle the employee's personal grievance they will refer the matter to another more appropriate supervisor. <p>Where it is not practical to conduct such a meeting, the Contact Person may carry out these steps by telephone or written correspondence.</p> <p>Once the employee has reported the matter to a Contact Person, that person may commence one of the procedures outlined below that is regarded as suitable for dealing with the grievance.</p>
Step 1	<p>Informal procedure</p> <p>The informal procedure involves a range of informal actions to resolve the grievance. Such actions will depend on the individual circumstances of the grievance. Possible actions include, but are not limited to:</p> <ul style="list-style-type: none"> • the Contact Person discussing the issue with the person against whom the complaint is made; and/or • the Contact Person facilitating a meeting between the parties in an attempt to resolve the issue and move forward. <p>Many personal grievances are able to be resolved through the informal procedure. However, in circumstances where the Contact Person considers the informal procedure is not appropriate, and the grievance is sufficiently serious, the grievance may be escalated to the formal procedure.</p>
Step 2	<p>Formal procedure – Investigation</p> <ul style="list-style-type: none"> • If the grievance is not able to be resolved through the informal procedure or the informal procedure is not appropriate, the formal procedure may be commenced. • The formal procedure involves a formal investigation of the grievance and a decision about appropriate actions and

	<p>outcomes.</p> <ul style="list-style-type: none"> • The investigation generally involves collecting information about the grievance and then making a finding based on the available information. Once a finding is made, the Contact Person or an external investigator will make recommendations about the grievance.
Other Actions	<p>Referral to external mediator</p> <ul style="list-style-type: none"> • Where all parties to the grievance (including Open Arms Care) agree that mediation may be appropriate in resolving the grievance, the grievance may be referred to an external mediator.

7. Other procedural issues

Work to Continue

7.1 Work will continue as normal while a personal grievance is being dealt with under this Policy. All persons affected by the grievance are expected to co-operate with Open Arms Care to ensure the efficient and fair resolution of the grievance.

Victimisation

7.2 Disciplinary action will be taken against any person who victimises or retaliates against a person who has lodged or is involved in a personal grievance issue under this Policy. Such action may include termination of employment.

Confidentiality

7.3 The Contact Person(s) will endeavour to maintain confidentiality as far as possible. However, it may be necessary to speak with other employees or workplace participants in order to determine what happened so as to afford fairness to those against whom the complaint has been made, and to resolve the grievance.

7.4 All employees and workplace participants involved in the grievance must also maintain confidentiality, including the employee who lodges the complaint. The complainant may discuss the grievance with a designated support person or representative (who is not an employee employed or engaged by Open Arms Care). However, the support person or representative must also maintain confidentiality.

7.5 If a person breaches confidentiality they may be disciplined.

Documentation

7.6 Where considered appropriate by Open Arms Care, agreed resolutions of personal grievances arising from the informal procedure may be recorded and signed by all parties. Generally, it will not be necessary to put records of a personal grievance on an employee's

personnel file, unless there is some disciplinary action taken as a result of the grievance. A record of any disciplinary action that is taken arising from a formal investigation will be placed on the personnel file of any person who is disciplined.

Access to support

7.7 The employee can seek advice from their manager, supervisor or a support person at any stage during the grievance process. The employee can bring a support person to a grievance meeting if so desired.

Possible Outcomes

7.8 Open Arms Care will in its sole discretion determine whether any outcomes (disciplinary or otherwise) are appropriate. The outcomes will depend on the nature of the grievance and the procedure followed to address the grievance.

7.9 Where an investigation results in a finding that a person has engaged conduct in breach of a Open Arms Care Policy, that person may be disciplined. The type and severity of disciplinary action will depend on the nature of the grievance and other relevant factors. Where the investigation results in a finding that the person complained against has engaged in serious misconduct, this may result in instant dismissal. Any disciplinary action is a confidential matter between the affected person(s) and Open Arms Care.

7.10 Open Arms Care may take a range of other non-disciplinary outcomes to resolve a grievance. Examples include, but are not limited to:

- a) training to assist in addressing the problems underpinning the grievance;
- b) monitoring to ensure that there are no further problems;
- c) implementing a new policy;
- d) requiring an apology or an undertaking that certain behaviour stop; and/or
- e) changing work arrangements.

Variations

1.332 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

1.333 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

- 1.334 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Police Check Policy

Purpose

- 1.335 Open Arms Care Inc. understands their obligation to ensuring all staff, volunteers and executive decision makers of the organisation have, and maintain, a current National Police Check. The process for a police check will be transparent and fair and in line with Privacy Act 1988¹ and the State Records Act 1997². This is a requirement of the Australian Government and is necessary to minimise risk to consumers.
- 1.336 Police check screening will complement robust recruitment and screening processes to ensure that those working with older people are suitable for the positions they undertake.

Commencement of Policy

- 1.337 This Policy will commence from 01/02/2020. It replaces all other policies of Open Arms Care Incorporated ('Open Arms Care Inc.'), if any, relating to fees (whether written or not).

Scope

- 1.338 The Policy applies to all service users, contractors, full-time, part-time and casual employees and volunteers of Open Arms Care Inc.

Police Checks

- 1.339 Open Arms Care Inc. will ensure that staff, volunteers and executive decision makers who work with the organisation have a current Police Check. The following process will be undertaken with Police Check screening:
- a) Police checks will be paid for by Open Arms Care Inc.
 - b) A person may start unsupervised work prior to obtaining a police certificate if:
 - (i) the care or other service to be provided by the person is essential
 - (ii) an application for a police certificate has been made before the date on which the person first becomes a staff member or volunteer
 - (iii) until the police certificate is obtained, the person will be subject to appropriate supervision during periods when the person interacts with clients
 - (iv) the person makes a statutory declaration stating either that they have never, in Australia or another country, been convicted of an offence or, if they have been convicted of an offence, setting out the details of that offence.
 - a) Statutory declarations³ will be required in addition to police checks in two instances:
 - (i) For essential new staff, volunteers and executive decision makers who have applied for, but not yet received, a police certificate

¹ <https://www.legislation.gov.au/Series/C2004A03712>

² http://www.austlii.edu.au/au/legis/sa/consol_act/sra1997156/

³ <https://www.ag.gov.au/Publications/Statutory-declarations/Documents/CommonwealthStatutorydeclarationform.pdf>

- (ii) For any staff, volunteers or executive decision makers who have been a citizen or permanent resident of a country other than Australia after the age of 16
 - (iii) In these two instances, a staff member, volunteer or executive decision maker can sign a statutory declaration stating either that they have never, in Australia or another country, been convicted of an offence or, if they have been convicted of an offence, setting out the details of that offence. **Note** that a person is entitled to sign a statutory declaration stating that they have not been convicted of an offence if they have been convicted of an offence but the conviction is a 'spent' conviction.
- b) Staff or volunteers whose will be precluded from working for the organisation if their police check returns the following disclosable outcome:
 - (i) A conviction for murder or sexual assault
 - (ii) A conviction and sentence to imprisonment for any other form of assault
 - (iii) A conviction for an indictable offence within the past 10 years.
- c) If a conviction has been 'spent' the person is not required to disclose the conviction. The aim of the scheme is to prevent discrimination on the basis of old minor convictions, once a waiting period (usually 10 years) has passed and provided the individual has not re-offended during this period. Where a person's conviction is considered 'spent' legal advice may be sought. The decision to employ someone with a spent conviction will be 'rigorous, defensible and transparent' in order to minimise the risk of harm to consumers.
- d) If Open Arms Care Inc. refuses or terminates employment on the basis of a person's conviction for an offence, the conviction must be considered relevant to the inherent requirements of the position. If in any doubt, Open Arms Care Inc. will seek legal advice regarding the refusal or termination of employment on the basis of a criminal record.
- e) Under the *Fair Work Act 2009* there are provisions relating to unfair dismissal and unlawful termination by employers. More information about the *Fair Work Act 2009* is available at: Fair Work Commission. In addition, under the *Human Rights and Equal Opportunity Act 1986*, the Australian Human Rights Commission has the power to inquire into discrimination in employment on the grounds of criminal record.
- f) Police Check forms undertaken by staff and volunteers will be securely stored by the organisation for a period of no longer than three (3) months and then shredded to prevent identity theft
- g) Record of evidence documents supplied by the staff member or volunteer will be retained. (securely in lockable cabinet or electronic data base)

- h) A Police Check register will be retained (securely in lockable cabinet or electronic data base) by the organisation with the names of staff or volunteers, police check date, police check code/number and renew date
- i) Renew dates for Police Checks will be maintained by add here and new Police Checks will be completed by the organisation prior to expiry
- j) Police check results will be destroyed once police check code/number and renew date is recorded
- k) Staff and volunteers must notify Open Arms Care Inc. if they have committed a crime (after a Police Check has been undertaken)
- l) The CEO will make a decision about the ongoing employment of that volunteer or staff member (depending upon the crime committed).

Variations

- 1.340 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.341 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.342 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Recruitment and Selection Policy

Purpose

- 1.343 Recruiting and selecting suitable employees who exhibit the necessary level of skills and ability is integral to the success of Open Arms Care Incorporated ('Open Arms Care Inc.').
- 1.344 This Recruitment and Selection Policy ('Policy') seeks to provide guidance and assistance to all managers and supervisors who are involved in the recruitment, selection and promotion of employees at Open Arms Care Inc. It outlines the principles and procedures that are to be followed in the recruitment and selection process. This Policy aims to ensure that recruitment standards are consistent, appropriate and free from discrimination or bias.

Commencement of Policy

- 1.345 This Policy will commence from 01/02/2020. It replaces all other recruitment and selection policies of Open Arms Care Inc. (whether written or not).

Application of the Policy

- 1.346 This Policy applies to all employees of Open Arms Care Inc.
- 1.347 This Policy does not form part of any employee's contract of employment.

Merit principle applies

- 1.348 When recruiting and promoting staff, Open Arms Care Inc. aims to ensure that the best person for the job is chosen in each case.
- 1.349 Open Arms Care Inc. seeks to ensure that recruitment and selection decisions are based purely on the principle of merit. This means that persons will be selected on the basis of whether they have the right skills, qualifications, suitability and other talents that are required for the position.
- 1.350 Decisions to recruit or promote employees that unlawfully discriminate against a person based on their sex, race, disability, age, sexuality, pregnancy, family responsibilities etc, or due to personal biases or favouritism, do not result in the best person being chosen and should not occur.
- 1.351 Each workplace-decision-maker who has a role in the recruitment of employees or in selection for promotion should do their utmost to ensure that the merit principle is applied in every case.

Equal Employment Opportunity

- 1.352 Open Arms Care Inc. is an equal employment opportunity employer (EEO) and aims to ensure that all applicants for selection or promotion are not unlawfully discriminated against on any of the protected attributes contained in equal opportunity laws, and are consistent with Open Arms Care Inc.'s:
- **Anti-Discrimination and Equal Employment Opportunity Policy**
- 1.353 This means that no form of unlawful discrimination should take place in job advertisements, job interviews or the selection process.

The process of recruitment and selection

Internal advertising

- 1.354 All positions that become vacant at Open Arms Care Inc. should be advertised internally via email.
- 1.355 Current employees are encouraged to apply for suitable positions as they arise. Each application will be assessed on its merits, based on the essential and desirable criteria required for the position. This may mean that internal applicants do not qualify for job interviews. Any decisions regarding promotion will also be made on the basis of merit.

External Advertising

- 1.356 External advertising may be used as deemed appropriate by Open Arms Care Inc. All external advertising or agency costs must be approved by the Regional Manager. Reference checking of external applicants should occur at the appropriate time.

Job Advertisement Format and Content

- 1.357 The job advertisement should be written in clear, non-discriminatory language.
- 1.358 The advertisement must contain the title of the job and a list of duties and key results areas. The advertisement should both outline the essential criteria of the job and indicate that applicants are required to address all of these criteria. Desirable criteria can also be included.
- 1.359 Advertisements should also specify what information the applicant should include with their application (eg. resume, academic record, licence etc), and whether application forms are required to be completed. Information about how application forms can be obtained should be included, and application forms should be sent out when requested.
- 1.360 The name of a contact person should be provided, as well as a closing date for applications. The advertisement should state that Open Arms Care Inc. is an equal opportunity employer.

Candidates

- 1.361 Generally there will be a maximum of 5 selected from the applications to be interviewed.

The selection panel

- 1.362 Wherever possible, recruitment decisions should be made by a panel of at least two people.
- 1.363 The membership of the panel will be determined by the Service Coordinator in whose department the new employee will work. At least one member of the panel should have a detailed knowledge of the requirements of the job — preferably, the supervisor.

The essential and desirable criteria

- 1.364 The selection panel will review the job description of the position in question and make sure that it is current and accurate. The level of remuneration attached to the position should also be reviewed. The panel will then, in consultation with the relevant manager, determine the essential and desirable criteria for the job.

- 1.365 The essential criteria are those criteria which are necessary for the performance of the job. The desirable criteria are those criteria that will assist the applicant perform the job, and provide them with a competitive advantage over other candidates. By determining the essential and desirable criteria for the position, the panel will have a standard with which they will be able to compare each candidate. It is important that each candidate is judged according to criteria that is objective and based on merit, and which is applied in a consistent manner.

The short list

- 1.366 The selection panel should review all of the applications and make a short list of those applicants who best meet the essential criteria for the position.
- 1.367 Arrangements should be made for interviewing those applicants who are short listed as soon as possible.

The job interview

- 1.368 The selection panel should consider and prepare a list of the questions that will be asked of the candidates at the interview. These questions should only relate to matters that are relevant to the position. Questions which are based on, or relate to, a person's protected attributes which unlawfully discriminate should not be asked — this includes questions that may constitute sexual harassment (for more information, see the Anti-Discrimination & Equal Employment Opportunity).
- 1.369 Panel members should ask comparable questions of all applicants, as biases and unfair assumptions can affect, or can be perceived as affecting recruitment and selection decision making.
- 1.370 Panel members should document each applicant's responses and the reasons for short listing and selecting the chosen applicants.
- 1.371 The panel should meet and agree on the successful applicant and provide recommendations to the Chief Executive Officer for approval. Once approval has been provided by the Chief Executive Officer the successful applicant should be notified of the decision in writing. Unsuccessful applicants should also be notified of the result. The Chief Executive Officer may offer feedback to unsuccessful applicants.

General comments in the interview

- 1.372 In the course of the interview the candidate should be notified of the following matters (where applicable):
- a) that employment would be subject to a probationary period of 6 months; or
 - b) that employment is offered on a fixed term basis; or
 - c) that employment is offered on a fixed-project basis.
- 1.373 The panel should avoid making any pre-contractual representations to the candidates regarding the position (eg - prospects of bonuses or promotion), if these claims are in any way misleading or incorrect.

Reasonable adjustment

- 1.374 Where a job applicant has a medical condition but is in all other respects the best person for the job, Open Arms Care Inc. will endeavour to make reasonable adjustments to the position so that the person is nevertheless able to perform the

job. For example, this may involve reasonable adjustments to the workstation. Reasonable adjustments will be afforded to successful applicants unless this would cause unjustifiable hardship to Open Arms Care Inc.

Privacy

- 1.375 Open Arms Care Inc. respects and complies with its obligations under privacy legislation.
- 1.376 Consequently, any personal information gathered about applicants that does not become an employee record relating to the successful candidate will be destroyed at the conclusion of the selection process, unless the candidate has provided Open Arms Care Inc. with his or her permission or consent to retain the record.

Reference checking

- 1.377 Any Service Coordinator that carries out a reference check in relation to a prospective or existing employee should note the following:
 - a) The referee should be informed that the information they convey, due to privacy laws, will be accessible to the prospective employee/existing employee and also may be discussed with the candidate. As a general rule, the referee's opinions should not be directly relayed to the candidate. The purpose of obtaining a referee's opinion is to confirm representations a candidate has provided relating to their experience, qualifications or general suitability for the position.
 - b) Only disseminate material/information provided by the referee to those directly involved in the recruitment process.
 - c) Questions posed to the referee should be prepared and written down prior to the referee being contacted, and should only relate to the requirements of the position.
 - d) Questions should include the following query – "Given the opportunity, would you re-employ [name of candidate]?"

2. Variations

- 2.1 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

3. Review and evaluation of this policy and procedure

- 3.1 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 3.2 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Associated documents

- Anti-Discrimination and Equal Employment Opportunity Policy

Register of Educators Policy

Aim

Educators are selected in accordance with the criteria of the Education and Care Services National Regulation and the Child Protection (Prohibited Employment) Act 1998: applicants are encouraged from a diverse range of backgrounds.

COMMENCEMENT OF POLICY

This Policy will commence from 1/2/2020. It replaces all other Keeping a Register of Educators policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

Education and Care Services National Regulation: Reg 153

Education and Care Services National Law

National Quality Standards – Quality Area 7: Governance and Leadership

Practice

A register of each family day care educator is kept by the service and will contain this information:

- Full name, address and date of birth of educator
- Contact details of the educator
- Address of the residence the educator will be providing the education and care service: including a statement as to whether it is a residence or a venue.
- Date registration commenced
- Date the educator ceased to be registered with the service
- Days and hours the service will usually be provided
- If the educator is an approved provider, the number of the provider approval and the date the approval was granted
- Evidence of any relevant qualifications held by the educator or that they are actively working towards
- Evidence the educator has completed approved;
 - i. first aid training
 - ii. anaphylaxis management training
 - iii. emergency asthma training
- Evidence of any other training completed by the educator

- A record of a working with children check with identifying number of the current check and the expiry date. The date the check was sighted by an approved provider or a nominated supervisor of the service.
- For each child educated and care for by the educator:
 - The child's name
 - Date of birth
 - Day and hours the educator usually provides the service for each child

The register includes information on other people who normally live at the residence:

- For people over 18 years of age
 - i. full name
 - ii. date of birth
 - iii. the identifying number of the current working with children check, current working with children card, current working with vulnerable people check or criminal history record check or current teacher registration of each person referred to in paragraph (n) who is required to provide the check, card, record or registration under regulation 163 and the date of expiry of that check, card or registration, if applicable; and
 - iv. the date that the check, card, record or registration was sighted by the approved provider or a nominated supervisor of the service;
- For children aged under 18 years of age
 - v. full name and date of birth

Details of support provided including dates and times of visits, telephone calls, emails or any correspondence provided to the educator.

The Register must include the following information in relation to each family day care co-ordinator, Nominated Supervisor and other staff employed or engaged by the service—

- the full name, address and date of birth of the staff member;
- the contact details of the staff member;
- the date that the staff member was employed or engaged by the service;
- the date that the staff member ceased to be employed or engaged by the service (if applicable);
- if the staff member is an approved provider, the number of the provider approval and the date the approval was granted;
- evidence of any relevant qualifications held by the staff member;
- evidence of any other training completed by the co-ordinator;
- a working with children check number which has been sighted by approved provider and or nominated supervisor
- if the staff member will be providing education and care to children, evidence that the staff member has completed—
 - current approved first aid training; and
 - current approved anaphylaxis management training; and
 - current approved emergency asthma management training

A register of each family day care educator assistant engaged or registered is kept by the service and will contain this information:

- Full name, address and date of birth of educator assistant
- Contact details of the educator assistant
- Name of the family day care educator to be assisted by the educator assistant
- Address of the residence the educator assistant will be providing the education and care service: including a statement as to whether it is a residence or a venue
- Date registration commenced
- Date the educator ceased to be registered with the service
- If the educator assistant is an approved provider, the number of the provider approval and the date the approval was granted
- Evidence of any relevant qualifications held by the educator assistant
- Evidence the educator has completed approved;
 - iv. first aid training
 - v. anaphylaxis management training
 - vi. emergency asthma training
- Evidence of any other training completed by the educator
- A record of a working with children check with identifying number of the current check and the expiry date. The date the check was sighted by an approved provider or a nominated supervisor of the service.

Keeping the records up to date

The co-ordination unit maintains the database with current information which will include the name of the educational leader, name of nominated supervisor.

The above information will be kept for a period of 3 years from the date of cessation which will be recorded

When an educator ceases to be registered with Open Arms Care Inc. Family Day Care service the following documents must be returned to Open Arms Care Inc. Family Day Care coordination unit;

- Documentation of child assessments made in the last three years
- Evaluations of their delivery of the educational program for the last 3 years
- Incident, injury, trauma and illness record – current
- Medication record – current
- Children's attendance record – current
- Children's enrolment record
- Record of visitors to the family day care residence, for the 3 years preceding the cessation
- Any resources borrowed from Open Arms Care Inc. Family Day Care i.e. Toy library
- Registration Certificate

- Educators return all personal items belonging to children to their parents by the termination date

Suspension

An educator may be given a notice from the Regulatory Authority to suspend their education and care service if:

- The approved provider of the education and care service is not complying with any provision of the Education and Care Services National Law Act 2010
- There is a risk to the safety, health or wellbeing of children being educated and cared for by the family day care educator

Refer to the complaints policy for details regarding the suspension of an educator's family day care service

Source

Education and Care Services National Regulation

Education and Care Services National Law

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Selected Approved Educator Procedure

Before offering an applicant a position with the service, the service will:

1. Always conduct reference checks from at least two referees.
2. Check two forms of identification with at least one proving residing address.
3. Ask for a verified academic transcript of qualifications or check details with the educational institution.
4. Carefully look at the applicant's employment history and seek explanations (e.g. travel, study leave) for any gaps.
5. Ensure the applicant's Family Day Care venue has been approved.
6. Verify and sight Educators, Assistants and any household members over 18 Working with Children Checks.
7. Must complete a Nationally Coordinated Criminal History Check Form from the Educators or Assistants obtained national police check.
8. Must hold a current First Aid Certificate, along with Asthma and Anaphylaxis Management training prior to commencing as a registered educator.
9. Must provide a recent medical certificate from a certified practitioner stating suitability to fulfill the requirements of a registered educator.
10. Must complete a safety audit of their home in conjunction with the Coordination Unit, ensuring an adequate standard is met for the provision of the service.
11. Will be informed of their obligation to complete Child Protection training.
12. Will be informed of unannounced visits by staff.
13. Completion of Public Liability Insurance application and the payment of premium.
14. Payment of Registration Fee of \$185 .
15. Continued **registration will be dependant upon satisfactory performance as an Educator.**

TRAINING & ORIENTATION PROCESS

Before commencement new educators will meet with the coordinator who will:

- Introduce the new educator to the service administration office and service staff.
 1. Explain the management structure of the service and how the educator may have input.
 2. Outline the training and information sessions all new educators can be involved in.
 3. Explain when relevant resources and information such as handbooks, forms, policies, procedures and information sheets will be given to the educator.
 4. Review the steps required before children are placed with the new educator.
 5. Discuss the service's expectations of the educator during the orientation period.
 6. Allow the educator to spend time familiarising themselves with the service and any information given;
 7. Answer questions and provide further clarification as needed.
- Educator applicants who have completed an approved Certificate III level education and above Qualifications will be exempted from some of the information/training sessions, at the Nominated Supervisor's discretion.
- The information/training sessions are information sharing opportunities for educators and Staff and provide avenues for small group discussion and time for informal networking as well as professional development.
- At each training session educators will be given the relevant written material such as handbooks, forms, policies and procedures, and information sheets.
- Child care will be provided for educators own children whenever possible.
- Once the educator has child/children placed with her/him Coordination Staff will provide the following support within the first 4 weeks:
 1. Visit the educator in the first week child/children are placed in care (whenever possible).
 2. Provide telephone and additional support visits as requested.
 3. .
 4. Provide the educator with a selection of resources.
 5. Invite the educator to give input into the operation of the scheme through established procedures.

Source

Education and Care Services National Regulation

Education and Care Services National Law

Childcare Provider handbook accessed January 2020

Social Media Policy

1. Purpose

- 1.1 The Social Media Policy ('Policy') relates to Open Arms Care Incorporated ('Open Arms Care Inc.') and, where relevant, operates in conjunction with the Internet, Email and Computer Use Policy and the Contract of Employment or contract for service.

2. Commencement of Policy

- 2.1 This Policy will commence from 01/02/2020. It replaces all other policies, if any, relating to access to social media platforms and social networking sites (whether written or not).

3. Scope

- 3.1 The Policy relates to all full-time, part-time and casual employees of Open Arms Care Inc. ('Open Arms Care Inc. Employees'), as well as contractors, temporaries and subcontractors working for or on behalf of either a company or any associated companies in the Open Arms Care Inc. workplace ('Open Arms Care Inc. Contractors').
- 3.2 The Policy also applies to Open Arms Care Inc. Employees and Open Arms Care Inc. Contractors' participation in social media inside or outside of any Open Arms Care Inc. workplace and includes use of a Contractor's or an Employee's own device.
- 3.3 The Policy does not form part of any contract of employment with Open Arms Care Inc. Nor does it form part of any contract for service with Open Arms Care Inc.

4. Definitions

- 4.1 In this Policy:
 - a) **'Blogging'** means the act of using web log or 'blog'. A blog is a frequently updated website featuring diary-style commentary, audio-visual material and links to articles on other websites.
 - b) **'Confidential Information'** includes but is not limited to trade secrets of Open Arms Care Inc.; non-public information about the organisation and affairs of Open Arms Care Inc. such as: pricing information such as internal cost and pricing rates, production scheduling software, special supply information; marketing or strategy plans; exclusive supply agreements or arrangements; commercial and business plans; commission structures; contractual arrangements with third parties; tender policies and arrangements; financial information and data; sales and training materials; technical data; schematics; proposals and intentions; designs; policies and procedures documents; concepts not reduced to material form; information which is personal information for the purposes of privacy law; and all other information obtained from Open Arms Care Inc. or obtained in the course of working or providing services to Open Arms Care Inc. that is by its nature confidential.
 - c) **'Computer'** includes all laptop computers and desk top computers.

- d) **‘Hand Held Device’** includes all such devices which are used by Open Arms Care Inc. Employees and Open Arms Care Inc. Contractors , inside and outside working hours, in the workplace of Open Arms Care Inc. (or a related corporation of Open Arms Care Inc.) or at any other place. Such devices include, but are not limited to, mobile phones, Blackberrys, Palm Pilots, PDAs, iPhones, tablets, iPads, other handheld electronic devices, smart phones and similar products, and any other device used to access social networking sites or a social media platform.
- e) **‘Intellectual Property’** means all forms of intellectual property rights throughout the world including copyright, patent, design, trade mark, trade name, and all Confidential Information and including know-how and trade secrets.
- f) **‘Person’** includes any natural person, company, partnership, association, trust, business, or other organisation or entity of any description and a person’s legal personal representative(s), successors, assigns or substitutes.
- g) **‘Social Networking Site’** and **‘Social Media Platform’** includes but is not limited to Facebook, My Space, Bebo, Friendster, Flickr, LinkedIn, XING, Blogger, WordPress, You Tube, Twitter, Yahoo Groups, Google Groups Whirlpool, Instant Messaging Services, Message Board, Podcasts, ‘Wikis’ (e.g. Wikipedia) and other similar sites.

5. **Representing Open Arms Care Inc. in social media**

- 5.1 In consideration of the type of business of Open Arms Care Inc., any comments about or in connection with Open Arms Care Inc. made in a social media platform must be factual and consistent information with Open Arms Care Inc.’s goals and objectives. This means protecting commercially sensitive information in accordance a Open Arms Care Inc. Employee’s contract of employment and a Open Arms Care Inc. Contractor’s contract for service.
- 5.2 All Open Arms Care Inc. Employees and Open Arms Care Inc. Contractors are restricted from making comments on behalf of Open Arms Care Inc. or using Open Arms Care Inc.’s branding, (including the corporate logo, internal logo and registered trademarks), in any Social media platform unless otherwise authorised.
- 5.3 Only the following Open Arms Care Inc. Employees are authorised to speak on behalf of Open Arms Care Inc. on Social media platforms:
 - a) Board President
 - b) Chief Executive Officer
- 5.4 Open Arms Care Inc. recognises that circumstances may arise in which Open Arms Care Inc. Employees and Open Arms Care Inc. Contractors make mention of Open Arms Care Inc. in social media.
- 5.5 Unless authorised by Open Arms Care Inc., any comments made by Open Arms Care Inc. Employees and Open Arms Care Inc. Contractors must contain a disclaimer that they are not representing Open Arms Care Inc. and do not have authority to speak

on behalf of Open Arms Care Inc., and the views of the Open Arms Care Inc. Employee/Open Arms Care Inc. Contractor do not represent the views of Open Arms Care Inc.

6. Acknowledgement

6.1 All Open Arms Care Inc. Employees and Open Arms Care Inc. Contractors acknowledge that:

- a) they are not to make comments which might reflect negatively on Open Arms Care Inc.'s reputation or make deliberately false or misleading claims about Open Arms Care Inc., or its products or services. Any recognised inaccurate comments must have all reasonable efforts made by the Open Arms Care Inc. Employee or Open Arms Care Inc. Contractor to correct the statement;
- b) they must not disclose confidential or commercially sensitive information about Open Arms Care Inc. including Open Arms Care Inc.'s Confidential Information or Intellectual Property. This obligation continues after the employment or engagement ceases;
- c) they must not endorse or cite any client, partner or supplier of Open Arms Care Inc. without the explicit prior permission of the Chief Executive Officer;
- d) they must observe the relevant privacy, defamation and copyright laws; and
- e) they must comply with relevant discrimination laws and Open Arms Care Inc. policies that relate to discrimination and harassment.

7. Material posted by others

7.1 Inappropriate or disparaging content and information stored or posted by others (including non-employees) in the social media environment may also damage Open Arms Care Inc.'s reputation.

7.2 If you become aware of any such material which may damage Open Arms Care Inc. or its reputation, you must immediately notify your manager and Chief Executive Officer on 0438 292 855.

8. External social media platforms

8.1 When using external Social Media Platforms, including, but not limited to, social networks and Blogging sites, Open Arms Care Inc. Employees and Open Arms Care Inc. Contractors should not disparage or make adverse comments about Open Arms Care Inc., any Open Arms Care Inc. Employee or any Open Arms Care Inc. Contractor. This includes where such comments are made whilst an Open Arms Care Inc. Employee or Open Arms Care Inc. Contractor is contributing to a Social Media Platform using an Open Arms Care Inc. computer and internet resources and similarly whilst using a non-Open Arms Care Inc. computer or hand-held device.

8.2 Open Arms Care Inc. Employees and Open Arms Care Inc. Contractors should be aware that, in accordance with the Internet, Email and Computer Use Policy, internet usage is continuously logged and archived by Open Arms Care Inc. for monitoring purposes on an ongoing basis.

8.3 If it comes to Open Arms Care Inc.'s attention that an Open Arms Care Inc. Employee or Open Arms Care Inc. Contractor has made inappropriate and/or unauthorised comments about Open Arms Care Inc. or an Open Arms Care Inc. Employee or Open Arms Care Inc. Contractor, Open Arms Care Inc. may choose to take action against such person as outlined in the Policy. Action will not be limited to contributions made on a Social Media Platform made whilst using Open Arms Care Inc. computer and internet resources but may include action taken as a consequence of inappropriate and/or unauthorised contributions made about Open Arms Care Inc., a Open Arms Care Inc. Employee or Open Arms Care Inc. Contractor via a non-Open Arms Care Inc. computer or Hand Held Device.

9. Open Arms Care Inc. employees' and Open Arms Care Inc. contractors' responsibilities

9.1 Open Arms Care Inc. Employees and Open Arms Care Inc. Contractors are personally responsible to report any inaccurate, misleading or deceptive information they encounter about Open Arms Care Inc. and its products and services to the Chief Executive Officer.

10. Warning

10.1 Apart from the potentially adverse effects a blog or social networking entry may have on Open Arms Care Inc., inappropriate blogs on internal or external sites can also have adverse consequences for a Open Arms Care Inc. Employee or Open Arms Care Inc. Contractors in terms of future career prospects, as the material remains widely and permanently accessible to other site users.

10.2 Open Arms Care Inc. may use and disclose an Employee's or Contractor's social media posts where that use or disclosure is:

- (a) for a purpose related to the employment of any employee or related to Open Arms Care Inc.'s business activities; or
- (b) use or disclosure to a law enforcement agency in connection with an offence; or
- (c) use or disclosure in connection with legal proceedings; or
- (d) use or disclosure reasonably believed to be necessary to avert an imminent threat of serious violence to any person or substantial damage to property.

10.3 While users are permitted to use Open Arms Care Inc.'s computer network for limited and reasonable personal use, Employees and Contractors must be mindful that any information (personal or other) they disclose while using Open Arms Care Inc.'s computer network may be used and/or disclosed as provided for in clause 10.2 above. An Employee or Contractor is taken to have consented to the use and disclosure of any information (personal or otherwise) that is disclosed during personal use of Open Arms Care Inc.'s computer network.

11. Consequences of breaching the Social Media Policy

11.1 Any breach of the Policy may result in disciplinary action, including, but not limited to, issue of a warning, demotion, suspension or termination of employment (or, for

Open Arms Care Inc. Contractors, the termination or non-renewal of their contract for service).

12. Open Arms Care Inc. contact

- 12.1 Any questions about this Policy should be directed to the Chief Executive Officer 0438 292 855.

13. Variations

- 13.1 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

14. Review and evaluation of this policy and procedure

- 14.1 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 14.2 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Workplace Bullying Policy

Purpose

- 1.378 Open Arms Care Inc. ('Open Arms Care') aims to provide a safe and healthy work environment, so far as is reasonably practicable, in which all workers are treated fairly, with dignity and respect. Bullying is a risk to the health and safety in the workplace, and will not be tolerated by Open Arms Care.
- 1.379 This Policy outlines the Open Arms Care's commitment to a safe workplace and is aimed at ensuring, so far as it reasonably can, that employees are not subjected to any form of bullying while at work. It also details the legal responsibilities of Open Arms Care and workplace participants in relation to preventing bullying in the workplace.

Commencement of Policy

- 1.380 This Policy will commence on 01/02/2020. It replaces all other bullying policies (whether written or not).

Scope

- 1.381 This Policy covers all employees of Open Arms Care (whether full-time, part-time or casual) and all persons performing work at the direction of, in connection with, or on behalf of Open Arms Care (for example contractors, subcontractors, agents, consultants, and temporary staff) (collectively '**workplace participants**').
- 1.382 This Policy extends to all functions and places that are work related, for example, work lunches, conferences, Christmas parties and client functions. This Policy does not form part of any employee's contract of employment. Nor does it form part of any contract for service.

Legal responsibilities

- 1.383 Everyone at the workplace has a legal responsibility to prevent bullying from occurring.
- 1.384 Under relevant health and safety legislation (the 'WHS Legislation') Open Arms Care has the primary duty to eliminate or minimise, as far as reasonable practicable, the risks to health and safety in the workplace. This duty includes the implementation of strategies to prevent workplace bullying. This policy will assist Open Arms Care in complying with its legal responsibilities.
- 1.385 Workplace participants are also required under the WHS Legislation to take reasonable care for their own health and safety, as well as that of others at Open Arms Care's workplace. All workplace participants must also comply with any reasonable instruction given by Open Arms Care.

What is workplace bullying?

- 1.386 Workplace bullying is repeated, unreasonable behaviour by an individual or group of individuals, directed towards a worker or a group of workers that creates a risk to health and safety. It includes both physical and psychological risks and abuse.

1.387 'Repeated behaviour' refers to the persistent nature of behaviour and can refer to a range or pattern of behaviours over a period of time (for example, verbal abuse, unreasonable criticism, isolation and subsequently being denied opportunities — i.e. a pattern is being established from a series of events).

1.388 'Unreasonable behaviour' means behaviour that a reasonable person, having regard to all the circumstances, would view as unreasonable in the circumstances and may result in that employee feeling victimised, humiliated, undermined or threatened by that behaviour, regardless of what the intention of the behaviour is.

Examples of workplace bullying

1.389 Bullying behaviours can take many different forms, from the obvious (direct) to the more subtle (indirect). The following are some examples of both direct and indirect bullying.

Direct bullying:

- a) abusive, insulting or offensive language or comments
- b) spreading misinformation or malicious rumours
- c) behaviour or language that frightens, humiliates, belittles or degrades, including over criticising, or criticism that is delivered with yelling or screaming
- d) displaying offensive material
- e) inappropriate comments about a person's appearance, lifestyle, family, sexual preferences or any personal or private matter
- f) teasing or regularly making someone the focus of pranks or practical jokes
- g) interfering with a person's personal property or work equipment, or
- h) harmful or offensive initiation practices.

Indirect bullying:

- a) unreasonably overloading a person with work, or not providing enough work
- b) setting timeframes that are difficult to achieve, or constantly changing them
- c) setting tasks that are unreasonably below, or above, a person's skill level
- d) deliberately excluding or isolating a person from normal work activities
- e) withholding information that is necessary for effective performance of the person's job
- f) deliberately denying access to resources or workplace benefit and entitlements, for example training, leave etc.
- g) deliberately changing work arrangements, such as rosters and leave, to inconvenience a particular worker or workers

- 1.390 The above examples do not represent a complete list of bullying behaviours. They are indicative of the type of behaviours which may constitute bullying and therefore are unacceptable to Open Arms Care.
- 1.391 A single incident of unreasonable behaviour does not usually constitute bullying. However, it should not be ignored as it may have the potential to escalate into bullying behaviour.
- 1.392 A person's intention is irrelevant when determining if bullying has occurred. Bullying can occur unintentionally, where actions which are not intended to victimise, humiliate, undermine or threaten a person actually have that effect.
- 1.393 Bullying in the workplace is harmful not only to the target of the behaviour but damages Open Arms Care's culture and reputation. It is unacceptable and will not be tolerated.

What does not constitute workplace bullying?

- 1.394 Managing workplace participants does not constitute bullying, if it is done in a reasonable manner. Managers have the right, and are obliged to, manage workplace participants. This includes directing the way in which work is performed, undertaking performance reviews and providing feedback (even if negative) and disciplining and counselling staff. Examples of reasonable management practices include:
- a) setting reasonable performance goals, standards and deadlines in consultation with workers and after considering their respective skills and experience
 - b) allocating work fairly
 - c) rostering and allocating working hours in a fair and reasonable manner
 - d) transferring a workplace participant for legitimate and explained operational reasons
 - e) deciding not to select a workplace participant for promotion, following a fair and documented process
 - f) informing a workplace participant about unsatisfactory work performance in a constructive way and in accordance with any workplace policies or agreements
 - g) informing a workplace participant about inappropriate behaviour in an objective and confidential way
 - h) implementing organisational changes or restructuring, and
 - i) conducting performance management processes.

What steps will Open Arms Care take to prevent workplace bullying?

- 1.395 Open Arms Care will take all reasonable steps to prevent bullying through a risk management process. This process includes, but is not limited to:

- a) identification of bullying risk factors — these are issues and situations which could contribute to bullying such as the way in which staff are managed, or organisational change such as redundancies (refer to the common risk factors set out below);
- b) assessment of the likelihood of bullying occurring from the risk factors identified and their potential impact on the workplace participants or workplace;
- c) eliminating the risks, as far as reasonably practicable, or controlling, or minimising, them as far as reasonably practicable;
- d) reviewing the effectiveness of the control methods put in place and the process generally; and
- e) informing and training workplace participants about bullying, how to deal with it and its impact on the workplace.

1.396 Open Arms Care will use the Workplace Bullying Assessment Checklist to facilitate the risk management process. This checklist has been developed to assist Open Arms Care to identify, assess and eliminate bullying in the workplace, taking into account the common risk factors (refer below).

What are some of the common risk factors which may lead to bullying?

1.397 Bullying can result from a number of different factors in a workplace, from the general culture to poor management skills. Some risk factors which make bullying more likely to occur are:

- a) organisational change — i.e. significant change in the workplace that may lead to job insecurity for example, restructure and redundancy, introduction of technology, change in management.
- b) the culture Open Arms Care's values, views and beliefs can either expressly or implicitly encourage bullying behaviours, for example, when a company promotes aggressive behaviour as a means of ensuring its workers are performing their roles, or adopts a culture in which it is acceptable to ignore such behaviours.
- c) negative leadership styles — such as strict, autocratic management styles, which do not allow for flexibility or involvement by employees; or passive, 'laissez-faire' management styles which are characterised by a tendency to avoid decisions, inadequate supervision and little guidance to workers.
- d) inappropriate systems of work — this includes excessive workloads, unreasonable timeframes, uncertainty about roles and how they should be performed, and lack of support.
- e) poor work relationships — this can be characterised by poor communication between workplace participants and management, or negative relationships

with supervisors or colleagues, excessive criticism by manager and the exclusion or isolation of workers.

- f) workforce characteristics – groups of workplace participants may be at a higher risk of bullying because of certain characteristics: for example, young workers, new workers, apprentices, injured workers, workers in a minority group because of their race, disability, religion, gender or sexual preference.

1.398 Open Arms Care will consider these factors when undertaking its risk management process.

Complaint procedure

1.399 If a workplace participant feels that they have been bullied, they should not ignore it.

1.400 Open Arms Care has a complaint procedure for dealing with bullying (set out below). The complaint procedure has numerous options available to suit the particular circumstances of each individual situation. The procedure should be referred to and followed.

1.401 Any bullying issue should be brought to Open Arms Care's attention as soon as possible. There are a number of options available to workplace participants.

(a) Confront the issue

- (i) If a workplace participant feels comfortable doing so, they should address the issue with the person concerned. A workplace participant should identify the bullying behaviour, explain that the behaviour is unwelcome and offensive and ask that it stop.
- (ii) This is not a compulsory step. If a workplace participant does not feel comfortable confronting the person, or the workplace participant confronts the person and the behaviour continues, the worker should report the issue to their supervisor. If the supervisor is the alleged perpetrator, then the matter should be reported to a Service Manager.
- (iii) If at any time, a workplace participant is unsure about how to handle a situation they should contact Service Manager for support and guidance.

(b) Report the issue

- (i) There are two complaint procedures that can be used to resolve bullying complaints: informal and formal (detailed further below). The type of complaint procedure used depends on the nature of the complaint that is made. The aim is to ensure that workplace participants are able to return to a productive and harmonious working relationship as soon as possible.

(c) Informal complaint procedure

- (i) Under the informal complaint procedure there are a broad range of options for addressing the complaint. The procedure used to address the issue will depend on the individual circumstances of the case. The supervisor or Service Manager will determine which process to follow. The possible options include, but are not limited to, the supervisor or Service Manager:
 - discussing the issue with the person against whom the complaint is made; and/or
 - facilitating a meeting between the parties in an attempt to resolve the issue and move forward.
 - (ii) The informal complaint procedure is more suited to less serious allegations that if founded, may not warrant disciplinary action being taken.
- (d) Formal complaint procedure
- (i) The formal complaint procedure involves the workplace participant making a written complaint and a formal investigation of that complaint. It is appropriate for more serious allegations, or if senior management are involved. Formal investigations may be conducted by Open Arms Care or by an external investigator appointed by Open Arms Care.
 - (ii) An investigation generally involves collecting information about the complaint and then making a finding based on the available information as to whether or not the alleged behaviour occurred. Once a finding is made, Open Arms Care or the external investigator will make recommendations about what actions should taken to resolve the complaint and any appropriate disciplinary action.
 - (iii) If Company considers it appropriate for the safe and efficient conduct of an investigation, workers may be required not to report for work during the period of an investigation. Open Arms Care may also provide alternative duties or work during the investigation period. Generally, workplace participants will be paid their normal pay during any such period.

Dealing with bullying complaints

1.402 In handling bullying complaints, Open Arms Care will adopt the following principles:

- a) Take all complaints seriously.
- b) Act promptly to investigate the matter.
- c) Will not victimise any person who makes a complaint, any person accused of bullying, or any witnesses and will direct other workplace participants not to victimise any person involved in a complaint.

- d) Support all parties.
- e) Be impartial.
- f) Communicate the investigation or complaint process to all parties involved, including estimating length of time for resolution.
- g) Maintain confidentiality Open Arms Care will endeavour to maintain confidentiality as far as possible. However, it may be necessary to speak with other workers in order to determine what happened, to legal representatives or Open Arms Care's senior managers. It will also be necessary to speak to those against whom the complaint has been made in order to afford fairness. All workplace participants involved in the complaint must also maintain confidentiality, including the workplace participant who lodges the complaint. Spreading rumours or gossip may expose the workplace participant responsible to a defamation claim.
- h) Act appropriately — if a complaint is made and it appears that bullying has occurred, Open Arms Care will endeavour to take appropriate action in relation to the complaint.
- i) Keep records — documentation is essential. A record of all meetings and interviews stating who was present and agreed outcomes should always be maintained.

Possible outcomes

1.403 The possible outcomes of an investigation will depend on the nature of the complaint. Where an investigation results in a finding that a person has engaged in bullying behaviour, that person will be disciplined. The type and severity of disciplinary action will depend on the nature of the complaint and other relevant factors. Where the investigation results in a finding that the person complained against has engaged in serious misconduct, this may result in instant dismissal. Any disciplinary action is a confidential matter between the affected workplace participant and Open Arms Care.

1.404 Open Arms Care may take a range of disciplinary action. Examples include, but are not limited to:

- a) providing training to assist in addressing the problems underpinning the complaint;
- b) monitoring to ensure that there are no further problems;
- c) implementing a new policy;
- d) mentoring and support from senior management;
- e) requiring an apology or an undertaking that certain behaviour stop;
- f) changing work arrangements;
- g) transferring to another work area;

- h) issuing a written warning (this can be a first or final warning depending on the circumstances);
- i) dismissal.

Management's role

1.405 Managers and supervisors have a key role in the prevention of workplace bullying.

1.406 Managers and supervisors must:

- a) ensure that they do not bully workplace participants, clients or customers
- b) ensure that they do not aid, abet or encourage other persons to engage in bullying behaviour
- c) ensure all workplace participants who report to them are aware and understand this policy and their responsibility to comply with it
- d) ensure that all workplace participants who report to them understand that any bullying in any form is unacceptable and will not be tolerated by Open Arms Care
- e) act promptly and appropriately if they observe bullying behaviours
- f) ensure that all workplace participants who report to them understand that they should report any bullying behaviour
- g) ensure all workplace participants who report to them are aware and understand the complaint procedures
- h) act promptly if a complaint is made. If this is not possible, or is inappropriate, inform the Service Manager as soon as possible.

Workplace participant's role

1.407 All workplace participants must:

- a) understand and comply with this policy
- b) sign the workplace participant acknowledgement to this policy
- c) ensure they do not engage in any conduct which may constitute bullying towards other workplace participants, customers/clients or others with whom they come into contact through work
- d) ensure they do not aid, abet or encourage other persons to engage in bullying behaviour
- e) follow Open Arms Care's complaint procedure if they experience bullying
- f) report any bullying they see occurring to others in the workplace in accordance with this policy
- g) maintain confidentiality if they are involved in the incident which has been reported.

Breach of this Policy

- 1.408 Open Arms Care takes very seriously its commitment to provide, so far as is reasonably practicable, a safe and healthy work environment, free from bullying. All workplace participants are required to comply with this policy.
- 1.409 If an employee breaches this policy, they may be subject to disciplinary action. In serious cases this may include termination of employment. Agents and contractors (including temporary contractors) who are found to have breached this Policy may have their contracts with Open Arms Care terminated or not renewed.
- 1.410 If a person makes a false complaint, or a complaint in bad faith (e.g. making up a complaint to get someone else in trouble, or making a complaint where there is no foundation for the complaint), that person may be disciplined and may be exposed to a defamation claim.

More information

- 1.411 If a workplace participant is unsure about any matter covered by this policy, or requires more information about workplace bullying they should seek the assistance of their manager, or of Service Manager. They may also wish to seek external advice from the relevant regulatory authority, such as WorkCover/WorkSafe/SafeWork.

Review

- 1.412 This procedure will be reviewed annually during Open Arms Care's WHS Audit Program, through consultation with employees and health and safety representatives, or when legislative requirements change, or in the event of a serious occurrence involving bullying.

Variations

- 1.413 Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

- 1.414 This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.
- 1.415 Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Relationships with Children

Child Enrolment and Orientation Policy

Aim

All Children's Services will manage enrolments in a manner that ensures the successful and appropriate placement of a child into care, in accordance with all government regulatory requirements. To ensure children are placed where a suitable vacancy occurs and where there is a match between the needs of the child, family expectations and the care's ability and willingness to meet the individual needs of the child.

COMMENCEMENT OF POLICY

This Policy will commence from 19.8.22. It replaces all other Child Enrolment and Orientation policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- National Quality Standards – Quality Area 6: Collaborative partnerships with families and communities
- NSW Department of Education
- Child Care Service Handbook

Practices

1 *Priority of Access.*

The Australian Government has determined Priority of Access guidelines for allocating places in children's services. These guidelines are set out in the following levels of priority.

- Priority 1- a child at risk of serious abuse or neglect
- Priority 2- a child of a single parent who satisfies, or parents who both satisfy, the work/training/study test under section 14 of the Family Assistance Act
- Priority 3- any other child

Within each category mentioned above, the following children are given priority:

- Children in Aboriginal or Torres Strait Islander families
- Children in families which include a disabled person
- Children in families with a non-English speaking background
- Children in socially isolated families

These guidelines are taken into account when there is a high demand for a limited number of vacancies.

When there are no vacant places and care is being provided to Priority 3 child/ren then days may be rationed or the child /ren required leave care in order for the service to provide a place for a higher priority child. But only if:

- The person liable to pay the fees was notified of this when the child first started care **and**
- The service gives at least 14 days' notice.

2 Enrolment Form

An enrolment form must be fully completed for each family before the child can attend the service and it must contain:

- Full name, date of birth and address of the child
- The name, address and contact details of:
 - Each known parent of the child
 - Any person who is to be notified of an emergency involving the child if any parent of the child cannot be immediately contacted
 - Any person who is an authorised nominee
 - Note: Authorised nominee means a person who has been given permission by a parent or family member to collect the child from the education and care service.
 - Any person authorised to consent to medical treatment of, or to authorise administration of medication to the child
 - Any person authorised to authorise the educator to take the child outside the education and care service premises.
 - Any person who is authorised to authorise the education and care service to transport the child or arrange transportation of the child
- Details of any court orders, parenting orders or parenting plans provided to the approved provider relating to powers, duties, responsibilities or authorities of any person in relation to the child or access to the child
- Details of any court orders provided to the approved provider relating to the child's residence or the child's contact with a parent or other person
- Gender of the child
- Language used in the child's home
- Cultural background of the child and if applicable their parents
- Any special considerations for the child, such as cultural, dietary or religious requirements or additional needs
- Authorisations to be kept in the enrolment record for each child enrolled at an education and care service are—

- an authorisation, signed by a parent or a person named in the enrolment record as authorised to consent to the medical treatment of the child, for the approved provider, a nominated supervisor or an educator to seek—
 - medical treatment for the child from a registered medical practitioner, hospital or ambulance service; and
 - transportation of the child by an ambulance service; and
- if relevant, an authorisation given for the education and care service to take the child on regular outings; and
- if relevant, an authorisation given for regular transportation of the child.
- The health information to be kept in the enrolment record for each child enrolled at the education and care service is—
 - the name, address and telephone number of the child's registered medical practitioner or medical service; and
 - if available, the child's Medicare number; and
 - details of any—
 - specific healthcare needs of the child, including any medical condition; and
 - allergies, including whether the child has been diagnosed as at risk of anaphylaxis; and
 - any medical management plan, anaphylaxis medical management plan or risk minimisation plan to be followed with respect to a specific healthcare need, medical condition or allergy and
 - details of any dietary restrictions for the child; and
 - the immunisation status of the child; and
 - if the approved provider or a staff member or family day care educator has sighted a child health record for the child, a notation to that effect; and
 - in relation to New South Wales, certificates for immunisation or exemption for the child

The Coordinator/Educator is to go through the enrolment form with the parents prior to starting care to ensure all the details have been completed.

If a child is subject to any court orders, parenting orders or parenting plans, the service must have a copy on record plus any subsequent alteration registered by the court.

The enrolment record must be kept on the premises by the service.

All enrolment records are to be kept in a confidential manner either electronically or in a locked filing system from all but the approved persons who enrolled the child, relevant staff, management and Commonwealth and /or State Department Officers.

Enrolment records are to be updated when there are changes to the family's circumstances and within 7 days of receiving the update.

To confirm re-enrolment in the following year, current OSHC parents are asked to check their enrolment forms online via the My Family Lounge App for OSHC to ensure all details are still current and correct.

Parents will be advised that it is their responsibility to notify staff of any changes to their current details on enrolment and through the parent information booklet.

Depending on availability of care, children may be enrolled at any time throughout the year.

Parents may also place their child on the waiting list for the current or upcoming year if they do not require care immediately. Care will be determined by availability and priority of access guidelines.

Enrolments and attendance records are to be submitted electronically to DEEWR by the office administration.

PRACTICE

Request for care

Parents/ Guardians seeking care should approach Open Arms Care Inc office.

Basic information discussed and noted re family and child/children's needs and information placed on the application for care form.

Face to face or phone interview to assess parent expectations and child's needs.

Parent enrolment kit can be given, emailed or posted (includes Parent/Handbook, CCCS information)

Selected Educator's name and number provided to family after confirming with selected Educator.

If request cannot be met, the family is placed on the waiting list.

Children are not registered unless they are enrolled with the Open Arms Care Inc Office.

List of families requiring care

The service maintains a current list of families requiring care.

Parents are asked to notify the service of any changes to their details and/or if they wish to remove their child from the list.

The list is reviewed and updated on a regular basis.

Hours of operation

The service complies with the current CCCS Children's Services Handbook, and this information is related to families in a number of ways (eg: Parent Information handbook).

The office is open 9am – 3.00pm

Fees

See Fee Policy.

Number of educators a family will be referred to

Where possible, families will be referred to more than one carer, who may be able to meet their child care requirements.

Sources

Child Care Service Handbook retrieved January 2020

Education and Care Services National Law Act 2010

Education and Care Services National Regulations 2011
NSW Department of Education
Immunisation Enrolment Toolkit
Guide to the National Quality Framework, Operational Requirements, 2018

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Inclusion and Diversity Policy

Aim

Inclusion means that every child has access to, participates meaningfully in, and experiences positive outcomes from early childhood education and care programs. Open Arm's Care Inc. Children's Services welcomes all children and is committed to providing developmentally appropriate early learning and development experiences that support the full access and participation of each and every child. We believe that each child is unique and work in partnership with families and other professionals involved with the child to provide the support every child needs to reach their full potential.

COMMENCEMENT OF POLICY

This Policy will commence from 1/02/2020. It replaces all other Inclusion and Diversity policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

- Education and Care Services National Regulations 2011
- Education and Care Services National Law 2011
- Anti Discrimination Act 1977
- National Quality Standards – Quality Area 1: Educational Program and Practice
- National Quality Standards – Quality Area 6: Collaborative Partnership with Families and Communities

Background

Inclusion is important for many reasons: It implements current thinking about child development; implements the legal standards for early childhood education and care; and is good professional practice. Inclusion fosters diversity and overcomes any barriers that might exist to ensure that every child experiences quality early childhood education and care.

Children who may require or benefit from additional support or adaptations to participate fully and be included in early year's services are:

- Children with disability or developmental delay
- Children experiencing physical, medical or mental health conditions
- Aboriginal or Torres Strait Islander children
- Children from culturally and linguistically diverse backgrounds
- Refugees
- Gender-diverse or children from LGBTI families

- Children with complex social, emotional or behavioural needs
- Children who are gifted
- Children experiencing social, economic or geographic disadvantage
- Children at risk of abuse, neglect or family violence

Practice

Educators use developmentally appropriate practices and consider the unique needs of all children when planning. Educators will make every attempt to make any adaptations or modifications necessary to meet the needs of the children.

Routines and activities are flexible and educators will work with therapists, special educators and other professionals to integrate individual needs, modifications and strategies into routines and activities. Any adaptations will be reviewed with families and other professionals supporting the child.

Educators will plan activities which reflect children's interest and abilities in which all children can participate and succeed. Inclusive and meaningful participation supports the concepts of the Early Years Learning Framework (EYLF) *Belonging, Being and Becoming*.

Families will share relevant information at the enrolment interview, which will help staff identify a suitable care situation for the child.

Families will share relevant information with Educators to accommodate the individual child's needs.

Educators will acknowledge and respect the diversity, differences and the uniqueness of every child and their families while ensuring that each child is treated equally and fairly.

Educators will encourage the family to share the culture of their home and educators will incorporate appropriate resources/activities into the programme. Collaboration with parents/guardians means building a partnership to support the inclusion of the child.

Educators will focus on similarities of children in the group. Inclusive programs include all children with or without special needs.

Educators will respect racial and cultural diversity.

Educators will aim to use non bias terms when discussing gender.

Educators will aim to use language and display attitudes that are not biased against minority groups or any members of the community and children in care.

Educators can encourage children to use language that is not biased and to behave in ways that are not biased to those around them.

Educators need to provide strategies to encourage both genders to participate in any activity.

The Educational Leader will support educators to integrate children with additional needs into the group setting.

The service will refer children with additional needs to early intervention programs as necessary.

The service will help parents access other children's services and agencies that may assist the family/ child e.g. Early Childhood Intervention, speech and occupational therapists as necessary.

The service will support educators by accessing the Inclusion Support Program for children with special needs who are eligible.

Educators will not avoid discussions that may be initiated by a child but will handle it with tact and honesty.

Where possible, professional development opportunities are provided to educators and discussions and strategies planned during staff/ educator meetings. Additional support and resources are provided where appropriate.

Sources

Statement on the inclusion of every child in early childhood education and care.

www.earlychildhoodaustralia.org.au

Belonging, Being and Becoming – The Early Years Learning Framework for Australia

www.acecqa.gov.au

National Quality Standards www.acecqa.gov.au

Retrieved January 2020

Variations

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Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Interactions with Children Policy

Aim

Open Arms Care staff and educators will create a happy, responsive atmosphere and interact with all children in a warm, friendly, respectful way as well as respect the dignity and rights of the child to allow them to feel valued, capable and confident.

Our service believes children who experience relationships that are built on respect, fairness, cooperation and empathy are given the opportunity to develop these qualities themselves. When children have positive experiences of interactions they develop an understanding of themselves as significant and respected, and feel a sense of belonging.

COMMENCEMENT OF POLICY

This Policy will commence from 1/02/2020. It replaces all other Interactions with Children Policy of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education and Care Services National Law 2010:
- Education and Care Services National Regulations 2011: 155, 156
- Children and Young Persons (Care and Protection) Act 1998
- Commission for Children and Young People Act 1998
- *National Quality Standards – Quality Area 5: Relationships with Children*

Procedures

Management and educators will ensure the educational program contributes to the development of a strong sense of wellbeing and identity and children are connected, confident, involved and effective learners and communicators. *Refer Programing for Development and Education Policy*

Educators and staff members will not subject a child to any form of corporal punishment or any discipline that is unreasonable or excessive in the circumstances (National Law: Section 166 Regulation 73).

Educators at our service will:

- be responsive to children's strengths, interests, abilities and their likes and dislikes
- provide opportunities to become self-reliant and develop self-esteem
- ensure the dignity and rights of the child are maintained at all times

- offer positive guidance and support towards acceptable behaviour *Refer to Guidance of Behaviour Policy*. Children are not to be humiliated, frightened or threatened in any way
- promote a safe, secure and nurturing environment
- be based in fairness, acceptance and empathy with respect for cultural and family values, age and the physical and intellectual development and abilities of each child being educated and cared for. *Refer to Inclusion and Diversity Policy and Ethical Conduct Policy*
- acknowledge children's complex relationships and sensitively intervene in ways that promote consideration and alternative perspectives and social inclusion
- communicate with each child and family in warm and responsive ways respecting family values and culture
- treat children without bias regardless of ability, gender, religion, culture, family structure or economic status
- actively engage in children's learning and share decision-making with them, use their everyday interactions during play, routines and ongoing projects to stimulate children's thinking and to enrich their learning
- view each child as capable and competent, with a right to a voice and able to express their opinions. Educators will seek children's input, respect their ideas and take their suggestions on board
- enhance emotional development and social relationships through thoughtful approaches to conversation, discussion and promotion of children's language and communication
- develop relationships with children built on respect, fairness, cooperation and empathy and given the opportunity to develop these qualities themselves. Educators will role model positive interactions at all times
- ensure children are given opportunities to interact and develop respectful and positive relationships with each other, staff, educators and volunteers at the service
- ensure children are not given inappropriate duties, having regard to each child's family and cultural values, age and physical and intellectual development
- ensure children are given support in working with, learning from and helping others through collaborative learning opportunities and experiences.
- Ensure children are given emotional support and are not to be isolated for any reason other than illness, accident or a pre-arranged appointment with parental consent

Families will be encouraged to:

- Engage in open communication with Educators about their child
- Inform Educators of events or incidents that may impact on their child's behaviour at the service
- Inform Educators of any concerns regarding their Child's behaviour or the impact of other children's behaviours
- Work collaboratively with Educators and other s to develop or review an individual behaviour guidance plan for their child, where appropriate.

Sources

A Guide to the National Quality Framework www.acecqa.gov.au
Education and Care Services National Regulations
Retrieved January 2020

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Collaborative Partnerships with Families and Communities

Acceptance and Refusal of Authorisation Policy

Aim

Open Arms Care Inc Children's Services will ensure that it only acts in accordance with correct authorisation as described in the Education and Care Services National Regulations, 2011.

Open Arms Care Inc Children's Services require authorisation for actions such as administration of medications, collection of children, excursions and providing access to personal records. This policy outlines what constitutes a correct authorisation and what does not, and may therefore result in a refusal.

COMMENCEMENT OF POLICY

This Policy will commence from 1/02/2020. It replaces all other Acceptance and Refusal of Authorisation policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation:

- Education and Care Services National Law Act 2010 Section 167
- Education and Care Services National Regulations 2011 Reg 168
- National Quality Standards - Quality Area 7: Leadership and Service Management

Procedures

Refusing a Written Authorisation

On receipt of a written authorisation from a parent/guardian that does not meet the requirements outlined in the related service policy, the Educator will:

- Immediately explain to the parent/guardian that their written authorisation does not meet legislative and policy guidelines.
- Provide the parent/guardian with a copy of the relevant service policy and ensure that they understand the reasons for the refusal of the authorisation.
- Request that an appropriate alternative written authorisation is provided by the parent/guardian.
- In instances where the parent/guardian cannot be immediately contacted to provide an alternative written authorisation, follow related policy procedures pertaining to the authorisation type.

- Follow up with the parent/guardian, where required, to ensure that an appropriate written authorisation is obtained.

Children's Services Staff and Educators will:

Ensure documentation relating to authorisations contains:

- the name of the child enrolled in the service;
- date;
- signature of the child's parent/guardian, or nominated contact person who is on the enrolment form;
- The original form/letter/register provided by the service.

Apply these authorisations to the collection of children, administration of medication, excursion and access to records.

Keep these authorisations in the enrolment record.

Exercise the right of refusal if written or verbal authorisations do not comply.

Waive compliance where a child requires emergency medical treatment for conditions such as anaphylaxis or asthma. The service can administer medication without authorisation as per ongoing medication plan in these cases, provided they contact the parent/guardian as soon as practicable after the medication has been administered

Families are encouraged to:

Ensure that you complete and sign the authorised nominee section of your child's enrolment form before your child attends the service.

Keep child enrolment details forms current stating who the authorised nominees are.

Inform service of current contact numbers to ensure you are contactable at all times.

Communicate to Educators any individual requests regarding authorisations.

Update Educators in relation to any medical conditions, medical plans or ongoing medication requirements. This includes the names of medications, dosage, signs and symptoms and contact information for any relevant health professionals.

Ensure that where children require medication to be administered by educators or other staff, you authorise this in writing, sign and date it for inclusion in your child's medical record.

Sources

Guide to the national Quality Standards 4. Operational Requirements www.acecqa.gov.au

Retrieved January 2020

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Behaviour Guidance and Management Policy

Aim

Children face many challenges throughout their lives. Learning acceptable behaviours, being able to regulate their own behaviours and interacting with peers and adults is sometimes challenging. Our Service believes that children have the right to feel physically and psychologically safe. We aim to provide an environment where all children and educators feel safe, respected, cared for and relaxed and which encourages cooperation and positive interactions between all persons (My Time, Our Place Outcome 1).

This behaviour management policy is based on guidance, redirection and positive reinforcement through everyday interactions. Educators will aim to guide rather than control the behaviour of the children in our care.

Basic rules will be established based on safety, respect for others, order and cleanliness and will be communicated to all families, children and educators along with consequences for inappropriate behaviour. The service recognises the importance of children's input into developing the basic rules and determining appropriate consequences (My Time, Our Place Outcome 2) in order to empower them to regulate their own behaviour. Our service promotes a positive approach to managing the behaviour of all children. Children will be encouraged to resolve problems, defeats and frustrations where appropriate. This can be achieved by exploring possible solutions, and helping children understand and deal with their emotions in positive, non-threatening and productive ways. This will depend on the child's age and level of development (My Time, Our Place Outcome 3).

The service will ensure no child being cared and educated for by the service is subjected to any form of corporal punishment or any discipline that is unreasonable in the circumstances.

The service will ensure that every reasonable precaution is taken to protect children being cared for or educated by the service from harm and any hazard likely to cause injury.

COMMENCEMENT OF POLICY

This policy will commence from 1/02/2020. It replaces all other Behaviour Guidance and Management Policies of Open Arms Care Inc. relating to Children's services (whether written or not).

APPLICATION OF THE POLICY

This policy applies to all users of services provided by Open Arms Care Inc. relating to Children's services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

- Education & Care Services National Regulations 2011 reg 73, 74, 76, 155, 156, 157, 168
- Education & Care Services National Law
- National Quality Standards 2018 Quality Area 1,2,3,5 and 6
- Children and Young Person (Care and Protection) Act 1998

Procedures

Guidelines

- Educators will ensure that expectations relating to children's behavior are clear and consequences for inappropriate behavior are consistently applied.
- Educator's will act as a positive role model for acceptable behavior with encouragement and reward for acceptable behavior.
- Educators will have access to training and support in positive approaches to behavior management. This will be made available as part of the training budget.
- Whilst at the OSHC service, we expect that the children will comply with the following basic rules:
 - Respect each other
 - Respect other people's property and that of the service
 - Share with other children and be inclusive
 - Accept and respect individual needs and differences
 - Clean up after activities
 - Be polite to educators and to each other
 - Follow the instructions from educators
 - Play only in the allocated areas and as directed by educators and not enter areas that educators have designated as "out of bounds"
 - Remain in the supervised area of the program until the authorised person collecting them has signed them out
 - Not participate in physical fighting (play or real), for example, spitting, throwing toys, stones or dangerous objects.
 - Not bully or engage in any form of aggressive behaviour
 - Use appropriate language at all times.

b) Guiding Children's Behaviour:

Steps that educators take towards establishing good behavior management include:

- Establishing positive relationships, which are the foundation for building children's self-respect, self-worth and feelings of security
- Observing children to identify triggers for challenging behaviors. Paying attention to the child's developmental level and any program issues that may be impacting on the behavior
- Using positive approaches to behavior guidance. Some of these include positive acknowledgement, redirection, giving explanations, encouragement, giving help, collaborating to solve problems and helping children to understand the

consequences and impact of their behavior

- There should be regular and open communication between parents and the educator. With the help of parents, the educator can develop a broader understanding of the child's developmental stage, the child's family, the parents' feelings and any recent events that may be influencing the child's behavior. In turn the educator should confer with the parent if any inappropriate behavior has been displayed by the child whilst in care, and how the educator responded to the behavior.
- Supporting children by providing acceptable alternative behaviors when challenging behavior occurs
- Ensuring limits are consistent, carried out in a calm, firm manner, followed through and that children are helped to behave within the limits
- Involving the family and the child in appropriate ways in addressing challenging behavior
- Using other professionals when necessary to help with behavior guidance, for example, the Inclusion Support Facilitator (ISF)
- Identifying children's strengths and building on them
- Seeking support from other educators and management.
- Using schedules, routines and transitions to provide clear guidelines about what is expected from which children gain trust, security and order
- Ensure environments are inviting with no clutter, sufficient space for children to work and play with enough resources for the number and developmental stage of the children.

c) Correction Steps:

- When a child's behaviour is deemed inappropriate to either him/herself or others, or if a child's behaviour is intrusive to another person's enjoyment, then educators will actively intervene and take steps to attempt to resolve the situation.
- Inappropriate behaviour can include bullying, being uncooperative, not listening to reasonable requests from educators, or consistently disregarding the basic rules. In these instances, the following steps will be taken:
 - The educator will explain to the child that this type of behavior is inappropriate.
 - The educator will re-direct the child to a different activity within the room (or outdoors).
 - If aggressive or inappropriate behavior continues, the child will have a quiet space they choose to take themselves to away from the group to calm down and think about their actions. After a short period of time, the educator will have a discussion with the child with respect to their actions, and then the child will return to play when they feel they are able to.
 - A discussion will be held with the child's family when the child is collected.

d) Persistent inappropriate behaviour:

- If Correction steps fail then the child will receive a "strike" (a mark against their

name). Three strikes in one day will result in the child being sent home. All strikes will be discussed and relayed to the parent upon collection.

- If inappropriate behaviour continues over a period of time, a meeting between educators, nominated supervisor, child and family will be arranged. The meeting agenda will cover:
 - Alternative approaches to behaviour guidance
 - The child's life outside the service
 - Any problems that may be causing the behaviour
 - Implementing a behaviour management plan
- A mutual strategy for improving behaviour will be discussed and closely monitored by educators, the nominated supervisor and the child's family. Should it be necessary, and with the consent of the family, advice and assistance will be sought from relevant external specialists to address the matter.
- In extreme cases, and if a child is sent home 3 times during a singular vacation period, then to protect other children and educators, the service reserves the right to exclude the child from the service for the duration of the vacation care period; this may be a temporary or permanent measure. Exclusion will only be considered after:
 - The child's family has been notified and given the opportunity to discuss their child's behaviour
 - Educators, Nominated Supervisor and Approved Provider, have given careful consideration to the problem.
 - Adequate support and counselling is sought (if necessary)
 - Clear procedures have been established for accepting the child back into the service.

All incidents and outcomes will be documented throughout the correction and persistent process for the benefit of the educators, child and families.

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Children's Services Customer Debt Collection Policy

Aim

Open Arms Care Inc Children's Services supports families to pay and maintain their fees as and when they fall due. Accounts are managed to ensure families are able to meet their obligations before a debt is incurred and provision of care is jeopardised. When credit terms are breached, our service will endeavour to recovery monies owing in a timely manner, for the benefit of stakeholders and families using the service.

Commencement of Policy

This Policy will commence from 1/2/2020. It replaces all other Customer Debt Collection Policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

Application of the Policy

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

Fair Trading Act 1987 NSW

Privacy Act 1988

Commonwealth Consumer Protection Laws

National Quality Standards – Quality Area 7: Governance and Leadership

Practice

Information regarding bookings and fees will be provided in the Parent Information Handbook and parents/guardians will be provided with a copy of the fee policy upon enrolment at the service. The coordinator will discuss fee obligations with families to ensure they have a comprehensive understanding of their financial obligations to the service.

For information regarding fee payment practices and Invoicing of Family Statements, refer to *Fee Policy*.

Parents with overdue fees will be encouraged to discuss any difficulties they may have with meeting payments with the Children's Services Manager make suitable arrangements to pay.

When fees are overdue, the following process will be undertaken:

- 1st week post due date: send a reminder via email, mail, phone call or notification via software system
- 2nd week post due date: send notification via software system and a reminder letter stating –
 - The overdue amount

- The possibility of an administration fee being applied to the account for each week overdue
- Reminding of the option to discuss any problems with making timely payment in order that alternative payment arrangements can be made
- Informing that the child's place in care may be cancelled if suitable arrangements cannot be made within 14 days to pay the fees
- 3rd week post due date: Phone the customer and make an appointment to discuss the outstanding amounts, identifying the same issues as listed above. If unable to reach the customer by phone, try all other methods of contact.
- 4th week post due date: If no arrangements have been made to pay the fees or the agreement has not been kept, the provision of care will be cancelled and the Service Coordinator will need to authorise a Formal Letter of Demand, to be sent via registered post.

Fees still overdue after this process:

If the customer fails reply to the Letter of Demand, or does not adhere to the payment arrangement plan, without further notice, cancel the agreement and legally pursue the debt. Consider use of a debt collection agency.

Any costs associated with recovery of debts will be passed on to the debtor

When debt collection attempts are futile, bad debts will be written off in accordance to the correct process of accounting.

Note:

At all steps, record of attempts to contact, and any agreements reached regarding payment, including verbal agreement, will be recorded and stored confidentially.

All records will be kept and used in accordance to the organisations *Confidentiality Policy* and *The Privacy Act 1988*.

Debts will be pursued in accordance to The Commonwealth Consumer Protection Laws

Sources

ACCC Australian Competition and Consumer Commission (retrieved May 2018)

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Collaborative Partnerships with Families & Communities

Aim

Open Arm's Care Inc Children's Services acknowledges that supportive, respectful relationships with families are fundamental to achieving quality outcomes for children. Service engagement in the local community strengthens children's interests and skills in being active contributors in their community. Our philosophy supports collaborative partnerships through a strong commitment to valuing diversity, inclusive practice and connecting to the community.

Our service strives to form family and community partnerships that are based on active communication, consultation and collaboration to contribute to children's inclusion, learning and wellbeing.

COMMENCEMENT OF POLICY

This Policy will commence from 1/04/2018. It replaces all other Collaborative Partnerships with Families & Communities policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation:

- Education and Care Services National Law 2010
- Education and Care services National Regulations 2011
- *National Quality Standards – Quality Area 6: Collaborative Partnerships with Families and Communities*

Practice

Upon enrolment and orientation, families will be given the opportunity to provide information about their children that will assist educators to get to know them and help them settle into the program. Educators will seek further information from families when assessing children's progress and planning their individual goals.

Families are encouraged to share aspects of their culture, values and beliefs. Diversity of families and family belief will be respected by the service and educators.

Families will be provided with information about the service philosophy, educational program, policies and practices prior to children's first day of attendance.

Families will be informed about the process for providing feedback and making complaints.

Educators will promote continuous open and honest communication with families to assist them to feel connected with their children's experiences and to develop families' trust and confidence in the service.

Educators will recognise that because families and parents are often busy with many competing priorities, they will need to consider a range of strategies to build and maintain relationships with each family.

Educators will provide new families information about their expectations, routines and experiences offered to children.

Educators will prepare documentation in a way that is readily understandable to the parents of the child and make this documentation readily available.

Families are invited to participate and become actively involved in decision-making at the service, and are asked for feedback on service decisions and ideas for future activities and procedures.

Families have opportunities to contribute to the development and review of the service's programs, statement of philosophy, policies and Quality Improvement Plan.

The service encourages families to be involved in the educational program through feedback, visiting the service, bringing in items from the home environment and giving educators information about children's emerging interests and needs.

Families, including extended family members, are invited and supported to participate in the program and events at the service and within the community. For example, through sharing skills such as cooking, gardening, helping out with craft activities or attending excursions to support their children's engagement in their community.

The service will regularly provide families with comprehensive, current and accessible information about the service, relevant community services and resourcing to support parenting and family wellbeing.

Community and service information will be provided to parents through newsletters, emails, face to face conversations, meetings, notices and documentation such as the Parent Handbook.

Sources

Guide to The National Quality Framework October 2018 www.acecqa.gov.au
Retrieved January 2020

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

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Delivery & Collection of Children (child handover) Policy

Aim

Educators have a duty of care to ensure safe and consistent handover practices when transferring the care and supervision responsibilities of a child.

Definition

Handover is the act of a parent/authorised nominee transferring the care and supervision responsibilities to a childcare educator, or a child care educator transferring the care and supervision responsibilities of a child/ren to a parent/authorised nominee, at a mutually agreed time and location.

Commencement of Policy

This Policy will commence from 1/10/2020. It replaces all other Child Handover policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

Application of the Policy

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

- Education & Care Services National Regulations 2011
- Education and Care Services Law 2011
- Child Care Service Handbook
- National Quality Standards – Quality Area 2: Children's Health and Safety

PRACTICE AND PROCEDURE

Educators must ensure that the person, who delivers and collects the child, records the exact time of the child's arrival and departure by electronically signing the child in and out of care through the software programs within the service.

Ensure when the child leaves the premises, the person who collects the child is the parent/legal guardian or an authorised nominee who is authorised in writing on the child's enrolment form by a parent /legal guardian of the child to collect the child, or that alternative arrangements to secure the safety and welfare of the child have been made before the child is permitted to leave the premises.

If the authorised nominee is a minor (under 18 years of age) this must be communicated to the Nominated Supervisor in writing 24 hours prior to the date of collection. A conversation between the parent and Nominated Supervisor is to be conducted to establish the minor's

skills and maturity to handle the situation of caring for children under the age of 13.

Questions the Nominated Supervisor may ask is:

1. Is the minor physically and mentally able to care for him/herself?
2. Does the minor obey rules and make good decisions?
3. Can the minor respond to unfamiliar or stressful situations?
4. Does the minor feel comfortable or fearful about being alone or caring for children under 13?
5. Can the minor prove their identity if an educator has never met them before?
6. Does the minor have access to a mobile phone number for use in the Qikkids kiosk?

A child may leave the premises in the care of a person or taken outside the premises because the child requires medical, hospital or ambulance care or treatment or because of another emergency. (Regulations 99)

A parent does not include a parent who is prohibited by a court order from having contact with the child.

For the delivery and collection of children via transportation, please refer to *Transport Policy*.

FAMILY DAY CARE

To ensure the safety of a child at handover time:

- Ensure that when a child arrives at the premises, the family day care educator receives the child.
- Have a set of house rules that all parents/guardians/authorised nominees, visitors and children, including siblings not in care, are expected to follow. It is important that educators have an “acknowledgement of handover of care” routine that is described to parents/ authorised nominees in the initial interview and is then used in a consistent manner.
- Create and implement a routine that ensures children are enclosed within the Family Day Care environment during handover. Eg. doors are locked after parents/guardians/authorised nominees enter and leave.
- Ensure supervision is continuous and adequate
- A routine for greetings and farewells are encouraged e.g. before the child leaves, bags are packed and creative works collected, etc.
- If a school aged child arrives at or leaves the premises of an educator unaccompanied by a parent of the child, the arrival and departure is in accordance with procedures agreed to in writing by the child’s parents or legal guardian.(Before & after school authority form)

- The educator must ensure they have written documentation from a parent eg. Unaccompanied child form, as to the arrangements for the school age child to arrive and depart the educator's premises.
- Inform families of their responsibility to closely supervise children:
 - On arrival to the Educator's premises until physical handover has occurred, and
 - On departure after handover from the Educator to the family, particularly if any hazards such as driveways, glass, prickly bushes, or ponds are in the entry/access route to the handover area.

Families will:

- Discuss handover procedures with the Educator.
- Electronically sign the child into care indicating the exact time handover with the Educator occurred.
- Electronically sign the timesheet at the end of the week verifying the timesheet is an accurate account of the hours used and fees paid.
- In the case of children arriving or departing the Educator's home unattended, discuss the arrangements with the Educator and document and sign the agreed arrangement.
- Pick-up and deliver the child at the contracted times, unless prior notice is given of a change of times.
- Where a person other than the parent/guardian/authorised nominee is collecting a child, notice must be provided prior to collection using the Notification of Enrolment Changes Form or provide written authorisation for once off circumstances. The educator will also request identification from the person collecting the child
- Ensure contact information is up to date with the Educator in case of emergency.
- Notify Educator of absences.

If a child has not been picked up at the arranged booking time:

When a child is not collected from the educator's home at the arranged time or with no warning, the educator will make every endeavor to contact the parents/guardians, or contact the Authorised Nominee nominated as the emergency contact on the enrolment form. After a reasonable time (30 minutes) should the educator not be able to contact any of the above then they will phone the Coordination Unit who will contact the Police and or Department of Family and Community Services. The Educator will document the incident on an incident form and the Management Staff will report to ACECQA.

Out of Hours School Care

Delivery of Children

Children are not to be left at the service unattended at any time prior to the opening hours of the service.

In the case of After School Care sessions Educators are authorised to sign children into care.

Collection of Children

Children must be collected by the closing time of the service.

Any person who is collecting a child from the service must be listed as an authorised nominee on the child's enrolment form with their contact details. The collection list must be kept current and updated on a regular basis.

The authorised nominee who is collecting a child must sign the child out via the electronic attendance register (kiosk) using their individualised phone number. In the case of Before School Care, the educator are authorised to sign the children out of care.

Where a person other than the parent/guardian/authorised nominee is collecting a child, notice must be provided prior to collection using the Notification of Enrolment Changes Form or provide written authorisation for once off circumstances.

The educator will also request identification from the person collecting the child.

If a child has not been picked up by closing time of the service:

When a child is not collected from the service by closing time, the Responsible Person in day to day charge will make every endeavour to contact the parents/guardians, or contact the Authorised Nominees nominated as emergency contacts on the child's enrolment form. After a reasonable time (15 minutes) should the Responsible Person not be able to contact any of the above, and then they will contact the Children's Services Manager who will contact the Police and/or Department of Family and Community Services. The responsible Person will document the incident on an incident form and the Management Staff will report to ACECQA.

Absent and Missing Children

Families are required to notify the service as early as possible if children will be absent from the service. Parents can notify absences via the My Family Lounge APP which instantly records an absence in the daily rolls.

Child Non Attendance Procedures

Bellingham After School Care:

If a booked child does not present to the collection point, the educator is to:

Step 1

- Ask the nearest school teacher if the child was at school that day.
- If they were in attendance let them know that the child has not reported to the collection point.
- The school should search the grounds for the child.

If the child is travelling to the service unaccompanied i.e. on a bus from another school, go straight to step 2.

Step 2

- Contact the parents/guardians to confirm the child's whereabouts.
- If contact is not made, call authorised nominees.

If the child is travelling to the service unaccompanied and contact cannot be made with parents/guardians or authorised nominees call Nominated Supervisor who will contact the school and police where needed.

Step 3

- If the child is unable to be located (whether they are to be attending the service or not), the school will take responsibility/duty of care.
- Do not wait, ensure you catch the bus and return to centre with the children in your care.

Step 4

- Document the **entire** incident on an incident form including who you rang, who you spoke to, if the parent confirmed the child's whereabouts, date and time's you attempted contact with guardians/parents etc.
- Have a parent sign this form on the child's next attendance.

Step 5

- Inform the Nominated Supervisor of the incident.

Urunga After School Care:

If a booked child does not present to the collection point, the educator is to:

Step 1

- Ask the nearest school teacher if the child was at school that day.
- If they were in attendance let them know that the child has not reported to the collection point.
- The school should search the grounds for the child.

If the child is travelling to the service unaccompanied i.e. on a bus from another school, go straight to step 2.

Step 2

- Contact the parent/guardian to confirm the child's whereabouts.
- If contact is not made, call authorised nominees.

If the child is travelling to the service unaccompanied and contact cannot be made with parents/guardians or authorised nominees call the Nominated Supervisor who will contact the school and police where needed.

Step 3

- Search the school grounds for the child as you move the other children up to the OSHC room.
- Notify school office staff.

Step 4

- If the child is unable to be located (whether they are to be attending the service or not), the school will take responsibility/duty of care.

Step 5

- Document the entire incident on an incident form including who you rang, who you spoke to, if the parent confirmed the child's whereabouts , date and time's you attempted contact with guardians/parents etc.
- Have a parent sign this form on the child's next attendance.

Step 6

- Inform the Nominated Supervisor of the incident.

Family Day Care After School Care:

If a booked child does not present to the collection point, the educator is to:

Step 1

- Call the school and ask if the child was in attendance that day.
- If they were in attendance let them know the child has not reported to the collection point.
- The school should search the grounds for the child.

Step 2

- Call the parents/guardians to confirm the child's whereabouts.
- If contact is not made, call authorised nominees.

Step 3

- If the child is unable to be located, the school will take responsibility.

Step 4

- Document the entire incident on an incident form including who you rang, who you spoke to, if the parent confirmed the child's whereabouts, date and time's you attempted contact with guardians/parents etc.
- Have a parent sign this form on the child's next attendance.

Step 5

- Inform the Nominated Supervisor of the incident.

Attendance of a Non Booked Child Procedures

Bellingen After School Care

If a non booked child presents to the collection point to attend OSHC, the educator is to:

Step 1

- Contact the parents/guardians to confirm if the child is to attend OSHC. If contact cannot be made, call authorised nominees.

Step 2

- If contact is made with parents/guardians and the child is to attend OSHC, add child to roll and sign in.
- If the child has other arrangements, let the child and the nearest school teacher know.

Step 3

- If contact cannot be made, the child must stay with the school as we do not have authorisation to take them.
- Direct child to nearest teacher and let them know.
- Do not wait, you must ensure you catch the bus and return to centre with the children who are in your care.

Step 4

- If the child has travelled to the service unaccompanied i.e. on a bus from another school, add the child to the roll and sign them in. Contact parents/guardians to advise the child is at OSHC.

Step 5

- Document the entire incident on an incident form including who you rang, who you spoke to, if the parent confirmed the child's attendance, if the child was left with the school, date and time's you attempted contact with guardians/parents etc.
- Have a parent sign this form on the child's next attendance.

Step 6

- Inform the Nominated Supervisor of the incident.

Urunga After School Care

If a non booked child presents to the collection point to attend OSHC, the educator is to:

Step 1

- Contact the parents/guardians to confirm if the child is to attend OSHC.
- If contact cannot be made, call authorised nominees.

Step 2

- If contact is made with parents/guardians and the child is to attend OSHC, add child to roll and sign in.
- If the child has other arrangements, let the child and the nearest school teacher know.

Step 3

- If contact cannot be made, the child must stay with the school as we do not have authorisation to take them.
- Direct child to nearest teacher and let them know.

Step 4

- If the child has travelled to the service unaccompanied i.e. on a bus from another school, add the child to the roll and sign them in. Contact parents/guardians to advise the child is at OSHC.

Step 5

- Document the **entire** incident on an incident form including who you rang, who you spoke to, if the parent confirmed the child's attendance, if the child was left with the school, date and time's you attempted contact with guardians/parents etc.
- Have a parent sign this form on the child's next attendance.

Step 6

- Inform the Nominated Supervisor of the incident.

Family Day Care

If a non booked child presents to the collection point to attend the service, the educator is to:

Step 1

- Contact the parents/guardians to confirm if the child is to attend the service.
- If contact cannot be made, call authorised nominees.

Step 2

- If contact is made with parents/guardians and the child is to attend the service, add child to roll and sign in.
- If the child has other arrangements, let the child and the nearest school teacher know.

Step 3

- If contact cannot be made, the child must stay with the school as we do not have authorisation to take them.
- Direct child to nearest teacher and let them know.

Step 4

- If the child has travelled to the service unaccompanied i.e. on a bus from another school or walking/riding, add the child to the roll and sign them in. Contact parents/guardians to advise the child is at your service.

Step 5

- Document the **entire** incident on an incident form including who you rang, who you spoke to, if the parent confirmed the child's attendance, if the child was left with the school, date and time's you attempted contact with guardians/parents etc.
- Have a parent sign this form on the child's next attendance.

Step 6

- Inform the Nominated Supervisor of the incident.

Child Missing Procedure

Step 1

- Gather all children and conduct a roll call to ascertain who is missing.

Step 2

- Search the immediate area for the missing child.
- Call Nominated Supervisor for assistance and or further instructions.

Step 3

- If the child cannot be located call emergency services '000' then parents/guardians or authorised nominees to notify

Step 4

- Document the entire incident on an incident form including what you did, who you rang/notified and attempted notifications, who you spoke to at what times etc.

A missing child is a reportable incident to ACECQA, you MUST ensure you follow the procedure and notify the Nominated Supervisor.

Excursion-Missing Child Procedure

Step 1

- Gather all children and conduct a roll call to ascertain who is missing.

Step 2

- Search the immediate area/venue for the missing child.
- Call Nominated Supervisor for assistance and or further instructions.

Step 3

- If the child cannot be located call emergency services '000' then parents/guardians or authorised nominees to notify

Step 4

- Remain at excursion venue until a Nominated Supervisor arrives to handover incident.

Step 5

- Document the **entire** incident on an incident form including what you did, who you rang/notified and attempted notifications, who you spoke to and at what times etc.

A missing child is a reportable incident to ACECQA, you MUST ensure you follow the procedure and notify the Nominated Supervisor.

Sources

Education & Care Services National Regulations 2011:

Education and Care Services National Law:

Child Care Service Handbook

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Fee Policy, including Fee Schedule and Charging Policy

Aim

Open Arms Care Inc Children's Services, is committed to ensuring our fees are set at a level which reflects quality care and that all families have access to any subsidies that are available to reduce these fees. The setting and payment of fees takes into account all requirements of the *Education and Care Services National regulations* and the guidelines contained within the *Australian Government Child Care Service Handbook*. Families will be provided with accurate fees statements and clear information regarding fee payment processes.

Educators are self-employed business owners who set their own fee for service. It is important that Educators operate their business accountably which is transparent to all stakeholders

COMMENCEMENT OF POLICY

This Policy will commence from 19.8.2022. It replaces all other Fee Policies of Open Arms Care Inc. relating to Children's Services, Family Day Care (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Relevant Legislation

Education and Care Services National Law 2010

Education and Care Services National Regulations 2011 Regulation 168

National Quality Standards – Quality Area 7: Governance and Leadership

Procedure for Family Day Care

Management (Open Arms Care) will:

- Ensure any fees set by the Family Day Care office are endorsed by Open Arms Care Inc. in line with the organisation's Operational Plan before being implemented
- Set the Parent Administration Fee, membership fee, Educator Levy and any other fee related to administering the service each financial year based on the annual budget to ensure the required income will be received to run the service efficiently to meet legislative requirements. This will involve the Open Arms Care Finance team

The Family Day Care scheme will:

- Keep all stakeholders informed during this fee setting process.
- Include the service fee schedule in the initial information to families.
- Explain to families the service is de-regulated.
- Provide information to Educators on developing their fee schedule.

- Not enter into discussions with Educators or families on matters relating to the value of an individual service compared to other services.
- Require Educators to undertake initial follow up regarding overdue debtors incurred at their service. If Educators are unsuccessful in following up on overdue debts, and debts are still outstanding 1 week post due date, responsibility for those debts will be passed to Open Arms Care for appropriate follow up, in accordance with the Open Arms Care *Debt Collection policy*.
- Require outstanding fees due to an Educator be paid before the family can be placed with another Educator.
- Process all Child Care Subsidy's for Educators. Provided that the Educator is in compliance with their obligations under this Agreement
- Monitor accuracy of claims for Child Care Subsidy.
- Provide fortnightly Statement of Entitlements to parents.

Educators will:

- Adopt standard hours as 8.00 am to 6.00 pm Monday to Friday for all families using Open Arms Care Inc. Family Day Care. Any care provided outside these hours or on Public Holidays will be classified as Non-standard hours of care. Educators are not permitted to individually alter the standard hours of care that they charge families.
- Ensure individual fees are compliant with the Australian Government Handbook, service policies and software before implementing with families.
- Ensure fee schedules, including service fees are given to families at the initial interview.
- Charge all families the same fee for the same service.
- The Educator agrees to receive their remuneration through collecting fees from Clients on behalf of the service and by payment from the Service into their nominated bank account
- Issue a receipt for all money received from the families on behalf of Open Arms Care Inc. Ensuring to display the Open Arms Care name and ABN on all receipts issued to families, to ensure the contract between the parent and Open Arms Care Inc is transparent.
- The Educator will be responsible for the collection of all fees from Clients. The educator will advise the Service of non-payment of fees by Client 1 week post due date.
- Give the Co-ordination Unit and existing families at least 4 weeks' notice of any changes to fees.
- The Educator will pay an Educator fee to the service for the use of Harmony Software. This fee will be deducted from the Educator's fortnightly payment for each week of the financial year.
- Not discuss nor agree to set fees in collusion with other Educators (Trade Practices Act 1974).
- Only provide care for children who are registered with the service.
- Be available to provide care for that whole session (as per the complying written agreement) For CCS purposes, a service cannot report a session of care and then require a child to leave the service before that session is finished (Excluding natural

disasters). In the case that an Educator cannot be available for the whole session, the actual hours of service provided can only be charged.

- Inform families of any changes to Child care Subsidy after processing attendance records.

Educators Non Compliance:

- Non-compliance issues include any non-compliance with this policy. The service is legally responsible for ensuring that the service is compliant with the law and is required to take action against breeches and involve the police where required.

Non-compliance procedures are as follows:

- On the fortnight-Warning email will be sent
- 4th week -Warning letter sent
- 6th week-Charge and Disciplinary letter sent Charges continue until non – compliance issue is resolved or Deregistration occurs.

Families will:

- Notify educators as soon as possible if a child will be absent or the time of delivery or collection varies. Late collection without prior notification may attract a late fee, which is not subsidised and maybe imposed at the discretion of the educator.
- Ensure all children being provided with care are registered with the service.
- Agree to sign off on the weekly timesheet either remotely through emails or at the service.

Child Care Subsidy

Fees will be charged as per the *fee schedule* and in accordance with the Child Care Subsidy System (CCSS) reporting requirements. Families will be given 4 weeks' notice prior to any increase in fees.

It is the enrolling parent/guardian's responsibility to complete and lodge their Child Care Subsidy (CCS) application with Centrelink Human Services to gain access to fee reductions provided by the government. Families will be assessed through an activity test to determine their eligibility for CCS. This can be completed through the Centrelink portal in the parent/guardian's My Gov account.

Families will only be eligible for CCS if child care attendance records are accurately completed and signed by the parent/guardian or other Authorised Nominee adult.

Fees will be charged at the full rate until the service receives the rebate amount directly from Centrelink. It is the parent/guardian's responsibility to notify Centrelink of any change of circumstance relating CCS eligibility, failure to do so may result in cancellation of CCS fee reductions.

Families are entitled to 42 absence days for each registered child in each financial year. CCS is paid for these days provided that the child would normally have attended on that day and fees have been charged.

Additional absences can be claimed when the first 42 days have been used. Supporting documentation may be required for approval of additional absences.

When a child is absent for more than two weeks written confirmation should be sought from the parents stating that the child will be returning to care and that they understand if the child does not return to care, they will be responsible for the full fee for that care.

The coordination Unit and the educator should be given 14 days' notice that a child will be ceasing care. If 14 days' notice is not given, the educator is entitled to be paid in lieu of notice. Child care Subsidy cannot be claimed for any absence days after the child's last actual attendance. Therefor full fees apply for any absence days after the last day of care.

**More details regarding absences from care can be obtained from the Child Care Services Handbook.*

Payment of Fees

Fees are payable fortnightly. Attendances are finalised and submitted at the end of each fortnight and families will be sent invoices via Educators. The invoices will reflect accurate parenting payment fees including CCS fee reductions, from the previous fortnight.

Late payment of fees may result in immediate discontinuation of care for your child. If you are experiencing financial difficulty, contact your Educator or the Office immediately. Failure to address overdue fees will result in debt collection (refer *Debt Collection Policy*).

Fee Charges	
Minimum session of care for standard hours	1 hr
Maximum session of care for standard hours	10 hr
Minimum session of care for non-standard hours	1hr
Maximum session of care for non-standard	24 hr with Coordinators approval
Types of charges	
Food- snacks/lunch/dinner	
Travel	
Late fee	
Casual care	
Before and After School Care	
Overnight	
Orientation/short stay	
Weekend	
Public holidays	
School term only	
Holding fee	
Late payment of fees	
Work hours	
Minimum Number of work hours (for Educators only working before and after school care)	3
Minimum Number of work hours (for	6

Educators only working with children under school age)	
Maximum number of work hours	24
Fee Range	
Minimum hourly charge	\$5.00
Maximum hourly charge	\$20.00

Educator Fee Remuneration Schedule

Educator Service name:	
Phone number:	Date new fees commence:
Parents and the Coordination Unit require a minimum of 4 weeks' notice of any changes to fees.	
Administrative levy per child is \$1.10 per hour (fees covers costs associated with administering CCS for each child in care – this is an additional fee added to the hourly rate)	
Family registration fee due annually on January 30 th \$10.00	

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
Days of operation							
Hours of operation							

Information for parents/guardians regarding payment of fees:

Fees are to be paid fortnightly (unless otherwise arranged). Fees can be paid by cash or direct deposit into bank account.

Fees need to be kept up to date or in advance only. Late payment of fees may result in the cancellation of your child's placement.

All child absences from care must be paid.

Fees will not be charged when the Educator is not available to work, for sickness or personal reasons.

Description	Minimum hours charged	Permanent bookings fee per hour (before applying admin. Levy)	Total Booked fee per hour including admin. levy	Casual bookings fee per hour (before applying admin. Levy)	Total casual booking fee per hour including admin. Levy.
Standard Hours					
Non-Standard Hours					
Public Holidays					
Weekends					
Before and after School					
School term					
Holding fee					
Overnight					
Orientation/Short Stay					

Late Collection fee					
Late payment fees					
Miscellaneous Fees and Charges					
Travel					
Food-Snacks					
Food- Lunch/dinner					
Additional Comments:					
Educator Signature:			Date Signed:		
Date received by Coordination unit:					

Other information: The \$1.10 administrative levy paid to you by the parents on our behalf is additional to the remuneration fee you receive. Educators are acting as an agent on behalf of the scheme to collect fees. Receipts **must** be issued to families and educators **must** ensure the scheme's ABN number is clearly shown on the receipt.

Procedures for Out of School Hours Care

Child Care Subsidy

Fees will be charged as per the *fee schedule* and in accordance with the Child Care Subsidy System (CCSS) reporting requirements. Families will be given 14 days notice prior to any increase in fees.

It is the enrolling parent/guardian's responsibility to complete and lodge their Child Care Subsidy (CCS) application with Centrelink Human Services to gain access to fee reductions provided by the government. Families will be assessed through an activity test to determine their eligibility for CCS. This can be completed through the Centrelink portal in the parent/guardian's My Gov account.

Families will only be eligible for CCS if child care attendance records are accurately completed and signed by the parent/guardian or other authorised personnel.

Fees will be charged at the full rate until the service receives the rebate amount directly from Centrelink. It is the parent/guardian's responsibility to notify Centrelink of any change of circumstance relating CCS eligibility, failure to do so may result in cancellation of CCS fee reductions.

Families are entitled to 42 absence days for each registered child in each financial year. CCS is paid for these days provided that the child would normally have attended on that day and fees have been charged.

Additional absences can be claimed when the first 42 days have been used. Supporting documentation may be required for approval of additional absences.

Payment of Fees

Fees are payable weekly. Attendances are finalised and submitted on Monday the following week. Families will be sent statements, via email in the week following the attendance, which will show the amount payable by the parent/guardian after CCS fee reduction. A weekly late payment fee of \$5 may be applied to the account at management's discretion.

Continued late payment of fees may result in immediate discontinuation of care for your child. If you are experiencing financial difficulty, contact our office immediately. Failure to address overdue fees will result in debt collection (refer *Debt Collection Policy*).

A late fee of \$5 per 5 minutes may be charged to parents who collect their children after 6pm.

No show fee: If children do not present at the Centre on a day in which a booking has not been cancelled or fail to give due notice (refer *Cancellations*), the standard charge for the session will apply. If an excursion is planned and the booking has not been cancelled within the required timeframe, a 'No Show' fee of **\$10** will apply in addition to the standard charge for the session.

Fees can be paid by Direct Deposit, Cheque or QikPay.

Direct Deposit: **Open Arms Care Inc.**

Bank: **Banana Coast Credit Union**

BSB: **533 000**

Account No: **32860196**

Reference: Childs Name and Centre

QikPay: The service uses a debit service called QikPay which can be linked to statements. QikPay is designed to debit the balance of fees owing on a weekly or fortnightly basis. Parents/ Guardians of children using the service are encouraged to contact the office to set up the debit service.

Bookings and Cancellations

Bookings and Cancellations are accessed via the QikKids *My Family Lounge* web portal and/or APP which is directly linked to our service. Parents can manage ongoing bookings, request changes to booked days and manage casual bookings. Booking via the APP is the preferred booking method.

Where online bookings are not possible, bookings can be made via the office and must be provided in writing.

There is no charge for care if notice is given (before school, after school and vacation care):
24 Hours before the session of booked care.

Cancellation: removal of children for the roll before the 24 hour period of care.

Absence: Last minute cancellation made within the 24 hour period (the morning of etc).

Any cancellations within the 24 hour period will be charged as an absence at the usual session rate. The centres MUST be notified in the event of any and all cancellations and/or absences via email, phone call or via the app.

Fee Schedule and Hours of Operation

Before School Care:	7am – 9.00am	\$16	Bus Fare: \$1.20 per day
After School Care:	3pm – 6pm	\$21	Excursions charged as additional surcharge
Vacation Care:	7am – 6pm	\$50	

Source

Education and Care Services National Law 2010

Education and Care Services National Regulations 2011

Guide to the National Quality Framework 2018 retrieved January 2020

Child Care Provider Handbook January 2020

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Overnight or 24 Hour Care Policy**Aim**

Prior to the commencement of any overnight, weekend or 24 hour care, appropriate Family Day Care Scheme's Procedures, need to be implemented to ensure the safety and welfare of children and meet the Scheme's regulatory requirements.

COMMENCEMENT OF POLICY

This Policy will commence from 1/02/2020 It replaces all other Child Handover policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

APPLICATION OF THE POLICY

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment

Relevant Legislation

- Education and Care Services National Regulations 2011
- National Quality Standards, - Children's Health and Safety
- Childcare Service Handbook

Procedure

Parent/Guardian will:

- Provide the Nominated Supervisor with written documentation that verifies the need for 24 hour care prior to care. Reasons for 24 hour care may include
 - Work - related demands on parents eg live in conferences or training courses.
 - Short - term emergencies – e.g. hospitalisation, illness, funerals, court attendance, and intensive medical treatment.
 - Shift work
- If necessary, complete an exceptional circumstance form for Family Assistance Office (FAO).
- Sign and date an “ overnight care arrangement” form each time a child is in 24 hours care
- Abide by the normal care requirements (electronically signing child into care, signing timesheet at end of week and paying the appropriate fee).
- Supply suitable clothing.
- Overnight care as well as 24 hour care, requires the parent/guardian to fill out the “overnight care arrangements” form.

Coordination Unit will:

- Staff to view sleeping area before commencement of overnight / 24 hour care.
- Documentation to be received and assessed before approval given for 24 hour care.
- The scheme is approved to provide up to 14 24 hour periods per child per year if needed. The year commences July 1.

Educators will:

- Fill out house plan to show where child/children will be sleeping.
- Have monitoring strategies in place
- Maintain the attendance record
- Have approval from the Nominated Supervisor prior to commencing care for 24 hour care.
- Ensure the Co ordination Unit has been contacted by the parent regarding 24 hour or overnight care, giving the days and hours prior to commencement of care.
- Ensure the parent signs and dates the “overnight care arrangements” form which has been completed prior to the commencement of care.

- Educators need to contact the co ordination unit to confirm overnight care prior to commencement of care and send in the “Overnight Care Arrangements” form prior to care or with their next timesheet at the latest.
- The educator must ensure that children are provided with a separate comfortable bed and their need for privacy is respected. See Sleeping Policy.
- The educator must sleep on the same level in the home as the child.
- The educator will apply a regular and consistent monitoring routine when the child has gone to sleep, and keep a written record of the monitoring routine, until the educator goes to bed.
- The educator will listen out for the children during the night either by sleeping near-by, so the educator can hear if a child wakes and cries or calls out, or using monitors. If monitors are used, older children should be told what they are for and how they work. It is particularly important in this regard that educators do not consume alcohol or be affected by drugs – including prescription medication. If an educator is taking prescription medication they will need a letter from their doctor stating that the medication will not impair their ability to hear a child who wakes and cries or calls out during the night.
- The educator will check on the children if the educator wakes during the night, and re-start the normal day-time monitoring routine in the morning until the children get up.

Sources

Education and Care Services National Regulations 2011

National Quality Standards, - Children’s Health and Safety

Childcare Service Handbook

Associated documents

- **24 hour overnight Care permission form**
- Sleep rest form

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.’s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.’s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

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practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

Tobacco, Drugs and Alcohol Free Policy

Aim

Open Arms Care Children's Services Division believes in promoting a safe and healthy environment free of drugs for all persons who utilise the services.

Commencement of Policy

This Policy will commence from 1/02/2020. It replaces all other Tobacco, Drugs and Alcohol Free policies of Open Arms Care Inc. relating to Children's Services (whether written or not).

Application of the Policy

This Policy applies to all users of services provided by Open Arms Care Inc. relating to Children's Services and all employees of Open Arms Care Inc.

This Policy does not form part of any employee's contract of employment.

Legislation

- Education and Care Services National Law 2010

- Education and Care Services National Regulations 2011
- Public Health Act 2010 No 127 (NSW)
- National Quality Standards – Quality Standard 2: Children’s Health and Safety

The Education and Care Services National Regulations 2011 (Clause 82 and 83) states:

A Service and family day Care Educator must ensure that children being educated and cared for by the educator as part of the service are provided with an environment which is free from the use of tobacco, illicit drugs and alcohol And;

A Nominated Supervisor must ensure educators and Family Day Care Educator must not, while providing education and care for children as part of a service or family day care service consume alcohol or be affected by drugs (including prescription medication) so as to impair his or her capacity to provide education and care to the children

Practice

Smoking drinking and consumption of illicit drugs will not be permitted in any areas utilised by Open Arms Care Inc. Children Division.

No smoking rules

Smoking is banned in:

- (a) all Open Arms Care Incorporated buildings and Open Arms Care Incorporated vehicles, and
- (b) all outdoor areas.

Employees who smoke outside the premises should not do so near the main entrance to the workplace (and no less than 4 metres from a pedestrian access point to a public building). They should also ensure that they dispose of cigarette butts and other litter carefully.

Smoking breaks

Smoking breaks may only be taken during designated break times.

Breaks may be staggered to limit the disruption to operations.

Special arrangements may be made to accommodate smoking breaks during periods of overtime.

Staff and Educators employed by Open Arms Care Inc. Children’s Division will not smoke, drink or consume drugs in front of, or in the sight of, children in their care.

Students, volunteers and visitors to the service will not be permitted to smoke, drink or consume drugs on the premises and will adhere to the tobacco, drug and alcohol free environment policy.

Parents, family members or relatives of children enrolled at the service will not be permitted to smoke, drink or consume drugs on the premises and will adhere to the Smoke Free Environment Policy.

Open Arms Care Inc. will actively support and provide assistance for smokers to quit smoking.

All areas accessed by children in care need to be made clear of cigarette butts, ashtrays, lighters and matches.

The responsibility for enforcing this policy rests with managers and staff/educators. All are obliged under the occupational health and safety legislation to protect the health of their fellow staff/educators, and visitors, while at the service.

Advocacy

Children

Healthy living habits will be discussed with children.

Families

Leaflet and flyers regarding passive smoking, quitting smoking and non- smoking education will be provided to families.

Staff/Educators

Educators and staff will be informed of education programs and be provided with information to support them in their role of working with children and families.

Management/Coordination unit staff

- Will seek advice from peak organizations regarding current research and practice.
- Employee induction procedure- new Educators/staff will be informed of the policy and procedures of Open Arms Care Inc.
- Coordination Unit Staff will be positive role models and actively monitor all Family Day Care environments to ensure the safety of children.
- Procedure for non-compliance of the tobacco, drug and alcohol free environment policy and procedures by:
 - Child- parents will be informed

- Coordination Unit Staff- official first and final warning issued, then dismissal.
- Parent or family member- advised of policy and asked not to smoke
- Student/volunteer advised of policy and warned that their services may be discontinued.
- Visitor- advised of policy and warned not to smoke

Breach of this Policy

All workplace participants are required to comply with this policy at all times. If a workplace participant breaches this Policy they may be subjected to disciplinary action. In serious cases this may include termination of employment. Agents and contractors (including sub-contractors and temporary contractors or FDC educators) may have their contracts with Open Arms Care Incorporated terminated or not renewed.

Sources

Guide to the Education and Care Services National Law 2010 and the Education and Care Services Law

National Quality Standards 2018

Childcare Service Handbook

Staying Healthy in Child Care – Preventing infectious diseases in child care 5th Edition – 2011

Variations

Open Arms Care Inc. reserves the right to vary, replace or terminate this policy from time to time.

Review and evaluation of this policy and procedure

This policy and procedure will be reviewed within the framework of Open Arms Care Inc.'s quality assurance and continuous improvement process. Process performance and policy and procedural effectiveness will be measured against Open Arms Care Inc.'s standards, objectives, and practices as part of a scheduled review of the policy, procedure and related documents based on the level of risk to individuals and the organisation.

Policies, procedures and related documentation will be evaluated based on whether they are meeting the overarching standards of the organisation in regards to quality, best practice, consistency, efficiency and effectiveness affecting service provision and organisational capacity.

