



Leadership and service management

Introduction

The requirements of an education and care service in the area of Management and Leadership are embedded in the Education and Care Services National Law and Regulations and related legislation regarding management of a business and working with a staff team and with parents who are consumers at the service.

Core references are given in each policy and the main reference list is at the back of the Manual, however the reader should consider the references that apply for their local situation.

The national Early Childhood Australia Code of Ethics is an important part of this work.

Critical areas of concern

Governance of the service will be conducted legally, ethically and with integrity. Management will identify risks and develop appropriate strategies. Management will also address its legal obligations and manage these through education of staff, policies and relevant processes. The management will ensure that the Service complies with the appropriate legislation and relevant standards.

Implementation

The service philosophy guides the development and implementation of all its policies, leadership and management are no exception.

Knowledge development

Staff in this service are required to have or be working toward the relevant baseline qualification and then continue their ongoing learning. In this area, it includes:

- Orientation
- Professional learning
- Ongoing reading, discussion and self-reflection as a manager and leader
- External professional development.

Critical reference

This suite of policies (QA&) is designed to complement the ChildHR policies.



Contents

INTRODUCTION	1
CRITICAL AREAS OF CONCERN	1
IMPLEMENTATION	1
KNOWLEDGE DEVELOPMENT	1
CRITICAL REFERENCE	1
POLICY: ACCEPTANCE AND REFUSAL OF AUTHORISATIONS	3
POLICY: CONFIDENTIALITY AND PRIVACY	5
POLICY: DEALING WITH COMPLAINTS	8
POLICY: INCLUSION/DIVERSITY	10
POLICY: ENROLMENT AND ORIENTATION	11
POLICY: STAFF LEAVE	13
REFERENCES:	18
<i>Disclaimer</i>	18

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Policy: Acceptance and refusal of authorisations

Related policies and procedures

Philosophy
Delivery and collection of children including children at the Service after hours
Confidentiality of records
Enrolment
Notice of withdrawal
Orientation
Dealing with complaints

Centre forms related to this policy

Enrolment form
Medication form
Excursion form

Related Centre publications

Parent handbook
Staff Handbook

Related education

Parent orientation session
Child protection

Review schedule

2 years or at need

Legal and professional requirements:

Education and Care Services National Law: Section 3 Objectives, 165, 165A and 167

Education and Care Services National Regulations: 92-94, 102, 158, 160 - 162

National Quality Standards:
Quality Area 2.3.1, 2.3.2, 2.3.3, 6.1, 6.2, 6.3

Policy statement

We commit to working with parents closely and seek to communicate well with parents on the major decisions through the day.

To reduce the risk of misunderstanding, we require written specific authorisation for actions such as the collection of children, seeking medical treatment, administration of medications, and participation in excursions.

Note:

In accordance with the Education and Care Services National Regulations, the Service will waive compliance with this policy where a child requires emergency medical treatment for conditions such as anaphylaxis and asthma.

In emergencies, the Service will seek to act in the best interests of the child and will contact the parent as soon as practicable.

Rationale

One of the primary objectives of the Education and Care Services National Law and the Education and Care Services National Regulations is to ensure the safety, health and wellbeing of children attending education and care services.

The Early Years Learning Framework tells us that partnerships with families are based on the foundations of understanding each other's expectations and attitudes, and building on the strength of each other's knowledge.

Procedure: Acceptance and refusal of authorisations

Responsibilities of the Centre

The Nominated Supervisor will ensure that:

- parents are advised of the requirements for authorisations
- parents are informed that court orders, parenting orders or parenting plans may affect who has the right to give and be named in any authorisations.
- the service will apply the authorisations appropriately
- the retention of the authorisations with the enrolment record will be undertaken each year
- the service will exercise the right of refusal if the authorisations do not comply with our policy or procedures.

Valid authorisations

The Nominated Supervisor or their delegate will check all authorisations, should any be unclear or not completed or not comply with policy, the Nominated Supervisor will advise parents verbally that these must be completed correctly asap.

Parent's role

It is a condition of enrolment that Parents are to ensure that their authorisations are kept current.

Parents are **required** to advise the Service of any court orders, parenting orders or parenting plans which may affect who have the right to give and be named in any authorisations.

Issue resolution

Should any issue or concern be identified, Educators will first discuss with the family member. Should this not provide a resolution, or not be possible, either party will discuss the issue with the Director.

Policy: Confidentiality and privacy

Related policies

Philosophy
Enrolment
Recruitment
Orientation
Child protection

Procedures related to this policy

Enrolment
Recruitment
Orientation
Child protection

Centre forms related to this policy

Enrolment
Curriculum records
Health forms

Related Centre publications

Parent handbook
Staff Handbook

Related education

Parent orientation session
Curriculum session

Review schedule

2 years or at need

Legal and professional requirements

- Privacy Act 1988 (C'th)
- National Privacy Principles – www.privacy.gov.au/law
- Education and Care Services National Law
- Education and Care Services National Regulations
- Department of Education - Child Care Services Handbook
- ECRH Early Childhood Resource Hub

Policy statement

The Service respects and supports the right of all individuals to privacy and the confidentiality of their personal information.

Information given to the service will be handled in a professional manner and stored appropriately to prevent access to those not authorised to see or use it.

Information will only be accessed by or disclosed to those people who “need” the information to fulfil their responsibilities at the Service or have a legal right to the information.

All information collected by the Service will only be used for the purpose it is collected for.

Most information requested by the Service will be explained at orientation or at the time of its collection.

Rationale

The Early Years Learning Framework tells us that in genuine partnerships families and educators value each other's knowledge and roles, communicate freely and respectfully and engage in shared decision making.

The information shared by parents must be treated with respect, mindful of parent expectations and legal requirements.

Procedure: Privacy

Information Collected

The Service collects information for the purposes of providing education and care required under the National Quality Framework.

How it is collected

Information is collected in a professional manner through daily interactions and written communication. It is gathered in detail during enrolment, on forms, in specific discussions, direct observations and discussions with parents and support agencies.

How it is stored

Information is stored in the administration area. The material/records are stored as either hard copies in document files or in electronic form on computers.

How it is secured

- Service staff are required to commit to professional sharing of information.
- Documents in hard copy are only used as appropriate.
- Confidential documents are stored in locked documents.
- Documents stored electronically are secured through measures such as passwords.

How it is used

Information gathered is used to:

- support the enrolment process
- develop plans and programs for each child
- support families in their parenting
- support staff in professional development
- complete tasks required by the Australian and Western Australian governments.

How it may be disclosed

Information may be disclosed:

- to the relevant Government Departments as required by law
- should there be a concern or disclosure of child abuse, information will be provided to the appropriate authorities
- when the Service and parents of a child are working to support the inclusion of their child
- within the team so Educators can provide informed care
- to emergency services.

Data quality and access

Staff and Parents are entitled to have access their own personal and private information at a suitable time on request and may correct or update information.

Time required to keep information

The Service follows recommended guidelines for the periods of time that certain information is required to be kept by law.

Any information that is no longer required to be kept by the Service will be destroyed.

Concerns

Individuals must register any privacy concerns with the Nominated Supervisor.

Responsibilities

Visiting media, students, or observers

To safeguard and respect the privacy of the families in the Centre, visiting media, students, or observers must adhere to the following:

Meet with the Nominated Supervisor, provide photo identification and discuss their proposed visit in full detail. The Nominated Supervisor will decide whether the proposal can proceed, basing the decision on the policies of the Service.

Visitors will only enter the Service with permission and will sign in the visitors book for each visit. They will be required to adhere to all Service policies and procedures. Visitors will not be permitted to deviate from the agreed plan e.g. they will not photograph children without permission from the Service and parents.

Information gathered in the Service is confidential and cannot be used without the informed consent of the Nominated Supervisor who will consult with the relevant parents.

Parents wishing to video or photograph children in any manner in their group can do so only after the Educators have the permission of the relevant parents.

Staff members

Any documentation written by staff about children will be accurate, timely and free from negative or biased comments. All documentation will be dated and contain the author's name.

Any visual images taken by staff of enrolled children in the Service will not be used for any purpose other than the purpose for which the parent was originally advised, unless written consent is obtained.

All matters discussed at meetings will be regarded as confidential unless otherwise expressed at the meeting.

Staff will adhere to the specific confidentiality requirements in regards to child protection issues.

Parents

Parents are required to respect the privacy of staff and other families at the Service.

Should parents be unsure or concerned about any privacy issue, they are encouraged to discuss their concerns with the Service.

Professional practice note

Managing privacy considerations is a sensitive area of professional practice. In an education and care service, staff must interact with families and communities who have complex issues relating to family structures and kinship systems. There may also be legal issues relating to parenting orders and agreements. To ensure staff are able to manage information according to policy and with the required sensitivity, the topic should be discussed whenever document management is raised, at orientations and annually at staff meetings.

Policy: Dealing with complaints

Related policies

Philosophy
Confidentiality of records
Enrolment
Orientation
Withdrawal from the Centre

Procedures related to this policy

Confidentiality of records
Enrolment
Orientation
Withdrawal from the Centre

Centre forms related to this policy

Enrolment
Curriculum records

Related Centre publications

Parent handbook
Staff Handbook

Related education

Parent orientation
Staff orientation

Review schedule

2 years or at need

Legal and professional requirements:

Education and Care Services
National Law, including: Section 3,
174

Education and Care Services
National Regulations, including: 170,
173 - 177

National Quality Standards:
7.3 and 7.34

The Frameworks: Early Years and
School Age Care

Policy statement

We work hard to develop effective working relationships with parents and staff.

The care of each child is a partnership between staff and parents and it is important that open channels of communication are kept to facilitate the best interest of each child. We believe that every parent has the right to a positive and respectful response to their concerns.

Parents are welcome to discuss any matters concerning their child with Educators, the Nominated Supervisor or the Director.

Solutions will be sought to resolve all disputes, issues or concerns that impact or affect the day to day wellbeing of a child or the Service in a fair, prompt and positive manner.

Where possible, all confidential conversations/discussions with parents will take place in a quiet area away from children, other parents and staff who are not involved.

Both parties will be respectful of each other in order for a satisfactory resolution to occur.

Rationale

The Early Years Learning Framework tells us that partnerships with families are based on the foundations of understanding each other's expectations and attitudes, and build on the strength of each other's knowledge. In genuine partnerships, families and early childhood educators:

Procedure: Dealing with complaints

Grievance Resolution Process

- If a parent has a concern regarding their child, they should approach an educator.
- If a parent is reluctant to approach an educator or they are not satisfied with the outcome, the Nominated Supervisor should be approached to assist.
- If a parent has a concern regarding the treatment or safety of a child then they should contact the Nominated Supervisor as soon as is possible.

Complaints Resolution Process

- The Service will acknowledge all complaints not relating to the wellbeing of a child that are provided in writing within 1 workingday.
- **Concerns for the wellbeing of a child will be actioned immediately.**
- The Nominated Supervisor will provide an explanation or the investigation avenues to be used.
- A further letter or email will be sent to address the complaint and results of the investigation
- At any time, the parent can contact the Department of Local Government and Communities, Education and Care Regulatory Unit on 6210 3333.

Policy: Inclusion/Diversity

Related policies

Philosophy
Enrolment
Orientation
Curriculum

Procedures related to this policy

Confidentiality of records
Enrolment
Orientation
Curriculum

Centre forms related to this policy

Enrolment
Curriculum records

Related Centre publications

Parent handbook
Staff Handbook

Related education

Parent orientation
Staff orientation
Staff meetings
Conversations and reflective practice

Review schedule

2 years or at need

Legal and professional requirements

Education and Care Services
National Law Section 3

Education and Care Services
National Regulations 155, 156

National Quality Standards
5.2.1 – 5.2.3, 6.3.3

The Frameworks: Early Years and
School Age Care

United Nations Convention on the
Rights of the Child

Policy statement

The Service will actively promote diversity and encourage acceptance and appreciation of each person's individuality. Every person at our Service will be treated with respect.

The Service and our professional practice will reflect, recognise and respect the diversity of those using the Service and the wider community.

The Service will support children to feel good about themselves and comfortable about who they are whilst guiding children's ability to recognise bias and stereotypes and the effect they have on themselves and others.

The Service will provide inclusion support where necessary as we believe it is important that further professional assistance is sought if required.

Rationale

The Early Years Learning Framework tells us that there are many ways of living, being and of knowing.

Children are born belonging to a culture, which is not only influenced by traditional practices, heritage and generational knowledge, but also by the experiences, values and beliefs of individual families and communities.

Respecting diversity means valuing and reflecting the practices, values and beliefs of each family.

Educators respect the cultures, languages, traditions, child rearing practices and lifestyle choices of families. They understand the importance of children's and families different capacities and abilities.

Policy: Enrolment and Orientation

Related policies

Philosophy
Enrolment
Orientation
Curriculum
Acceptance and refusal of authorisations

Procedures related to this policy

Confidentiality of records
Enrolment
Orientation
Curriculum
Acceptance and refusal of authorisations

Centre forms related to this policy

Enrolment
Curriculum records

Related Centre publications

Parent handbook
Staff Handbook

Related education

Parent orientation
Staff orientation
Staff meetings
Conversations and reflective practice

Review schedule

2 years or at need

Legal and professional requirements

Education and Care Services
National Law Section 3, 175

Education and Care Services
National Regulations 102,160 – 162,
177 and 183

National Quality Standards
6.1.1, 7.3.5

Policy statement

Each family will be invited as a partner to be involved in the service from orientation.

Our priority during enrolment and orientation is to ensure that each child and family's needs are identified, and planning immediately begins to meet these needs - beginning with settling in and feeling that they belong.

Every effort is made to be fair and equitable in our work with families. To support this, a waiting list is held and updated to manage the vacancies as they occur.

Rationale

The Early Years Learning Framework tells us that there are many ways of living, being and of knowing.

Children are born belonging to a culture, which is not only influenced by traditional practices, heritage and generational knowledge, but also by the experiences, values and beliefs of individual families and communities.

Educators respect the cultures, languages, traditions, child rearing practices and lifestyle choices of families. They understand the importance of children's and families different capacities and abilities.

Procedure: Enrolment and Orientation

Parent Orientation

- Arrangements are made for the parent and child orientations as soon as the place is accepted however it is best nearer to the starting date if the child is to begin in the New Year.
- Parent orientation takes two parts:
 - General orientation - either in a group with new parents or as individuals
 - Individual orientation - finalizing orientation and enrolment details. This will also provide an opportunity for parents to discuss any concerns or issues.
- When larger numbers of children are enrolling:
 - An orientation meeting is arranged.
 - Parents are provided with their enrolment package, the requirements are discussed and they are encouraged to ask any questions and provide information they see as essential.
 - Parents are encouraged to arrange a further individual meeting if they require more time to discuss any relevant child or family issues and or concerns.
- When individual families are enrolling:
 - Parents are invited to come to the Service for their parent orientation meeting
 - Parents are provided with their enrolment package
 - The requirements are discussed and they are encouraged to ask any questions and provide information they see as essential. Parents are encouraged to arrange a further individual meeting if they require more time to discuss any relevant child related issues or enrolment concerns.
- Fees are confirmed with the parent.
- Parents are introduced to educators. It is stressed that this is the core of the parents working relationship with the centre, however management are available for any broader issues, information, concerns or complaints or discussion on children's development and growth.

Child orientation and settling

- Qualified staff will ensure educators have all the required enrolment documentation before they meet with the parent and child.
- Parents are introduced to educators who will encourage parents to speak about:
 - the expectations they hold for their child
 - their child's strengths and needs and any health issues
 - as well as sharing information on any other services they may be accessing
 - the separation and how the parents would like this to be managed and what the room staff can do to assist.

Policy: Staff Leave

1. Policy Statement

The purpose of this policy is to ensure that all employees are aware of their entitlements to the different types of leave and the requirements for taking leave.

This policy applies to all full time and part time employees. It does not apply to casual employees.

Leave is provided in accordance with the applicable legislation, National Employment Standards and contracts of employment, as varied from time to time.

2. Annual Leave

Annual leave entitlements commence accruing from an employee's first day of employment. A full-time employee is entitled to 25 days (5 weeks) of annual leave per completed year of service. A part-time employee is entitled to a pro-rata portion of 5 weeks paid annual leave per completed year of service, which is calculated based on the employee's ordinary hours of work. Employees are encouraged to take their full entitlement of annual leave every 12 months for their own wellbeing.

2.1 *Applying for Annual Leave*

Annual leave should be requested as far in advance as possible to ensure organisational requirement can be met. Annual leave applications will not be unreasonably refused. Employees are to submit Annual Leave applications to the Director.

2.2 *Payment of Annual Leave*

Payment of approved annual leave is paid as part of an employee's normal pay cycle and is calculated at the base rate of pay plus 17.5% leave loading for the employee's ordinary hours of work during the period of leave (i.e. does not include allowances, overtime and or penalty rates. Annual leave will not be paid in advance.

2.3 *Requirement to take Annual Leave*

The Subiaco Children's Centre may require the Employee to take a period of paid annual leave but only if the requirement is reasonable such as where the Centre is being shut down for a period (e.g. between Christmas and New Year) or where the Employee has an accrued an excessive amount of paid annual leave.

2.4 *Payment on Termination*

On termination of employment, the employee will be paid any accrued annual leave entitlement, based on their ordinary time hourly rate.

3. Personal & Carers Leave

Full-time and part-time employees are entitled to paid Personal and Carers leave. This is calculated on a pro rata basis of up to 10 days annually each year. For reference, ten (10) days of personal/carer's leave can be calculated as 1/26 of an employee's ordinary hours of work in a year.

Casual employees are not entitled to paid Personal/Carer's leave. Personal/Carer's Leave for each period of twelve (12) months during the Employment Period or a pro-rata amount of such leave for any period of less than twelve (12) months.

Paid Personal/Carer's Leave is cumulative from year to year.

Personal/Carer's Leave may be granted in the following circumstances:

- a) Personal illness of or injury to the staff member (sick leave);
- b) To provide short term care or support to a member of the staff member's immediate family, or to a member of the staff member's household, who requires care or support because of a personal illness or injury or because of an unexpected emergency (carer's leave);
- c) Medical or therapeutic appointments for the staff member or a member of the staff member's immediate family or household;
- d) Appointments and commitments associated with pre-natal and post-natal responsibilities;
- e) To deal with an emergency situation arising due to fire, flood, burglary or other unforeseen event beyond the control of the staff member (up to five (5) days per year);
- f) Where the carer of a staff member's child is unable to look after the child;
- g) Caring for a child on a pupil-free day (up to four (4) days per year) Note: Personal/Carer's Leave may not be used to substitute for childcare or dependent care arrangements during normal school holiday periods;
- h) Ceremonial leave for Aboriginal and Torres Strait Islander peoples (up to three (3) days per year);

Observance of recognised religious/culturally significant days (up to three (3) days per year). The staff member must advise their nominated supervisor of their anticipated absence at the beginning of each calendar year.

The Employee is required to provide a medical certificate or some other proof of reason for Personal/Carer's Leave that is two days or more.

Upon termination of this agreement for whatever reason the Employee shall not be entitled to any payment for Personal/Carer's Leave accumulated but not taken.

4. Long Service Leave

Employees shall be paid long service leave in accordance with the Long Service Leave Act 1958 (WA) for employees who have worked continuously in the company for a specified period. Full-time, part-time and casual employees are entitled to LSL.

The LSL entitlement for employees is:

- After 10 years of continuous employment with Subiaco Children's Centre, 8 2/3 weeks paid leave will be accrued, which can be taken in blocks of time or cashed out upon agreement.
- for every five (5) years of continuous employment after this initial ten (10) years, employees are

entitled to 4 1/3 weeks of paid leave.

- When an employee with at least 7 but less than 10 years of continuous employment is terminated, they are entitled to be paid their accrued long service leave.

This entitlement:

- is calculated on the employee's entire period of employment; that is, years, months, weeks and days
- applies to employees who resign, are made redundant, die or whose employer has terminated them for any reason other than serious misconduct
- does not apply to an employee whose employer has terminated them for serious misconduct.

To take LSL or cash out LSL, a leave form request must be submitted to the Director. Employees are required to provide a minimum of 8 week's notice prior to taking LSL to ensure minimal disruptions to operations. Long service leave is to be taken in one continuous period. However, by agreement you may take leave in separate periods of no less than one week. Payment may be paid at the time of leave or to align with regular pay cycles.

5. Compassionate Leave

A staff member may take up to two days paid Compassionate Leave on each occasion when any of the following circumstances apply:

When a member of the staff member's

- immediate family, or
- a relative, or
- a member of the staff member's household contracts or develops a personal illness, or sustains a personal injury, that poses a serious threat to his or her life, or
- the member of the immediate family or household or the relative dies.

6. Parental Leave

6.1 Entitlement for leave

Parental Leave is available to both parents in a relationship, which includes de facto and same sex couples. Generally, Parental Leave can only be taken by one parent at a time and in a single continuous period.

In accordance with the Fair Work Act 2009 (Cth) employees are entitled to 12 months unpaid Parental Leave if the leave is associated with the birth of a child of the employee's spouse or de facto partner, or the placement of a child with the employee for adoption.

Employees are entitled to up to 52 week's unpaid Parental Leave if they have or will have responsibly for the care of the child, comply with any requirement to provide documentation and immediately before the expected date of birth of the child he / she has, or will have, completed at least 12 months of continuous service with Subiaco Children's Centre

Casual employees who have completed at least 12 months of continuous service (ie, working on a regular and systematic basis with an expectation of ongoing employment) with Subiaco Children's Centre are entitled to Parental Leave. Casual employees who are not long-term casuals are not entitled

to parental leave.

6.2 Entitlement for paid leave

For full-time and part-time employees of greater than 12 months service, Subiaco Children's Centre will provide 8 weeks' paid leave in addition to any Government paid leave scheme, at the employee's ordinary rate of pay and average hours for the preceding 12 month period. This leave payment will not include a superannuation contribution.

7. Family and Domestic Violence Leave

7.1 Entitlement

All employees (including part-time and casual) are entitled to five (5) days unpaid family and domestic violence leave each year of their employment.

Employees are entitled to the full five (5) days from the day they start work. It does not have to be built up over time.

The five (5) days renews each 12 months but does not accumulate from year to year, if it is not used.

This leave entitlement is not cashed out at the point of termination of employment.

This leave does not have to be taken all at once and can be taken as single or multiple days.

Employees can take the leave if they need to do something to deal with the impact of family and domestic violence and it's impractical to do so outside their ordinary hours of work. This may include:

- making arrangements for their safety, or safety of a close relative (including relocation)
- attend court hearings
- accessing police services

Subiaco Children's Centre may request evidence that shows the employee took the leave to deal with family or domestic violence. Evidence can include documents issued by the police service, documents issued by a court, family violence support service documents or a statutory declaration.

7.2 Requesting Family and domestic violence leave

Employees are required to notify their Manager of the need for family and domestic violence leave as soon as possible and estimate the length of leave required.

Subiaco Children's Centre will take every measure to ensure that employees request for family and domestic violence leave, and details as to why this leave is required, remains confidential. Subiaco Children's Centre is not prevented from disclosing this information if it is required by law or if it is necessary to protect the life, health or safety of an employee or another person.

7.3 Support

Confidential information, counselling and support for people impacted by domestic violence is available at the 1800 RESPECT website, which is the national sexual assault, domestic and family violence counselling service.

8. Jury Duty

Employees who are required to attend jury service will continue to receive their normal salary, in respect of the ordinary time they would have worked had they not been on jury service.

Employees, other than casual employees, must notify Subiaco Children's Centre as soon as possible of the date upon which they are required to attend jury service and must provide proof of required attendance and duration.

Employees will be required to:

- Attend work when not required for jury service on the notified day(s), except when the employee has less than 1 hour of ordinary hours of work remaining for that day, or as otherwise agreed with the manager; and
- Reimburse Subiaco Children's Centre should they receive any payment directly as a result of the jury service. Employees who are summoned for jury service at a time when they would have been on annual leave, long service leave or on a rostered day off, may either change the dates of their leave or rostered day off, where appropriate, or apply to the relevant Court authority for jury service to be deferred.

9. Policy Review

This policy shall be reviewed every three years, or as necessary by the Director.

References:

Guide to the National Quality Standard (ACECQA)

<http://files.cecqa.gov.au/files/National-Quality-Framework-Resources-Kit/NQF03-Guide-to-NQS-130902.pdf>

Guide to the National Law and National Regulations (ACECQA)

http://files.cecqa.gov.au/files/National-Quality-Framework-Resources-Kit/2014/NQF02%20Guide%20to%20ECS%20Law%20and%20Regs_web.pdf

Belonging, Being and Becoming: The Early Years Learning Framework (ACECQA)

<http://www.cecqa.gov.au/ResourceCategory.aspx?pid=412&gcpid=2> (Useful Word Version and PDF)

My Time, Our Place: Framework for School Age Care (ACECQA)

<http://www.cecqa.gov.au/ResourceCategory.aspx?pid=412&gcpid=2> (Useful Word Version and PDF)

In our reading, we used and recommend the resources in the Early Childhood Resource Hub (Australian and state governments) <http://www.ecrh.edu.au/#/>

Child Australia

<http://www.childaustralia.org.au>

Disclaimer

This resource is based on the most current information available in April 2016.

In developing this resource, we have referred to legislation and regulations, sought advice from professional organisations and reviewed contemporary research. This document should be used as a guide to compliment and develop service's existing practices. Services should always check the currency of information at the time of use and consider the information in this resource in the context of their particular service.