



Nominated Supervisor

Law Section 51(1)(a) Conditions on service approval (safety, health and wellbeing of children)

A service approval is granted subject to the condition that the education and care service is operated in a way that—
(a) ensures the safety, health and wellbeing of the children being educated and cared for by the service

Regulation 81 Sleep and rest

The approved provider and nominated supervisor ... must take reasonable steps to ensure that the needs for sleep and rest of children ... are met, having regard to the ages, development stages and individual needs of the children.
Penalty: \$1000.

Note. A compliance direction may be issued (to Approved Provider) for failure to comply with subregulation (1)

Regulation 168(2)(a)(v) Education and care service must have policies and procedures in relation to sleep and rest for children

Note. A compliance direction may be issued (to Approved Provider) for failure to comply

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 website interface for Centre Support. At the top, there is a navigation bar with the Centre Support logo and a 'Book Now' button. Below the navigation bar, there are two large green buttons with icons of a person reading. The left button is labeled 'Checklist for Nominated Supervisors' and 'Click here'. The right button is labeled 'Checklist for Educators' and 'Click here'. Below these buttons, there is a section titled 'Checklist for Nominated Supervisors' with a list of links: 'Access and Participation Nominated Supervisor', 'Behaviour Safety and Hygiene Nominated Supervisor', and 'Behaviour Management Nominated Supervisor'.

Week 26, 22 - 26 August 2022 – 2.1.1 Wellbeing and comfort

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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 Nigella asks if there's a Reg which says services must have a sleep and rest policy. Is there? | | |
| Mr Manu asks you to explain Reg 81 Sleep and rest for children in plain English. Please respond. | | |
| Miss Alice asks what they're supposed to say to parents who don't want their child to sleep or rest at the centre. Please respond. | | |

Name of educator:

| Questions | Response | Pass or Fail |
|--|----------|--------------|
| Miss Nigella asks if there's a Reg which says services must have a sleep policy. Is there? | | |
| Mr Manu asks you to explain Reg 81 Sleep and rest for children in plain English. Please respond. | | |
| Miss Alice asks what they're supposed to say to parents who don't want their child to sleep or rest at the centre. Please respond. | | |

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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 |
|--|--|--------------|
| Mr Jack asks if risk assessments for excursions and authorisations parents give for excursions need to say specific things. Do they? | Yes. These are outlined in Regs 101 and 102 – and in your Excursion Policy. | |
| Miss Hannah asks which Reg relates to children's safety when visitors are present. Please respond. | There's not a specific Reg. This comes under Section 170 of the Law 'Offence relating to unauthorised persons on education and care service premises' which says the approved provider and nominated supervisor ... must ensure that a person does not remain at the ... premises while children are there unless they're an 'authorised person' (this is defined in the section), or they're under the direct supervision of an educator or staff member. | |
| Miss Sue asks why Element 2.2.1 covers supervision AND risk management. Why do you think this is? | Eliminating or minimising risks to children includes looking at supervision practices to ensure these are effective in keeping children safe, and not contributing to or increasing the risk of harm to children. | |

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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 looking at [Allowances](#).

Allowances are extra payments made to employees who:

- do certain tasks or have a particular skill
- use their own tools at work
- work in unpleasant or dangerous conditions
- incur an expense for doing their job.

Allowances which must be paid to employees covered by the Children's Services Award are outlined in the Award's [Pay Guide](#) (p. 28) and include:

- broken shift allowance
- first aid allowance
- meal allowance
- laundry and ironing allowances
- special clothing reimbursement
- vehicle allowance.

Allowances which must be paid to teachers covered by the Educational Services (Teachers) Award are outlined in the Award's [Pay Guide](#) (p 5) and include:

- director's allowance
- leadership allowance
- educational leader allowance
- vehicle allowance

Note employees required to buy work related items can't be forced to pay for these items if the requirement is unreasonable.

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