

	<h2 style="text-align: center;">Governance and Management of the Service (Family Day Care) Procedure</h2>
<b>Linked Policy Document</b>	This procedure details actions and processes pursuant to the <i>Governance and Management of the Service Policy</i> .
<b>Version No.</b>	Version 2.0 19 November 2018 (approved)
<b>Authorisation</b>	General Manager Community Services
<b>Expiry Date</b>	Policy to be reviewed by 1 December 2022
<b>Responsible Officer</b>	Manager Families and Children
<b>Policy Owner</b>	Early Childhood Coordinator

### 1. Purpose

This procedure will provide an outline of the duties, roles and responsibilities of the Governance of Melton City Councils children's services, specifically Family Day Care (FDC).

### 2. Scope

This applies to the Approved Provider, Nominated Supervisor/Primary Nominee, Nominees, Certified Supervisor, educators, staff, students on placement, volunteers, parents/guardians, children and others attending the programs and activities of Melton City Council.

### 3. Definitions

For terms that relate specifically to this procedure refer to the *Governance and Management of the Service Policy*. For commonly used terms e.g. Approved Provider, Regulatory Authority etc. refer to the *Glossary of Terms*.

### 4. Procedures

#### 4.1. In terms of assessment and approval and reassessment of approved FDC residences

Assessments of FDC residences are assessed as part of the recruitment process prior to the applicant's registration. A risk assessment is conducted on all areas accessible to the children inside and outside of the home. The assessment is complete once the applicant educator has rectified all identified risks/hazards as per the services instruction and this has been checked by the FDC Coordination Unit.

Reassessments are conducted at least annually, and educators are given two weeks unless negotiated otherwise, to complete identified safety requirements. An assessment of the residence is also conducted when the educator moves to a new home or returns from extended leave (exceeding eight weeks) or maternity leave. Assessments of individual rooms or outdoor spaces may be conducted if the educator wishes to change the environment that is accessible to the FDC children.

#### 4.2. In terms of engagement and registration

##### 4.2.1. FDC educators

The registration of FDC educators involves a comprehensive recruitment process.

There are several stages in the process that include but are not limited to:

- application

- uncontrolled when printed -

- interview
- training
- risk assessment of the FDC residence.

Each stage will be assessed against the selection criteria outlined in the role description. Applicants are required to be successful in each stage of the process in order to register as an educator, as well as meet other essential requirements.

Essential requirements to be met prior to registration include but are not limited to:

- being 18 years of age or older
- having a successful Working With Children Check (WWC) or Victorian Institute of Teaching (VIT) card
- having an acceptable Criminal History Check
- the successful completion of Certificate III in Children's Services as defined under the National Regulations
- understanding and be willing to comply with the Education and Care Services National Law and Regulations
- understanding and be willing to comply with the National Quality Standards
- understanding and be willing to comply with all Melton City Council children's services policies and procedures
- holding a current approved First Aid Certificate
- holding a current approved Anaphylaxis Management Certificate
- holding a current approved Asthma Management Certificate
- attending two training sessions per calendar year
- attending all educator meetings per calendar year
- understanding and be willing to comply with the Melton City Council FDC educator agreement.

#### 4.2.2. FDC educators assistants

Other than the risk assessment on the FDC residence, the requirements are the same for registering FDC educator assistants.

An FDC educator assistant may assist the FDC educator in the absence of the FDC educator by:

- transporting a child between the FDC residence and an education and care service, or the child's home
- in emergency situations, including when the educator requires urgent medical care and treatment
- providing assistance to the FDC educator while providing education and care to the children in care.

The parents' written consent is required for the FDC educator assistant to provide education and care to their children

FDC educators and FDC educator assistants are not employees of Council. To maintain registration, educators and educator assistants must continue to comply with the requirements they have agreed to as outlined in their educator agreement with Melton City Council.

#### 4.3. In terms of keeping a register of FDC educators

The Coordination Unit will keep a register of all FDC educators. The information in this register complies with National Regulations 153 and is kept confidentially in the FDC

office. The service is required to make this information available to authorised officers under the Education and Care Services National Regulations.

4.4. In terms of monitoring, support and supervision of FDC educators including how the service will manage remote locations

FDC educators and assistants are monitored, supported and supervised in their work by a Coordination Unit. This Coordination Unit comprises of staff employed by Melton City Council to operate the FDC Service.

FDC educators are monitored, supported and supervised in a variety of ways including:

- regular visits to the FDC residence by fieldwork staff
- contact via phone, mail, email and sms
- use of the Melton City Council staff and educator internet portal.

If children are attending the service, the educator (or educator assistant) is required to admit FDC staff into the FDC residence. Visits consist of both announced and unannounced visits. Details of the visits are documented.

4.5. In terms of assessment of FDC educators, FDC educator assistants and persons residing in the home

FDC educators, FDC educator assistants and persons 18 years or over, residing in the home are to be assessed as fit and proper. This is done through the successful attainment of the following:

- application of, or current, WCC or equivalent
- acceptable criminal history check.

Any overseas visitors staying in the FDC residence are required to provide a current acceptable criminal history check from their home country, written in English, upon arrival.

4.6. In terms of visitors to the FDC residents while care is in place

All visitors to the FDC residence must also adhere to Melton City Council's Children's Services policy, procedures and acceptable standards for an early childhood service. All visitors to the FDC residence whilst FDC children are in attendance are required to sign the visitor's record. The visitor's record must also include the visitor's time of arrival and departure (National Regulations 165).

4.7. In terms of provision of information, assistance and training to FDC educators

Information, assistance and training is provided to FDC educators and FDC educators assistants in a variety of ways.

These include but are not limited to:

- information provided via the Melton City Council FDC staff and educator internet portal
- information via email, mail, phone and regular educator meetings
- assistance provided via visits to the FDC residence, provision of up to date information, and access to FDC staff contact at all times educators are working
- training provided at initial recruitment
- ongoing training provided through in-service training sessions facilitated or organised by Melton City Council. Links to other sources of training from recognised training facilities are posted on the internet portal.

4.8. In terms of incapacity of educators

Educators must notify the Coordination Unit as soon as possible if they are unable to perform FDC due to illness or injury of themselves, or due to the illness or injury of a member of the household.

Educators must not continue to provide the FDC if they are incapacitated.

Following a period of incapacity, prior to recommencing performance of FDC, Council may require the educator to provide a medical certificate stating that the educator is fit to do so.

Council will not request the educator to provide FDC while the educator is incapacitated.

The period of maternity leave for educators will be for a minimum period of three weeks prior to the expected date of the birth and for a minimum of three weeks after the birth. The educator in consultation with the FDC Coordination Unit, may extend, but not exceed, the period of time for leave to one full year if the educator so desires.

A certificate from a registered medical practitioner stating the estimated date of birth is required by the FDC Coordination Unit, allowing enough time to incorporate the three weeks leave requirement prior to the birth.

After the maternity leave period the educator must contact the Coordination Unit of the expected date of return, allowing sufficient time for staff to carry out a home visit and safety check prior to children resuming care.

Leave forms have been developed with a two-fold purpose:

- They are accepted Industry Standards.
- To enable the FDC Coordination Unit to better utilise educators who aren't taking leave, as back up care to families in the service.

It will be assumed that educators are not on leave if the relevant form has not been received by the FDC Coordination Unit.

#### 4.9. In terms of unavailability of educators

Educators must give at least two week's notice in writing to the Coordination Unit and to the parents/guardians of all children in the care of the educator in the event that the educator will be unavailable for any reason (other than incapacity) to provide FDC for any period of time.

## 5. Disciplinary Performance

### 5.1. In terms of suspension of educators

If an educator is incapacitated or unavailable to perform FDC for any period exceeding eight consecutive weeks, Council may suspend the educator from performing FDC until Council is satisfied that the educator can satisfactorily perform FDC.

If an educator is incapacitated or unavailable to perform FDC for any period exceeding 13 weeks, whether consecutive or not, Council may immediately terminate the educator's Agreement with Council.

Council may suspend the educator if it has reasonable grounds to believe the educator has breached the National Law, the National Regulations, any applicable State or Commonwealth legislation, regulation, the National Quality Framework and Standards or local law, the Educator Agreement or any of Council's policies and procedures, as published or issued or varied from time to time, or if the educator is incapacitated or unavailable to perform FDC for any period exceeding eight consecutive weeks. The period of suspension will be at Council's sole discretion.

### 5.2. In terms of termination

#### 5.2.1. Immediate termination by Council

The FDC educator may be immediately terminated by Council in the event of:

- Council being made aware that the educator, their partner or any resident of the educator's household is, or has been the subject of any Police or Government investigation, criminal charge or conviction in relation to any

- uncontrolled when printed -

matter which, in the opinion of Council, may be detrimental to the welfare or safety of children in the care of the educator or impact on the educator's ability to perform FDC

- any wilful failure or wilful neglect on the part of the educator in carrying out FDC, any act of serious misconduct or any other serious or persistent breach of any applicable State or Commonwealth legislation and regulations (including the National Law and the National Regulations), the terms of this Agreement or Council's policies and procedures
- any child, while in the care of the educator under the Agreement, being found to have been left unattended, left with a person other than the educator or approved educator assistant, injured, neglected or subjected to any form of abuse or mistreatment, including sexual abuse, corporal punishment, immobilisation or any other humiliating or frightening thing, whether by the educator or by any other person
- the educator being found to be under the influence of alcohol or illicit drugs while caring for any child
- Council's FDC Coordination Unit considering that the outcome or results of any criminal history records check and/or WWC Check on the educator, or any person living at the premises or on the educator's property or any regular visitor, is unsatisfactory or unsuccessful
- the educator's WWC Check Card, and/or the WWC Check Cards of the educator's partner, any person who lives at the premises or on the educator's property or who is a regular visitor to the premises is cancelled or revoked
- the educator changes the premises and Council has not approved the new premises as a place for the provision of the services
- the educator does not have a current Public Liability insurance policy
- the educator is unavailable, for any reason, to perform the services for a period of more than 13 weeks whether consecutive or not, except with Council's authorisation in writing.

#### 5.2.2. Termination by Council on notice

Without limiting the operation, if the educator defaults in the performance of any obligation under the FDC Educator Agreement, Council may give notice to the educator specifying such default and requiring the educator to:

- rectify the default
- show cause why Council should not exercise the powers contained in this procedure.

If, within seven days after service of the notice, the educator fails to rectify the default or fails to show, to the satisfaction of Council, why it should not exercise its powers, Council may in its discretion, suspend or terminate the FDC Educator Agreement.

#### 5.2.3. Termination by either party

The FDC Educator Agreement may be terminated at any time by either party upon giving two weeks' notice in writing to the other party.

#### 5.2.4. Grievance procedure

In the event that the educator has any complaint or grievance in relation to any aspect of the service or any matter arising under the FDC Educator Agreement, the educator will, at first instance, discuss the matter with their fieldworker in an attempt at resolution. If a satisfactory outcome is not reached, the educator shall notify the Coordination Unit of the complaint or grievance.

Council will organise a meeting between the educator, the team leader and any other party who Council regards as appropriate to attend such meeting in the interests of resolving the complaint or grievance.

If a parent has a complaint about the service, the parent is encouraged to contact the FDC Coordination Unit.

## 6. Policy

Melton City Council children's services is committed to ensuring that there are appropriate systems and processes in place to enable:

- good Governance and management of FDC
- accountability to its stakeholders
- compliance with all regulatory and legislative requirements placed on the organisation
- FDC to remain solvent and comply with all its financial obligations.

## 7. Responsibility/Accountability

7.1. The Children's Services Manager is responsible for:

- that the service has appropriate systems and policies in place for the effective management of the service
- that good practices and appropriate checks and balances are in place
- being accountable to members of FDC
- maintaining the focus, integrity and quality of FDC
- overseeing legal functions and responsibilities.

7.2. The Team Leader

The Team Leader is responsible for ensuring that staff, educators volunteers and students are working efficiently and effectively. The team leader oversees the day-to-day operations of the program and ensures that the program's policies and guidelines are adhered to.

7.3. The Coordination Unit staff are responsible for:

- supporting and guiding educators in order to ensure a quality program is delivered through home visits, training and enrolling and placing families in the program in a fair and equitable manner
- providing efficient and effective administration systems to the program
- liaising with Commonwealth Departments in regards to Child Care Subsidy, the invoicing of fees, the lodgement of Child Care Subsidy acquittals, and the implementation of waiting lists when required.

7.4. Educators are responsible for:

- Educators are responsible for the supervision, care and education of children.
- Educators participate in all aspects of the program's delivery and day-to-day operation and planning of the program.
- Meeting the obligations as outlined in the educator agreement,

## 8. References, Sources, Links to Legislation and Other Documents

8.1. Please refer to Reference and Sources page.

8.2. Related service policies:

- *Code of Conduct Policy*
- *Complaints and Grievances Policy*

- uncontrolled when printed -

- *Privacy and Confidentiality Policy*