



Nominated Supervisor

Here are some of the Laws and Regulations that cover routines and transitions and provide many opportunities to extend learning.

Regulation 155 Interactions with children

An approved provider must take reasonable steps to ensure that the ... service provides education and care to children in a way that—

- (a) encourages the children to express themselves and their opinions; and
- (b) allows the children to undertake experiences that develop self-reliance and self-esteem; and
- (c) maintains at all times the dignity and rights of each child; and
- (d) gives each child positive guidance and encouragement toward acceptable behaviour; and
- (e) has regard to the family and cultural values, age, and physical and intellectual development and abilities of each child being educated and cared for by the service.

Regulation 156 Relationships in groups

- (1) The approved provider ... must take reasonable steps to ensure that the service provides children ... with opportunities to interact and develop respectful and positive relationships with each other and with staff members of, and volunteers at, the service.
- (2) For the purposes of subregulation (1), the approved provider must have regard to the size and the composition of the groups in which children are being educated and cared for by the service.

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 'Members Area' of the Centre Support website. It features a navigation menu with options like 'Home', 'Checklist for Members', and 'Checklist for Members'. Below the navigation, there are two prominent buttons: 'Checklist for Nominated Supervisors Click here' and 'Checklist for Educators Click here'. Below these buttons, there is a section titled 'Checklist for Nominated Supervisors' with a list of links: 'Access and Participation Nominated Supervisor', 'Business Safety and Hygiene Nominated Supervisor', and 'Behaviour Management Nominated Supervisor'.

Week 19, 20 June – 24 June 2022 - 5.2.1 Collaborative learning

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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 Keyma asks what Regs apply to collaborative learning. Please respond.		
Mr Tommy asks how they know what appropriate group sizes are? Please respond.		
Miss Mindy asks if Reg 155 is relevant. Is it?		

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Answers from last week - Compliance test for educators

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Name of educator:

Questions	Response	Pass or Fail
Miss Montana asks how element 1.2.3 relates to the Regs? Does it?	<p>Yes. Reg 73 'Educational Program' requires the educational program, for example, to ensure each child:</p> <ul style="list-style-type: none"> • has a strong sense of identity • is connected to their world • has a strong sense of wellbeing <p>The NQF Guide for element 1.2.3 mentions , for example, child directed learning: supports children to:</p> <ul style="list-style-type: none"> • develop a strong sense of identity • explore their world • make decisions which support their wellbeing. 	
Mr Aldo asks what happens if educators don't implement child directed learning. Please respond.	Reg 73 says the Reg relates to section 168 of the Law 'Offence relating to required programs' – ie the Approved Provider or Nominated Supervisor can be fined up to \$20,000 if the educational program is not delivered in the way it should be.	
Miss Steph says she's confused by the word agency.' Please explain what children's agency means.	Giving children 'agency' means allowing and encouraging children to make choices and decisions about their learning, to initiate their own learning, and to take on age appropriate responsibilities and risk assessments.	

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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 again looking at [Consultation and Cooperation in the Workplace](#) - this time in relation to major change.

Awards contain standard consultation clauses. One of these requires employers to consult with employees and their representatives if they intend to make major changes at the workplace that are likely to have significant effects on employees. Employers must:

- notify any employees who might be affected by the proposed changes, and their representatives if any
- discuss the proposed changes with the affected employees and any representatives as soon as possible after a decision is made
- provide them with written information about the changes, how they might affect employees, and any measures the employer will put in place to prevent or reduce any adverse effects
- promptly consider any matters raised by the employees and their representatives.

See for example Clause 8 in the [Children's Services Award 2010](#) and Clause 29 in the [Education Services \(Teachers\) Award 2020](#)

Under both Awards significant effects on employees include:

- (a) termination of employment
- (b) major changes in the composition, operation or size of the employer's workforce or in the skills required
- (c) loss of, or reduction in, job or promotion opportunities
- (d) loss of, or reduction in, job tenure
- (e) alteration of hours of work
- (f) the need for employees to be retrained or transferred to other work or locations
- (g) job restructuring.

While an employer must consider the matters raised by the employees, they don't have to obtain the consent of employees or their representatives to make the proposed changes.

Termination of 15 or more employees

The Fair Work Act requires an employer to notify or consult with a union if:

- they decide to dismiss 15 or more employees for economic, technological, structural or similar reasons and
- they knew or should have known that at least 1 of the employees was a union member.

The employees don't need to be covered by an award. Employers are also required to notify Centrelink before dismissing 15 or more employees.

Fair Work has a [Consultation and Cooperation in the Workplace Best Practice Guide](#) which provides more information and case studies.

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