



Staff Recruitment Policy

POLICY STATEMENT

Our service aims to implement a robust, well-planned child safe recruitment process to ensure we select the best person for the position and the needs of our service. We aim to engage employees who are suitably qualified, experienced and passionate about school aged care. Our recruitment policy outlines our processes to ensure they are aligned with legislative obligations, our service's child safe culture, values and support diversity and inclusion.

We aim to ensure the most suitability qualified, experienced, and reliable staff are employed at our service. We are committed to ensuring we meet all legislative and regulatory requirements including the Education and Care Services National Law, NSW Children and Young Persons (Care and Protection) Act Fair Work Act and Anti-Discrimination Act.

All Service operations, decisions, and functions are underpinned by the principle that the rights and best interests of all children are paramount. Our service ensures that child safety, wellbeing, and best interests take priority over all other considerations, including financial interests or other obligations of management.

Our service is committed to be a child safe Early Education and Care Service and embed the National Child Safe Principles and our recruitment and screening processes play a vital role in protecting children from harm. We follow the NSW Child Safe Standards and these are paramount in all our decision making. Our service adopts and aligns with the National Model Code and Ministerial Direction (NSW) related to taking images or videos of children. (See *Safe Use of Digital Technologies and Online Environments Policy*.)

RECRUITMENT DECISIONS

The approved provider or assigned nominee will approve all recruitment decisions as outlined in this *Recruitment Policy*. Recruitment decisions will be based on the need and requirements of the service and will consider the following:

- ensuring the service meets all staffing requirements as per Education and Care Services National Law and National Regulations
- any resignation of existing staff
- an increase in occupancy

The recruitment processes will be consistent, transparent, professional and timely. Any grievances relating to the recruitment procedure will be addressed as per the *Dealing with Complaints Policy*. All personal information regarding recruitment will be treated with the strictest confidence.

Selection criteria for each vacant position will be determined before advertisement and will take the following into consideration:

- position title
- qualifications required for the position, including mandatory child safety training



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- experience required for the position
- position description/skills required for the position
- conditions of employment
- mandatory employment screening requirements including verifying Working with Children Check (WWCC), where applicable National Police Criminal History checks, immunisation requirements and conducting reference checks for every candidate to ascertain the candidate's attitudes and behaviours in previous child-related roles.
- clear expectations about commitment to child safety (Child Safe Standards) and wellbeing
- demonstrated understanding of reporting requirements and processes to ensure the safety and wellbeing of children

Comprehensive position descriptions for each advertised position will be available for all applicants. Any applicants deemed unsuitable will be advised within an appropriate time frame.

ADVERTISEMENTS

Information about the position and the service will be provided to potential applicants which includes:

- job title
- position description- including objectives of the role, duties and accountability
- location
- description of the organisation/Service including ownership details
- hours of work
- salary (award/ above award)
- Service Philosophy
- operation hours, age group of children educated and cared for
- selection criteria relating to the position available
- how to apply for the role
- a strong commitment to providing a safe environment for children including an understanding of child protection law and mandatory reporter obligations
- closing date for applications
- contact information for further information
- immunisation requirements
- WWCC requirements

Vacant positions may be advertised internally to encourage career advancement and opportunity. External advertisements may be placed through relevant media and networks including social media, newspaper and employment services

SELECTION PANEL AND INTERVIEWS

A selection panel will be determined for applicants short listed for an interview. The selection panel will consist of at least 2 people.

Applicants who require support or access provisions, are encouraged to advise this at the time of their application, to ensure appropriate assistance is provided throughout the recruitment process.

Questions will be prepared in advance of the interview and applicant responses will be recorded during the interview. Reflective questions to support safeguarding practices will be included to assist in determining whether the applicant is suitable to work with children. Each applicant will be asked



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the same questions to ensure fair and equitable treatment of all applicants. Interviews will be conducted in a private space and confidentiality will always be maintained. Applicants will be provided an opportunity to ask questions relating to the service and position at the end of the interview.

CONFLICT OF INTEREST

Any person on a selection panel must disclose to the approved provider or person organising the interview process if there is a conflict of interest at the time of reviewing the applications. A conflict of interest may arise if the applicant is a personal friend or past or present close work colleague. Management must promote transparency and accountability, promote integrity and impartiality during the employment process and therefore consider if the conflict of interest poses a risk to the consistency of the application process.

The approved provider or management will assess the conflict of interest and identify if the conflict of interest poses a risk to the fairness and consistency of the recruitment process. The selection panel member may be removed from the recruitment process if the conflict is deemed significant. Any decision regarding a conflict of interest will be documented and steps identified to manage the conflict recorded to ensure accountability and fairness.

PRE-EMPLOYMENT SCREENING-PROBITY CHECKS

Effective pre-employment screening ensures our Service is compliant to legislative and regulatory requirements and aims to ensure we engage staff who have the skills, experience, qualifications and general 'fit' in alignment with National Principles for Child Safe Organisations and Child Safe Standards.

All preferred candidates will undergo appropriate pre-employment checks including reference checks, Working with Children Checks (WWCC) clearance, immunisation status checks and where applicable National Police criminal history checks before an offer of employment is recommended. Once an employee provides their WWCC clearance, management will verify the clearance to ensure that it is valid and current. Measures should be in place to ensure probity checks are completed by a person or persons who have no prior professional relationship or personal friendship with the applicant to mitigate the perception of bias in the recruitment process.

All prospective applicants will be required to complete a prohibition notice declaration to acknowledge they do not hold any prohibition notices, suspension, supervision notices or disciplinary action that would prevent them from working with children (Reg. 188). The approved provider will use the 'register search' tool on the [NQA ITS](#) to check prohibition notices linked to prospective candidates as part of the recruitment process. These checks will be recorded on the *Prohibition Persons Search Register*. Prospective candidates applying for the role of nominated supervisor or responsible person are required to complete a Compliance History notice as part of acknowledgement to the role to ensure the candidate is suitable to work with children. Existing employees are encouraged to disclose any enforcement actions, including enforceable undertakings that are issued to them. Any negative findings identified through these recruitment checks will be considered during the recruitment and selection process. Prospective applicants with relevant prohibition or disciplinary actions may be deemed unsuitable and will not be engaged to work within the Service.



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REFERENCE CHECKS

Verbal reference checks will be conducted over the phone for preferred applicants. Reference check questions will be determined prior to the check conducted and will establish the relationship the referee has with the applicant.

At least 2 (two) references are to be provided for a reference check. Where possible references should be from the immediate previous employer. The reference checks will ascertain, where possible, the applicant's attitudes and behaviours in previous child-related roles and ascertain whether the applicant has ever been the subject of complaints.

WWCC/POLICE CHECKS

Working with Children Check legislation aims to prevent people who pose a risk from working with children as paid employees or volunteers. All employees, volunteers and students must undergo a Working with Children Check prior to working at the service. Employees, volunteers or students that are unable to provide a copy of a validated WWC Check prior to the start of engagement or employment will not be able to undertake any work-related activity within the Service.

Once an employee provides their WWCC clearance, management will verify the clearance to ensure that it is valid and current. Any applicant that has been excluded from working with children in another state/territory will face an automatic exclusion from the recruitment process.

A Working with Children Check (WWCC) clearance is required for all employees, volunteers and students over the age of 18. The service will verify the WWCC and ensure the employee, student or volunteer is cleared to work with children online at the Office of the Children's Guardian in NSW prior to ALL students, volunteers and employees undertaking work at the service. Staff and educators must notify the approved provider of negative WWCC events or changes to teacher accreditation within 24 hours of becoming aware of the change. (S. 174AA)

QUALIFICATION CHECKS

The approved provider will verify the qualifications of prospective educators and staff during the application process. Applicants are required to provide copies of their qualifications, which will be assessed for authenticity and compliance with regulatory requirements. To ensure validity, the approved provider or nominated supervisor may undertake the following checks.

- contact the Registered Training Organisation (RTO)
- check ACECQA's List of Approved Qualifications
- contact the state teaching registration board (if applicable)
- cross reference qualifications using the applicants Unique Student Identifier (for courses completed after 2015).

Where a qualification is deemed invalid or fraudulent, the approved provider will notify the applicant and notify the Australian Skills Quality Authority (ASQA), National Anti-Corruption Commission and regulatory authority.

PRODA BACKGROUND CHECKS

Employees involved in the administration of Child Care Subsidy are required to undertake additional background checks.



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OFFER OF EMPLOYMENT

An offer of employment will be made to the successful applicant following careful consideration by the selection panel. A confirmation of employment letter will be provided to successful applicants upon acknowledgment. Successful applicants are required to provide documentation regarding qualifications.

A written employment contract will be provided to the successful applicants detailing the position, hours of shift, award information, wages and salary, date and time of commencement, contact person, probationary period. The employee will be provided with a Fair Work Information Statement and casual employees will be provided with a copy of the Casual Employee Information Statement (CEIS) at time of engagement. Employees engaged on a Fixed Term Contract will be provided with a Fixed Term Contract Information Statement.

Applicants who are unsuccessful will be notified within an appropriate time frame and offered feedback regarding their application.

PROBATIONARY PERIOD AND INDUCTION

Each new employee is subject to a Probationary Period of six (6) months. This ensures assessment for both the employee and service to ensure suitability of the role for the employee. During this time employees will receive advice, training and guidance to help them become familiar with and competent in, performing the work they have been appointed to do. The appointment is subject to the satisfactory completion of the Probationary period which itself is subject to termination during any stage, by either party, upon notice in writing, or by payment in lieu of notice.

Management will provide casual employees with the Casual Employee Information Statement (CEIS)-

- after six months of employment
- after 12 months of employment and
- every 12 months after that to ensure employees are aware of the casual conversion to permanent employment legislation under the Fair Work Act

Our service is committed to providing a comprehensive induction program to ensure the smooth integration of new employees. The approved provider or assigned nominee will support the new employee and help them to understand the organisational structure, how decisions are made and communicated and what role they will have in the decision-making process.

An induction checklist will be used to support this process, which explains an employee's responsibility to know the policies, procedures and practices within our Service and their duty of care obligations to ensure the safety and wellbeing of all children.

Induction will include relevant information on child safe practices including adhering to the Education and Care Services National Law and Regulations, Child Safe Standards, the National Model Code and Guidelines for taking images and video of children while providing education and care to children, Code of Conduct and completing mandatory child safe training which include strategies to identify, assess and minimise risks to children, understanding of child protection law and mandatory reporting procedures.



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Staff and educators must be able to provide an explanation of child protection obligations as mandatory reporters, including when a report must be made and how to make a report. (Reg. 84). Educators and staff will be explicitly made aware of offences related to subjecting any child to inappropriate conduct or discipline within the education and care service and reporting obligations to the regulatory authority, nominated supervisor and police.

Information will be provided to each new employee about their rights and responsibilities regarding hours of work, salary (award), Fair Work Act and associated legislation including Right to Disconnect.

Continuity in care within the service is paramount. By orientating staff professionally and correctly, it guarantees the consistency of care not only within the room but also across the entire Service. New employees will undergo regular supervision appraisals, mentoring, training and development as part of the orientation process.

CONSIDERATIONS

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: 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.
QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN		
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.
QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.3	Roles and Responsibilities	Roles and responsibilities are clearly defined and understood and support effective decision making and operation of the service.



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7.2.3	Development of professionals	Educators, co-ordinations and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.
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EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS	
3A	Paramount consideration
S. 166A	Offence to subject child to inappropriate conduct
S. 174AA	Educators and other staff members of education and care service to notify certain information
S. 188	Offence to engage person to whom prohibition notice applies
S. 188A	False or misleading information about prohibition notice
4	Definitions
82	Environment to be free from tobacco, vaping devices, vaping substances, drugs and alcohol
83	Staff members and family day care educators not to be affected by alcohol or drugs
84	Awareness of child protection law
137	Approval of qualifications
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
172	Notification of change to policies or procedure
188	Compliance directions
Part 4.4	Staffing Arrangements
Division 7	Approval and determination of qualifications
Division 9	Staff and educator records—centre-based services

RELATED LEGISLATION

NSW Anti-Discrimination Act 1977	Fair Work Act 2009
Federal and State Occupational Safety and Health Legislation	Federal and State Equal Opportunity Legislation and any other relevant industrial awards



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Education and Care Services National Law Act 2010	NSW Children and Young Persons Act 1998
Sex Discrimination Act 1984	Child Care Subsidy Secretary's Rules 2017
Age Discrimination Act 2004	Disability Discrimination Act 1992
Racial Discrimination Act 1975	A New Tax System (Family Assistance) Act 1999
Family Law Act 1975	
Family Assistance Law – Incorporating all related legislation as identified within the Child Care Provider Handbook in https://www.education.gov.au/early-childhood/resources/child-care-provider-handbook	

RELATED POLICIES

Child Safe Environment Policy Child Protection Policy Code of Conduct Policy Dealing With Complaints Policy Governance Policy	Confidentiality Policy Safe Use of Digital Technologies and Online Environment Policy Staffing Arrangements policy
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