



## Nominated Supervisor

The worst thing an educator can do is ask another educator about regulations. Usually they get the wrong answer. To see this in action, read those Facebook pages that early childhood educators post on. How to do it correctly? A friend who works as a barrister taught me how to read regulations.

### What is the problem?

### What caused it?

### The regulations should have the solution to the problem.

Last week we looked at Law section 168 Offence relating to required programs Penalty: \$4000 if a person, or \$20 000 in any other case (eg Provider is a company).

This is relevant again in relation to Element 6.1.2.

**You should read the Educational Leader's section to understand how Section 168, Element 6.1.2 and the EYLF are linked.**

**Remember:** If you need to use a checklist go to the members area of Centre Support's website where every checklist imaginable is available.

centresupport.com.au/checklist-for-members/

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[Checklist for Nominated Supervisors](#)

- Access and Participation Nominated Supervisor
- Bathroom Safety and Hygiene Nominated Supervisor
- Behaviour Management Nominated Supervisor

### Week 5, 1-5 March 2021- 6.1.2 Parents views are respected

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# 1.1.2 Child-centred

Week 4 - 22.2.2021

Monday to Friday



## Answers from last week - Compliance test for educators

**Instructions: Nominated Supervisor is to** conduct the test. Ask one educator at a time in a location that other educators cannot hear or provide support to the educators being asked the question. Record the responses then analyse to see if the educators responses would place you at risk of a fine. Finally, train the educators that fail to meet the regulations.

Name of educator:

Questions	Response	Pass or Fail
Miss Rhianna says all her children come from white, Anglo backgrounds so she doesn't need to worry about trying to include their culture. What do you say?	Culture is not just about a child's nationality. It's about the things that happen in their everyday lives and those of their family and community.	
Miss Billie says it's impossible to cover the interests of all children, so she'll focus on those she already knows about. What do you say?	I'd tell her she's breaching the Law (section 168) and the Element 1.1.2 because both talk about meeting each child's interests, not children's interests.	
Mr Tony is teaching children how to play soccer, but he's limiting the skills he teaches because he believes some will be too hard for children this age. What do you say to him?	I'd say that maybe some children already have the skills, or have the ability and interest to learn the skills, and that he's not meeting element 1.1.2 by limiting the skills he teaches just because he thinks they may be too hard.	
Miss Shania says there's nothing in the Regs about how she has to teach children and she'll do it her way thanks very much. Is she right?	No she's not right. The Law (section 168) says she has to implement the EYLF in the correct way, based on the developmental needs, interests, differences and experiences of each child.	

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Miss Ariana says families aren't interested in helping to make decisions about their child's learning? What do you say?		
Miss Taylor says element 6.1.2 means that educators must do whatever families request because they know their child best eg let a child go to bed with a bottle? Is this correct?		
Mr Justin says it's impossible to get families to participate in the program. They're either working or busy at home, and they're paying us to teach their kids for them? How do you respond?		
Miss Cardi says families are too busy/distracted at pick up to have a look at what their kids have done. How are they supposed to share children's achievements? What do you say?		

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Systems are in place to manage risk and enable the effective management and operation of a quality service.

The Federal Government's Fair Work website <https://www.fairwork.gov.au/> has a lot of simple, easy to understand information about employee entitlements as well as some useful templates. Each week we'll share information from the website. This week we're looking at Fair Work's information on [Flexible working arrangements](#).

Employees who've worked for the same employer for at least 12 months can request flexible working arrangements like changes to hours or start and finish times, patterns (eg split shifts or job sharing) or locations of work if they:

- are the parent or are responsible for a child school age or younger
- are a carer (under the Carer Recognition Act 2010)
- have a disability
- are 55 or older
- are experiencing family or domestic violence or
- provide care/support to a member of their household or immediate family who needs the care/support because of family or domestic violence.

Casual employees can request flexible working arrangements if:

- they've been working for the same employer regularly and systematically for at least 12 months
- there's a reasonable expectation of continuing work with the employer on a regular and systematic basis.

Requests for flexible working arrangements have to be in writing, explain what is requested and the reasons. You must first discuss the request with the employee and try to reach an agreement about changes to their working conditions. You must consider their needs, what might happen to them if the request is not approved and any reasonable business grounds for refusing the request. You can only refuse a request on reasonable business grounds which include:

- the arrangements will cost too much

- other employees' working arrangements can't be changed to meet the request
- it's not practical to change other employees' working arrangements or hire new employees to meet the request
- the request would result in a significant loss of productivity or have a significant negative impact on the business.

You must approve or refuse the request in writing within 21 days, and if refusing you must explain why. If you can offer alternative work arrangements you must state this and explain what they are. If the employee accepts these arrangements you must respond in writing setting out the agreed changes.

You must use the dispute resolution process in the Children's Services Award 2010 or Education Services (Teachers) Award 2010 to resolve disputes about the outcome of requests for flexible working arrangements ie if it can't be resolved at the workplace refer to the Fair Work Commission (see clause 9 for more information).

Fair Work has a free [Workplace flexibility online course](#) which includes:

- tips and guidance on how to promote, implement and manage flexibility in your workplace
- details about your legal obligations under the Fair Work Act 2009
- interactive scenarios to help you deal with flexibility requests.

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