



## Nominated Supervisor

### Regulation 157 Access for Parents - Penalty \$1,000

- (1) & (2) The approved provider and nominated supervisor ... must ensure that a parent of a child ... may enter the ...service premises at any time that the child is being educated and cared for by the service.
- (4) ... the approved provider or nominated supervisor is not required to allow a parent to enter ... if—
- permitting the parent's entry would—
    - pose a risk to the safety of the children and staff of the education and care service; or
    - conflict with any duty of the provider, supervisor or educator under the Law; or
  - they reasonably believe that permitting the parent's entry would contravene a court order.

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

The screenshot shows the Centre Support website interface. At the top, there is a navigation menu with links for Home, Products, Services, Why Centre Support, About Us, and Members Area. Below the navigation, there are two main content boxes. The left box is titled "Checklist for Nominated Supervisors" and has a "Click here" link. The right box is titled "Checklist for Educators" and also has a "Click here" link. Below these boxes, there is a section titled "Checklist for Nominated Supervisors" with three sub-items: "Access and Prohibition Nominated Supervisor", "Bathroom Safety and Hygiene Nominated Supervisor", and "Behaviour Management Nominated Supervisor".

### Week 10, 4 April – 8 April 2022 – 6.1.1 Engagement with the Service

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### 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 Domenica complains that Izzy's mum often visits when they're setting up for the children to arrive - and it's hard to get everything done in time. She wants to know if she can tell mum she can't come in. Can she?		
Mr Bryce says there must be some circumstances where they can refuse entry eg what if a parent starts abusing educators? Please respond.		
Miss Olivia asks for examples of the types of situations where they could lawfully refuse entry. Please respond.		



## Answers from last week - Compliance test for educators

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Name of educator:

Questions	Response	Pass or Fail
Miss Millie asks if there's any document that clearly says what their responsibilities are. Is there?	A staff member's responsibilities should be clearly spelt out in their job description – it may say something about following all legal instructions from managers, and correctly and completely implementing the National Law/Regs, NQS and EYLF/MTOP. When in doubt – refer to these – or the Guide to the NQF and EYLF/MTOP.	
Miss Melissa asks if educators are responsible for managing risk at the service. Please respond.	The Approved Provider and all staff and volunteers have a responsibility to manage risk. Educators need to always be on the lookout for potential risks, and take action to remove the risk or reduce it to an acceptable level. Risks may relate, for example, to the environment, visitors, activities and events. Risky activities/events and excursions or transportation of children must not be implemented without a risk assessment..	
Miss Simone says it's just the cook that needs to understand safe food handling. Is she correct?	No. All staff and volunteers must be aware of safe food handling practices if the service provides food – it's not just the cook that handles or manages food, for example, in the rooms or during cooking activities.	
Mr Locky says it's fair enough to ban alcohol and tobacco from the service, but what about prescription medicine if someone's affected by that? Please respond.	Reg 83 says staff and volunteers must not be affected by alcohol or drugs ( <i>including prescription medication</i> ) which impairs their capacity to supervise or provide education and care.	
Miss Riana asks if they always have to complete an Incident Record for something relatively minor eg removal of a splinter. Do they?	Yes – the incident may have unforeseen outcomes eg the child may have an infection, go to hospital, or have another injury related to the first but not initially identified. How will you explain the absence of an Incident Record when parents complain or the Department investigates?	
Miss Anna says she does a certain thing her way because it's better than the way outlined in the relevant Policy. Is this okay?	No. Reg 170 says all staff and volunteers must follow the policies and procedures required under Reg 168. <b>Recently a Service in WA was fined \$12,500 for leaving a child on a bus. The investigation found that despite the service having transportation policies, procedures and risk assessment in place, and training for staff, it had no monitoring systems in place to ensure staff followed these procedures.</b>	

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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 reviewing [employer's responsibilities to protect workers and others in the workplace](#) against COVID-19 *even if there are no public health orders or directions in place*. Employers have a duty to protect the health and safety of their workers and minimise the risks of COVID-19 as much as reasonably practicable.

### **Duty to workers**

Protect workers from the risk of exposure to COVID-19 by, for example:

- requiring workers to practice physical distancing
- requiring workers to practice good hygiene (eg through workplace policies and access to adequate and well stocked hygiene facilities)
- requiring workers to stay home when sick
- cleaning the workplace regularly and thoroughly.

### **Duty to other people in the workplace (eg families and visitors)**

Protect others from the risk of exposure to COVID-19 by, for example requiring them to:

- practice physical distancing, including through contactless deliveries and payments
- practice good hygiene
- requiring them to stay away from the workplace unless essential

### **Duty to maintain the workplace and facilities**

Maintain a safe work environment by, for example:

- cleaning workplace regularly and thoroughly
- restructuring the layout of the workplace where possible to allow for physical distancing
- limiting the number of people in the workplace at any given time.
- ensuring bathrooms include adequate supply of soap, water and paper towel
- providing hand sanitiser where it's not possible for workers/visitors to wash their hands
- ensuring staff rooms are regularly cleaned and allow for physical distancing.

### **Duty to provide information, training, instruction and supervision**

Information and training may include providing workers with instructions on staying home from work if sick (eg through workplace policies) and guidance/training about:

- how to properly wash hands
- how to fit and use personal protective equipment eg masks
- implementing adequate cleaning practices throughout the day.

#### **Week 10, 4 April – 8 April 2022 – 6.1.1 Engagement with the Service**