



ASSESSMENT OF FDC EDUCATORS AND RESIDENTS POLICY

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DIVISION: Sport, Community and Activation

BRANCH: Community Outcomes - Family Day Care

CATEGORY: 3

PART 1 - INTRODUCTION

1. BACKGROUND

1.1 The Education and Care Services National Regulations require Approved Providers to ensure their Family Day Care (FDC) services have policies and procedures in place in relation to the assessment of educators and residents residing at the FDC Residence.

2. OBJECTIVE

2.1 We aim to ensure the safety, health and wellbeing of all children attending our service. As part of our efforts, we assess all educators and residents at a FDC Residence as fit and proper persons prior to registration and on a regular basis throughout their registration period and expect that all requirements are continuously maintained.

3. SCOPE

3.1 This policy applies to:

- Camden Council FDC Service
- Staff
- Educators
- Children enrolled in an FDC Service and their families
- Residents.

4. DEFINITIONS

4.1 **Approved Provider** means a person who holds a provider approval (*Education and Care Services National Law*). A provider approval authorises a person to apply for one or more education and care service approvals and is valid in all jurisdictions. The Approved Provider for the purposes of this policy is Camden Council.

4.2 **Co-ordination Unit** means the Camden Council FDC principal office and main faculty for running the service from which staff work.

4.3 **Co-ordinator** means a member of the Co-ordination Unit employed by the Approved Provider to monitor and support the FDC educators registered with the service.

- 4.4 **Educator** means an individual suitably qualified and registered by Camden Council FDC to provide education and care and refers to the educator as the business owner, an educator assistant or a relief educator.
- 4.5 **Educator assistant** means a person engaged by or registered with a FDC Service to assist an educator who is the business owner.
- 4.6 **Family Day Care (FDC)** means a type of education and care service that is run from the educator's own residence or an approved venue for the purpose of educating and caring for small groups of children aged 0-12 years.
- 4.7 **FDC Residence** means a residence at which an educator educates and cares for children as part of a FDC Service.
- 4.8 **FDC Service** means the FDC education and care business of each individual educator or refers to Camden Council FDC Service.
- 4.9 **Nominated Supervisor** means a person appointed by the Approved Provider and who has given consent to be appointed to be in day to day charge of a service and must be contactable during the hours educators are providing education and care.
- 4.10 **Police Check** means a national criminal history check.
- 4.11 **Primary educator** means the educator who mainly cares for the children.
- 4.12 **Relief educator** means a person registered with a FDC Service to work in place of the primary educator whilst they are on leave.
- 4.13 **Resident** means any person aged 18 years or over who resides, or intends to reside permanently, at the educator's FDC Residence.
- 4.14 **Staff** means employees of Camden Council FDC.
- 4.15 **Temporary Resident** means for the purpose of this policy; any person aged 18 years or over who is staying at the FDC Residence temporarily for a period of three weeks or more.
- 4.16 **Working with Children Check (WWCC)** means a notice, certificate or other document granted to, or with respect to, a person under a working with children law to the effect that the person has been assessed as suitable to work with children, or there has been no information that if the person worked with children the person would pose a risk to the children, or the person is not prohibited from attempting to obtain, undertake or remain in child-related employment.
- 4.17 **WWCC application** means a person has submitted all required documentation for a WWCC and it is in the assessment stage.

PART 2 - POLICY STATEMENT

5. PRINCIPLES

- 5.1 The safety, health and wellbeing of children is paramount. Our educators and residents are assessed as fit and proper persons prior to registration and on a regular basis throughout their registration period.

- 5.2 We are committed to good governance and quality management. Our systems and documentation for assessing and monitoring educators and residents are kept up-to-date and regularly reviewed.
- 5.3 Primary educators are responsible for ensuring all requirements for residents are maintained and they behave appropriately whilst the FDC Service is operating.

6. CONSIDERATIONS

- 6.1 Educators are required to have a paid current WWCC at all times that they are operating their FDC Service and are responsible for keeping these up to date.
- 6.2 Police Checks are required upon initial registration of all educators. The check must be no less than six months old and a copy must be provided to the Co-ordination Unit.
- 6.3 Residents must have a current WWCC. When a Resident reaches the age of 18, an application for a WWCC must have been submitted within five days of their birthday. Primary educators are responsible for ensuring this is implemented and information required for verification is provided to the Co-ordination Unit via email.
- 6.4 Residents are required to sign a FDC Resident Agreement to indicate they agree to, have been made aware of and understand their obligations and the expectations of them as a Resident while the FDC Service is operating and educators are responsible for discussing this with them and submitting the agreement to the Co-ordination Unit. Agreements are required to be signed annually in line with the re-registration requirement for educators.
- 6.5 Temporary Residents are required to have a current WWCC or have submitted an application for a WWCC. Primary educators are responsible for ensuring this is implemented and information required for verification is provided to the Co-ordination Unit via email.
- 6.6 The Co-ordination Unit is responsible for verifying a WWCC status.

7. ROLES AND RESPONSIBILITIES

7.1 Approved Provider

- Ensure that obligations under the *National Quality Framework* are met.
- Ensure the Nominated Supervisor and Co-ordination Unit have access to appropriate resources for the development, implementation, training and ongoing management of this policy and its related procedures.
- Take reasonable steps to ensure that Nominated Supervisors, co-ordinators, educators, staff students and residents follow the policy and procedures.
- Ensure that the Nominated Supervisor/responsible person, co-ordinators and educators are aware of their responsibilities under child protection law.
- Ensure that children are not left alone with unauthorised people and visitors.

- Ensure that copies of the policy and procedures are readily accessible to Nominated Supervisors, staff, educators, students residents and families and available for inspection.
- Notify families at least 14 days before changing the policy or procedures if the changes will affect the fees and charges and/or significantly impact the FDC Service's education and care of children or the family's ability to utilise the FDC Service.

7.2 Nominated Supervisor

- Complete responsibilities as delegated by the Approved Provider.
- Ensure that regulatory responsibilities are met in relation to the assessment of educators and residents at the FDC Residence.
- Implement procedures for the assessment of educators and residents.
- Carry out relevant checks of educators and residents.
- Ensure educators are aware of their obligation to notify the Co-ordination Unit of new residents and temporary residents and the requirements for them to have a current WWCC or have applied for one.
- Ensure that co-ordinators are aware of practices that align with the procedures.
- Ensure that educators are not registered until they and their residents are assessed and determined to be fit and proper through service procedures.
- Collect and verify relevant information to ascertain whether a person is fit and proper.
- Ensure children are not left alone with unauthorised people and visitors.

7.3 Co-ordination Unit Staff

- Ensure they follow Camden Council FDC policy and procedures and implement and maintain all requirements under these and as directed by the Nominated Supervisor.
- Implement this policy and related procedures.
- Monitor and ensure educators are informed of and their practices align with this policy and related procedures and all required actions are in place.
- Support educators to meet their responsibilities in relation to the assessment of themselves and their residents.
- Where possible, use monitoring visits or other processes to assist with monitoring the presence of residents at the FDC Residence.
- Inform the Nominated Supervisor/responsible person or Approved Provider of new and temporary residents at the FDC Residence.

7.4 Educators

- Are aware of all regulatory requirements and understand that in the case of a FDC Service the obligation of an Approved Provider is also the obligation of the educator.
- Keep up to date with any changes to the policy or procedures.
- Notify the Approved Provider of the intention to have new and temporary residents at the FDC Residence.
- Ensure that all residents meet all of the required criteria including the WWCC and that documentation is submitted to the Co-ordination Unit.
- Notify the Approved Provider if their own child or any other resident turns 18 years old (providing enough notice to carry out relevant checks).
- Ensure that residents, visitors and unauthorised people are not left alone with children.
- Submit all documentation as required in the procedure.

7.5 Residents

- Must meet the criteria for fit and proper persons including having a WWCC.
- Must understand and agree to the FDC Resident Agreement.
- Must be respectful and behave appropriately whilst the FDC Service is operational and children are in care.

8. INDUCTION AND ONGOING TRAINING

- 8.1 Induction will be implemented prior to an educator being registered with the Camden Council FDC Service and annually at the time of re-registration, focusing on this policy and related procedures.
- 8.2 Induction and ongoing professional development will be implemented for all FDC staff, focusing on this policy and related procedures.
- 8.3 FDC residents are required to read and sign an agreement relating to their responsibilities and expectations whilst the service is operational in their residence. Agreements are signed as required and annually as a part of the re-registration requirement for educators.

9. MONITORING, EVALUATION AND REVIEW

- 9.1 This policy will be monitored to ensure compliance with legislative requirements and, unless deemed necessary through the identification of practice gaps, the service will review this policy every three years.
- 9.2 Families, educators and staff are essential stakeholders in the policy review process and will be given opportunity and encouragement to be actively involved.

9.3 In accordance with Regulation 172 of the *Education and Care Services National Regulations*, the service will ensure that families of children enrolled at the service are notified at least 14 days before making any change to a policy or procedure that may have significant impact on the provision of education and care to any child enrolled at the service; a family's ability to utilise the service; the fees charged or the way in which fees are collected.

10. SOURCES AND RESOURCES

- [ACECQA Australian Children's Education and Care Quality Authority](#)
- [ACECQA Assessments of FDC residences and venues](#)
- [ACECQA Keeping pets and animals in education and care services](#)
- [ACECQA Opening a new service](#)
- [ACECQA Risk assessment and management](#)
- [Kidsafe FDC safety guidelines](#)

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RELEVANT LEGISLATIVE INSTRUMENTS: *Children (Education and Care Services) National Law (NSW)*
Children’s Guardian Act 2019
Education and Care Services National Regulations
National Quality Standard | Australian Children’s Education and Care Quality Authority (ACECQA)

RELATED POLICIES, PLANS AND PROCEDURES: Assessing whether a person is fit and proper procedure
Engagement or registration of FDC educator’s and educator assistant’s policy
Governance and management policy
Keeping a register of FDC educators, co-ordinators and educator assistant’s policy
Monitoring, support and supervision of FDC educator’s policy
Providing a child safe environment policy
Visitors to FDC residences and venues while education and care is being provided to children policy

RESPONSIBLE DIRECTOR: Director Sport, Community and Activation

APPROVAL: General Manager through the Executive Leadership Group.

HISTORY:

Version	Approved by	Changes made	Date	EDMS Number
1			Feb 2012	
2			August 2019	
3	ELG	Major amendments. Principles for the assessment of educators and residents were extracted from the <i>Educator recruitment, assessment, registration and deregistration</i> policy to form this stand-alone policy	19/05/2022	