

# ENGAGEMENT OR REGISTRATION OF FAMILY DAY CARE EDUCATOR ASSISTANTS POLICY GUIDELINES

The *Education and Care Services National Law and Regulations* require an approved provider of a family day care (FDC) service to:

- have policies and procedures in place for the engagement or registration of FDC educator assistants (Regulation 169), and
- keep a register containing prescribed information about each FDC educator assistant engaged by or registered with the service (Section 269, Regulation 153).

The approved provider must also ensure that FDC educator assistants:

- are at least 18 years old (Regulation 119)
- hold a current approved first aid qualification and have undertaken current approved anaphylaxis and emergency asthma management training (Regulation 136)
- are 'fit and proper' to be in the company of children (Regulation 163)
- can only assist the FDC educator – including in transporting a child and when the FDC educator is absent – once written consent is received from each child's family (Regulation 144).

When developing these policies and procedures, the approved provider should also consider quality practice in FDC educator assistant engagement, induction, retention and wellbeing.

Under the *Education and Care Services National Regulations*, education and care services must have policies and procedures in place for the engagement or registration of FDC educator assistants. These guidelines are part of a series and are intended to assist in the development of your *Engagement or registration of FDC educator assistants policy*. They have been designed to guide you in the development of your policy and are not an exact format.

## 1. Title

*Engagement or registration of FDC educator assistants policy*

## 2. Policy statement

The policy statement will reflect your service's philosophy about your focus when engaging or registering FDC educator assistants.

*For example:*

Our FDC educator assistants are engaged or registered on the basis of their suitability to provide quality education and care and meet the needs of the service, the children and their families. Educator assistants must meet and maintain the standards expected by the service, the National Quality Framework, families, and the community.

## 3. Background

Your policy needs to include a statement of why this requirement is in place.

For example, the *Education and Care Services National Regulations* require policies and procedures to be in place in relation to the engagement or registration of FDC educator assistants.

FDC educators play an essential role in the education and care of children. However, as they face many challenges and demands on their time, FDC educator assistants can make a considerable contribution in supporting them. The National Regulations recognise particular areas of support, including the transportation of children, emergency situations, and when the FDC educator needs to attend an appointment.

FDC educator assistants must meet legislative requirements to safeguard the health, safety and wellbeing of the children. Families must also be made aware of and provide their consent to the assistance provided by the FDC educator assistant. Specifically, written consent should inform families of the circumstances in which the educator assistant will assist the educator.

#### 4. Legislative requirements

Your policy must be consistent with and refer to legislative requirements for engaging or registering FDC educator assistants. Examples include, but are not limited to:

Section 103A	Offence relating to places where education and care is provided as part of a family day care service
Section 164A	Offence relating to the education and care of children by family day care service
Section 170	Offence relating to unauthorised persons on education and care service premises
Section 269	Register of family day care educators, coordinators and assistants
Reg 119	Family day care educator and family day care educator assistant to be at least 18 years old
Reg 136	First aid qualifications
Reg 144	Family day care educator assistant
Reg 153	Register of family day care educators, coordinators and educator assistants
Reg 163	Residents at family day care residence and family day care educator assistants to be fit and proper persons
Reg 168	Education and care service must have policies and procedures
Reg 169	Additional policies and procedures – family day care service
Reg 170	Policies and procedures to be followed
Reg 171	Policies and procedures to be kept available
Reg 172	Notification of change to policies or procedures

When writing your policy, you should break down what is required under each Regulation and how your service will meet these requirements. How these work in practice will be contained in your procedures.

As you reflect on your *Engagement or registration of FDC educator assistants policy*, it might highlight the need to split its various areas into different policies and procedures that can be readily accessed by all FDC educators, FDC educator assistants and staff members to follow in relation to your service’s philosophy and their roles and responsibilities. For example, you may wish to have separate policies for *The engagement of FDC educators assistants*, *The registration of FDC educator assistants* and *The induction and training of FDC educator assistants*.

## 5. Principles to inform your policy

All decision-making should be carried out in accordance with the principles of your service's *Engagement or registration of FDC educator assistants policy*. Examples of principles could include, but are not limited to:

- The health, safety and wellbeing of children is paramount. Through our quality practice engagement, induction and training processes, we ensure that our FDC educator assistants are fit and proper and well equipped in this respect.
- We are committed to good governance and quality management. Our systems and documentation for engaging and registering FDC educator assistants are kept up-to-date and regularly reviewed.
- Our FDC educator assistants are an important part of the service's effective operation. They are supported to understand their role and responsibilities and our expectations of them.

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## 6. Key terms

To make it easier for your audience, provide definitions of key terms that may not be used every day. For example:

<b>Term</b>	<b>Meaning</b>	<b>Source</b>
ACECQA – Australian Children's Education and Care Quality Authority	The independent national authority that works with all regulatory authorities to administer the National Quality Framework, including the provision of guidance, resources and services to support the sector to improve outcomes for children.	
Approved FDC venue	A place (other than a residence) approved by a regulatory authority under section 50A or 54(8A) as an FDC venue for an approved FDC service.	National Law (Definitions)
FDC coordinator	A person employed or engaged by the approved provider of an FDC service to monitor and support the FDC educators who are part of the service.	National Law (Definitions)
FDC educator	An educator engaged by or registered with an FDC service to provide education and care for children in a residence or at an approved FDC venue.	National Law (Definitions)
FDC educator assistant	A person engaged by or registered with an FDC service to assist FDC educators.	National Law (Definitions)
FDC residence	A residence at which an FDC educator educates and cares for children as part of an FDC service.	National Law (Definitions)
FDC service	An education and care service that is delivered through the use of two or more educators to provide education and care to children and operates from two or more residences.	National Law (Definitions)

Working with children check (WWCC)	<p>A notice, certificate or other document granted to, or with respect to, a person under a working with children law to the effect that:</p> <p>(a) the person has been assessed as suitable to work with children; or</p> <p>(b) there has been no information that if the person worked with children the person would pose a risk to the children; or</p> <p>(c) the person is not prohibited from attempting to obtain, undertake or remain in child-related employment.</p>	National Law (Definitions)
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## 7. Links to other policies

Refer to related policies and procedures, for example:

- Engagement or registration of FDC educators
- Providing a child safe environment
- Governance and management of the service
- Monitoring, support and supervision of FDC educators
- Assessment of FDC educators, FDC educator assistants and persons residing at FDC residence
- Assessment and reassessment of residences and venues for FDC
- Safe transportation of children
- Incident, injury, trauma and illness
- Dealing with medical conditions in children
- Emergency and evacuation
- Delivery of children to, and collection of children from, education and care service premises
- Excursions
- Sleep and rest
- Nutrition, food and beverages, dietary requirements
- Interactions with children

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## 8. Induction and ongoing training

State information about induction training and frequency of ongoing training and information sharing to assist managers, coordinators, FDC educators, FDC educator assistants and staff to fulfil their roles effectively.

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## 9. Policy created/reviewed

Include the date the policy was created, reviewed or changes were made.

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## 10. Monitoring, evaluation and review

State when the policy will be reviewed and who will be responsible for this.

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## 11. Checklist

- Have you referenced the relevant Regulations and are these reflected in the policy?
  - Does the title provide a clear and concise statement identifying the intent of the policy?
  - Have you checked the policy requirements and referenced related legislation that applies to your service type?
  - Does your policy statement provide a framework for decision-making and ensure consistent practice?
  - Does your policy statement reflect your service philosophy?
  - Is it clear why this policy exists?
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# ENGAGEMENT OR REGISTRATION OF FAMILY DAY CARE EDUCATOR ASSISTANTS PROCEDURES GUIDELINES

The approved provider of a family day care (FDC) service must have policies and procedures in place in relation to the engagement or registration of FDC educator assistants.

Your procedures must ensure that only FDC educator assistants are engaged who meet the regulatory requirements.

The steps and guidelines you document will not only guide your practice, but also inform regulatory authorities of FDC educator, FDC educator assistant and staff expectations and responsibilities.

Your procedures should be written in clear and concise language, making them easy to read, understand and implement.

Every service is different so it is not sufficient to apply generic policies and procedures to multiple services. You will need to contextualise your policies and procedures to your service's operations and its unique context.

Under the *Education and Care Services National Regulations*, education and care services must have policies and procedures in place in relation to the engagement or registration of FDC educator assistants. These guidelines are part of a series and are intended to assist in the development of your *Engagement or registration of FDC educator assistants procedures*. They have been designed to guide you in the development of your procedures and are not an exact format.

## 1. Title

*Engagement or registration of FDC educator assistants procedures*

## 2. Reference to policy and philosophy

Here you refer to your *Engagement or registration of FDC educator assistants policy* as seen in your policy documents. You can reference where you will find the policy to help those looking for it.

Your procedures will also reflect your service's overall philosophy, your *Engagement or registration of FDC educator assistants policy*, and evidence-based quality practices.

## 3. Procedures

This is where you detail the way you will implement the *Engagement or registration of FDC educator assistants policy*.

It is the 'How to' in your service and includes specific step-by-step procedures for the engagement or registration of FDC educator assistants.

Some areas that will be outlined here will include:

- where the procedures will be kept
- when they were last reviewed
- templates and documents that might be required and/or used as a part of the procedures
- systems to monitor the implementation of the procedures.

As you reflect on your *Engagement or assessment of FDC educator assistants policy*, it might highlight the need to split its various areas into different procedures, which will be displayed or accessed by all educators and staff to follow in relation to their actions.

For example, you may wish to have separate policies for *The engagement of FDC educator assistants*, *The registration of FDC educator assistants* and *The induction and training of FDC educator assistants*.

#### 4. Roles and responsibilities

This is where you will designate specific roles and responsibilities for the people who hold different positions within your service. This needs to align with the Regulations.

When developing your roles and responsibilities you will need to consider the context of your FDC service, FDC educators located in remote areas, and the adaptations or adjustments that may need to be made to your systems and processes to meet the Regulations.

It is important to note that it is the legal responsibility of approved providers to ensure systems are in place to minimise risk and ensure health and safety procedures are implemented by the responsible people in services and in FDC residences. Ultimate responsibility lies with the approved provider to ensure their service/s are meeting the requirements under the National Quality Framework.

When developing this section consider:

- What are the roles and responsibilities of the approved provider, nominated supervisor, coordinators, FDC educators, FDC educator assistants or other staff in your service in relation to the engagement or registration of FDC educator assistants?
- How will you clearly define these roles and expectations and where will it be documented?
- Why are clear and robust procedures for the engagement and registration of FDC educator assistants important for children’s safety and wellbeing?
- How will you learn from the administration of these procedures to improve your practice and learn from incidents?
- How will you ensure that the necessary tools are available so the approved provider, nominated supervisor, coordinators, FDC educators, FDC educator assistants and other staff members can follow the procedures? How will they be made aware of the procedures?

An example of roles and responsibilities could include, but is not limited to:

Roles	Responsibilities
<p><b>Approved provider</b></p>	<ul style="list-style-type: none"> <li>• ensure the <i>Engagement or registration of FDC educator assistants policy and procedures</i> are in place</li> <li>• take reasonable steps to ensure that nominated supervisors, coordinators, FDC educators, FDC educator assistants and staff follow the policy and procedures</li> <li>• ensure that FDC educator assistants at the service are at least 18 years old, hold a current approved first aid qualification and have undertaken current approved anaphylaxis and emergency asthma management training, and are ‘fit and proper’ persons</li> <li>• ensure that written consent is received from each child’s family for FDC educator assistants to assist the FDC educator in the circumstances detailed in Regulation 144</li> <li>• maintain a register of FDC educator assistants</li> <li>• consider quality practice approaches to FDC educator assistant engagement, induction, retention and wellbeing</li> <li>• ensure that copies of the policy and procedures are readily accessible to nominated supervisors, coordinators, FDC educators, FDC educator assistants and staff, and available for inspection</li> </ul>

	<ul style="list-style-type: none"> <li>notify families at least 14 days before changing the policy or procedures if the changes will: <ul style="list-style-type: none"> <li>- affect the fees charged or the way they are collected or</li> <li>- significantly impact the service's education and care of children or</li> <li>- significantly impact the family's ability to utilise the service</li> </ul> </li> </ul>
<b>Nominated supervisor / Responsible person</b>	<ul style="list-style-type: none"> <li>ensure that regulatory responsibilities are met in relation to the engagement or registration of FDC educator assistants</li> <li>implement procedures for the engagement or registration of FDC educator assistants</li> <li>carry out relevant checks of FDC educator assistants</li> <li>ensure that coordinators are aware of practices that align with the procedures</li> <li>ensure that FDC educator assistants are at least 18 years old, hold a current approved first aid qualification and have undertaken current approved anaphylaxis and emergency asthma management training, and are 'fit and proper' persons</li> <li>ensure that written consent is received from each child's family for FDC educator assistants to assist the FDC educator in the circumstances detailed in Regulation 144</li> </ul>
<b>Coordinator</b>	<ul style="list-style-type: none"> <li>inform FDC educator assistants of their responsibilities</li> <li>support FDC educator assistants to meet their responsibilities</li> </ul>
<b>FDC educators</b>	<ul style="list-style-type: none"> <li>be aware of regulatory requirements</li> <li>support FDC educator assistants to meet their responsibilities</li> <li>ensure that FDC educator assistants only provide assistance in the circumstances detailed in Regulation 144</li> <li>ensure that written consent is received from each child's family for FDC educator assistants to provide assistance</li> </ul>
<b>FDC educator assistants</b>	<ul style="list-style-type: none"> <li>be aware of regulatory requirements</li> <li>submit all documentation as required in the procedures</li> <li>maintain current accredited first aid and approved anaphylaxis and asthma management training</li> </ul>
<b>Families</b>	<ul style="list-style-type: none"> <li>provide written consent for FDC educator assistants to assist the FDC educator in the circumstances detailed in Regulation 144</li> <li>inform the FDC educator or coordination unit of any concerns about an FDC educator assistant or child in relation to the provision of education and care at the service</li> </ul>

The following table will assist you in developing procedures specific to your needs and context. Referring to the Regulations when you are writing your procedures will assist you to ensure that you are meeting your obligations.

Areas to include in your procedures	Things to consider and outline in each area <i>(this will be specific to the context of your service)</i>	Strategies for monitoring and implementing procedures	Related policy and/or procedures
<p><b>Engaging or registering FDC educator assistants</b></p> <p><b>Leg:</b> s269</p> <p><b>Reg:</b> 119, 136, 144, 153, 163, 168-172</p> <p><b>QA1</b></p> <p><b>QA2</b></p> <p><b>QA3</b></p> <p><b>QA4</b></p> <p><b>QA5</b></p> <p><b>QA6</b></p> <p><b>QA7:</b> 7.1, 7.2.3</p>	<ul style="list-style-type: none"> <li>• What the quality practice approaches are for FDC educator assistant engagement, induction, retention and wellbeing</li> <li>• What the engagement and registration process for prospective FDC educator assistants will be, e.g. expression of interest/application forms, assessment of suitability</li> <li>• Ensuring the FDC educator assistants meet the regulatory requirements: <ul style="list-style-type: none"> <li>- are at least 18 years old</li> <li>- hold a current approved first aid qualification and has undertaken current approved anaphylaxis and emergency asthma management training</li> <li>- are assessed as ‘fit and proper’ to be in the company of children</li> </ul> </li> <li>• Processes to ensure that written consent is received from each child’s family for FDC educator assistants to assist the FDC educator in the circumstances detailed in Regulation 144: <ul style="list-style-type: none"> <li>- to transport children between the FDC residence or approved FDC venue, to a school, another education and care service or children’s service, or a child’s home</li> <li>- in emergency situations, including when the FDC educator requires urgent medical care or treatment</li> <li>- to enable the FDC educator to attend an appointment (other than a regular appointment) in unforeseen or exceptional circumstances, if the absence is for less than</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Make sure your policy and procedures are available for all to access</li> <li>• Create a checklist for the engagement/ registration process to ensure all aspects are addressed and that applicants meet regulatory requirements</li> <li>• Ensure procedures are part of coordinator and FDC educator, and FDC educator assistant induction training, and regularly reviewed at coordination unit meetings</li> <li>• Once registered or engaged, provide FDC educator assistants with position descriptions, set clear responsibilities and expectations</li> </ul>	<p>Assessment and reassessment of residences and venues for FDC</p> <p>Assessment of FDC educators, FDC educator assistants and persons residing at FDC residence</p> <p>Engagement or registration of FDC educators</p> <p>Monitoring, support and supervision of FDC educators</p> <p>Providing a child safe environment</p> <p>Governance and management of the service</p> <p>Interactions with children</p> <p>Safe transportation of children</p> <p>Incident, injury, trauma and illness</p> <p>Dealing with medical conditions in children</p>

Areas to include in your procedures	Things to consider and outline in each area <i>(this will be specific to the context of your service)</i>	Strategies for monitoring and implementing procedures	Related policy and/or procedures
	<p>4 hours, the approved provider has approved that absence, and notice of that absence has been given to the child's family</p> <ul style="list-style-type: none"> <li>- to assist the FDC educator as part of the FDC service</li> <li>• Creating and maintaining a register of FDC educator assistants, including: <ul style="list-style-type: none"> <li>- the FDC educator assistant's full name, address and date of birth</li> <li>- the FDC educator assistant's contact details</li> <li>- the name of the FDC educator to be assisted by the assistant</li> <li>- the address of the FDC residence or approved FDC venue, including a statement as to whether it is a residence or a venue</li> <li>- the date the assistant was engaged by, or registered with, the service</li> <li>- the date the assistant ceased to be engaged by or registered with the service (if applicable)</li> <li>- if the assistant is an approved provider, the number of the provider approval and the date the approval was granted</li> <li>- evidence of any relevant qualifications held by the assistant</li> <li>- evidence the assistant has completed: <ul style="list-style-type: none"> <li>&gt; current approved first aid training</li> <li>&gt; current approved anaphylaxis management training</li> </ul> </li> </ul> </li> </ul>		<p>Emergency and evacuation</p> <p>Delivery of children to, and collection of children from, education and care service premises</p> <p>Excursions</p> <p>Sleep and rest</p>

Areas to include in your procedures	Things to consider and outline in each area <i>(this will be specific to the context of your service)</i>	Strategies for monitoring and implementing procedures	Related policy and/or procedures
	<ul style="list-style-type: none"> <li>&gt; current approved emergency asthma management training</li> <li>- evidence of any other training completed by the assistant</li> <li>- a record of WWCC details (jurisdiction-dependent)</li> <li>• What other role-related issues can be addressed to ensure effective engagement, e.g. setting expectations for the FDC educator assistant's role, an effective induction</li> <li>• How to address any language barriers for educator assistants for induction training and to ensure they understand their obligations and the policy and procedures</li> </ul>		

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## 5. Procedures created/reviewed

Include the date the procedures were created or reviewed.

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## 6. Monitoring, evaluation and review

Your service, in consultation with the nominated supervisor, coordinators, FDC educators, FDC educator assistants, families and other stakeholders, should review the effectiveness of these procedures within a set timeframe or earlier if there is a change in relevant legislation.

State when the procedures will be reviewed and who will be responsible for this.

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## 7. Checklist

- Do the procedures align with your *Engagement or registration of FDC educator assistants policy*?
  - Have your procedures been written in plain English and can they be easily implemented by a nominated supervisor, coordinator, FDC educator or FDC educator assistant new to your service?
  - Is it clear who is responsible for the implementation of the procedures?
  - Are the nominated supervisor, coordinators, FDC educators and FDC educator assistants aware of the procedures and can implement them if required?
  - Do you need to develop any resources to monitor and record the procedures?
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# Useful Resources

Include links to useful resources that have helped inform the development of your policy. In addition, be mindful of the existence of any state- or territory-specific content.

Some examples include but are not limited to:

- Family day care approved provider compliance responsibilities – <https://www.acecqa.gov.au/media/22851>
- Family day care educator compliance responsibilities – <https://www.acecqa.gov.au/media/22856>
- Family day care nominated supervisor compliance responsibilities – <https://www.acecqa.gov.au/media/22861>
- Guide to the National Quality Framework – <https://www.acecqa.gov.au/nqf/about/guide>
- Requirements for family day care providers – <https://www.acecqa.gov.au/media/23141>