

EDUCATION AND CARE GUIDING PRINCIPLE

Governance, Management and Leadership

Background

Cumberland City Council's Education and Care Services are owned and managed by Council. Council is recognised for effective governance management practices across all services, including education and care services; understanding that education and care services have additional requirements under the [National Quality Framework](#) and the [Education and Care Services National Regulations](#).

Council's Code of Conduct, organisational policies and practices and the education and care guiding principles and procedure documents have been developed to provide and deliver quality services to residents, families, children and appropriate workplaces for staff.

Council has systems and processes in place which ensures all decisions of all Council's undertakings within the community are done with integrity, transparency, accountability and responsibility. Council has an Internal Ombudsmen shared service which provides families, educators and all stakeholders with an avenue to raise concerns with an independent body. The Internal Ombudsmen shared service ensures the [Local Government Act 1993](#) and other local government legislation is adhered to.

Organisational risks and legal obligations are identified by the various areas of Council and practices put into place to manage these risks. A flow down effect (or up-flow as required in some cases) is managed to ensure compliance.

Local Government wards

The wards of the Local Government Area of Cumberland are:

- Granville
- South Granville
- Greystanes
- Regents Park
- Wentworthville

Departments

Council has four main divisions with multiple sections in each that facilitate Cumberland's services, activities and resources.

The four divisions are:

- Works and Infrastructure
- Environment and Planning
- Community and Organisation Development
- Finance and Governance

Education and care sits under the Finance and Commercial Services division.

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Definitions

APPs	Australian Privacy Principles
ECM	Council's document management system
ECT	Early Childhood Teacher
FDC:	Family Day Care
Families:	Parents, guardians and/or caregivers
Law:	Children (Education and Care Services) National Law (NSW)
LDC:	Long Day Care
NQF:	National Quality Framework
OOSH:	Out of School Hours Care
Regulations:	Education and Care Services National Regulations

Roles & Responsibilities

Council's management role

The General Manager is considered the legal Head of the Agency with the Manager Education and Care being the delegated Approved Provider.

The delegate position oversees management of the services, has authority to sign or co-sign (as required) legal documents such as service/financial agreements, has a duty to provide operational and professional support to the Nominated Supervisors, staff and educators to deliver quality services for the children and families.

The management of Council's Education and Care Services works in conjunction with other areas of Council, including:

- Systems Technology – equipment and support
- Facilities Maintenance – maintenance of education and care premises, furniture and fittings
- Finance – working closely with budget development, overseeing financial compliance and financial auditing
- Human Resources - payroll, Work Health and Safety, return to work
- Corporate Planning – record keeping, documenting all correspondence and providing archiving support.

Responsible Person

Section [162](#) of the Law determines that a Responsible Person must be physically present at a centre based service, however in FDC, the Responsible Person must be available to provide support to a FDC educator and contactable at all times whilst that educator is educating and caring for a child.

A Responsible Person can be:

- the Approved Provider or a person with management or control;
- the Nominated Supervisor (centre director); or
- a person in day-to-day charge of the service.

Section [173](#) of the Regulations outlines the prescribed information to be displayed, including the requirement for the name of the Responsible Person to be clearly displayed for educators, staff and families, and any visitors to the centre. This information is to be displayed on the service's display board and on the provider information form in the foyer.

In centre based care, the Nominated Supervisor must take on this role when they are physically present at the service. In their absence, an approved person in day to day charge must be assigned to the role of Responsible Person. Nominated Supervisors must sign the Responsible Person Record and when they are not on the premises, a person in day-to-day charge must be assigned and these changes must be documented on the [Responsible Person Record](#) and saved in ECM using the 'EDC Operation & Staffing' QAP.

In FDC when the Nominated Supervisor is not contactable, a person in day-to-day charge must be assigned and these changes must be documented.

Centre Directors must ensure the [Responsible Person Register](#) is completed as and when a Responsible Person is appointed.

The Approved Provider must ensure:

- when an FDC educator is educating and caring for a child, that a Responsible Person is available to provide support to the educator and is contactable at all times; and
- a Responsible Person is physically present and contactable at all times at centre based services.

Approved Provider

The Manager Education and Care has been delegated the responsibility of Approved Provider and is responsible to have mechanisms in place to:

- oversee Council's Education and Care Services' control and accountability systems
- appoint and remove Nominated Supervisors and persons in day to day charge
- ratify the appointment of all staff members
- ensure compliance with regard to legislative and regulatory requirements
- monitor the performance of Nominated Supervisors' and persons in day to day charge
- approve and monitor financial and other reporting
- ensure and authorise appropriate delegations within the organisation
- ensure appropriate resources are available to carry out the organisation's functions
- approve and monitor the progress of major capital expenditure.

Nominated Supervisor

Sections [161](#) and [161A](#) of the Law states that it is an offence to operate an education and care service without a Nominated Supervisor and if the Nominated Supervisor does not meet the prescribed minimum requirements.

The Approved Provider must:

- determine if a person is suitable to be a Nominated Supervisor before nominating the person [\[s117C\]](#). This is to occur in the recruitment process for the Centre Director position. It is important that the Approved Provider record this information with sufficient evidence and keep it on file to demonstrate compliance to the regulatory authority. The nominated person must give written consent. The nominated person must:
 - be 18 years or older;
 - have adequate knowledge and understanding of the provision of education and care to children; and
 - have the ability to effectively supervise and manage an education and care service;
- take reasonable steps to ensure a prohibited person is not nominated or engaged in this role;
- ensure an [Application and Consent form - Nominated Supervisor / Responsible Person / Person in Day-To-Day Charge](#) and the [Staff Record - Nominated Supervisor form](#) is completed when the Centre Director is appointed to the role and becomes the Nominated Supervisor of the service. The Staff Record form will be used as the cover page for the Centre Director's staff record and the Consent form and supporting documents will be kept together.
- notify the regulatory authority by submitting a Notification of Change to Nominated Supervisor form through the NQAIT portal system (available on the ACECQA website www.acecqa.gov.au) of any changes to the Nominated Supervisor [\[s35\]](#), including:
 - a change in name or contact details
 - no longer being employed or engaged by the service
 - being removed from the role;
 - if nomination consent has been withdrawn

- newly appointed Nominated Supervisor - a [NS01 form](#) must be completed by the Nominated Supervisor (available on the ACECQA website) and submitted as a supporting document to the Notification of Change to Nominated Supervisor form.

The Nominated Supervisor of each service meets regularly with the Manager Education and Care (Approved Provider). The purpose of the meetings is:

- for the dissemination of Council information
- to discuss, and review as required, policies and practices as expected from Council and which relate directly to education and care services such as Council's Education and Care Services guiding principles and procedures
- to discuss information sharing and different aspects of service delivery to maintain uniformity across Council services
- to provide the Nominated Supervisors with Council management support (and that of the other business areas listed above) to undertake their role as the Responsible Person for the effective supervision, management and operation of the service and fulfil their requirements under the Regulations.

A person in day-to-day charge

The Approved Provider or the Nominated Supervisor is to appoint a person in day-to-day charge of the service. The appointed person must give written consent [[s117A](#)]. This enables the service to have a Responsible Person at the centre based service at all times the service is educating and caring for children.

Section [117B](#) of the Regulations specifies the minimum requirements of the person in day-to-day charge must:

- be 18 years or older;
- have adequate knowledge and understanding of the provision of education and care to children; and
- have the ability to effectively supervise and manage an education and care service.

The Approved Provider must:

- determine if a person is suitable to be a person in day to day charge before nominating the person. This is to occur during the recruitment process and/or based on their work performance. It is important that the Approved Provider record this information with sufficient evidence and keep it on file to demonstrate compliance to the regulatory authority. The nominated person must give written consent.
- ensure that the person in day-to-day charge of the service has successfully completed current child protection training, read and understood Council's Child Protection Policy, procedures, guidelines and education and care guiding principles and understands child protection legislation specifically around mandatory reporting, working with children checks and reportable conduct.
- ensure an [Application and Consent form - Nominated Supervisor / Responsible Person / Person in Day-To-Day Charge](#) is completed when the Centre Director wishes to appoint a staff member to the role. A Staff Record form will be used as the cover page for the staff member's record and the Consent form and supporting documents will be kept together.

The Nominated Supervisor or delegated authority will:

- ensure accurate records are kept in relation to any person in day to day charge, including the Responsible Person Record. This record will document the current Responsible Person;
- ensure any person in day to day charge must sign in and out on the Responsible Person Record, including the Nominated Supervisor and the Approved Provider or any person with delegated management/control;
- ensure the name of the Responsible Person is displayed on a plaque in the main entrance at the service;
- when on leave send an email to cssam@cumberland.nsw.gov.au stating the date, time and name of the person taking the position;
- develop rosters in accordance with the availability of Responsible Persons, centre operation and attendance patterns of children;
- be the Responsible Person and be physically present if another Responsible Person is not available;
- ensure all information, forms and signed declarations provided by the staff member are placed on the staff member's file;
- outline in the Daily Staffing Notice who is rostered on as the Responsible Person each day for the duration the centre is open.

A person acting in the role of a person in day-to-day charge will:

- ensure the day to day operations of the service adheres to the Law and Regulations and to Council's education and care guiding principles;
- ensure children's health and safety is maintained at all times;
- ensure any serious incident, accident or medical emergency that occurs is reported to the Centre Director and the Management team within 1 hour of it occurring or as soon as practical;
- ensure any incidents, complaints or behaviour concerns are reported to the Centre Director and where possible, advice is sought from the Centre Director or the Management team before making important decisions;
- respond to any visits from the Regulatory Authority, ensuring all questions are answered and any documents requested by the Department Officer are provided. Contact may be made to the Nominated Supervisor or the Management team to clarify any information. Any questions asked by the Department Officer that are deemed confidential can be referred to the Nominated Supervisor or the Management team;
- carry out any administrative tasks; for example answering the phone, short enquiries, staffing notices, etc.

Procedure for approving a person to be in day to day charge

1. The person's supervisor will determine a staff member's suitability in line with section [117B](#) of the Regulations and direct the staff member to complete the Application and Consent Form attached.
2. All areas of the form must be completed, including the relevant documents collected.
3. The supervisor must accompany the completed application with an email recommending the applicant for the role including a comment on the applicant's suitability for other services types. The recommendation must outline the applicant's suitability in regard to their qualifications, experience and ability to carry out the role outlined in this guiding principle. The recommendation must include their suitability to act in the role at the various service types, including LDC, OOSH and FDC. Consideration of the applicant for other service types must

include their qualification level and scope. Please note OOSH qualifications are not recognised in LDC and FDC Coordinators must hold a minimum of a diploma in education and care. The applicant must be consulted prior to the supervisor making a decision about their suitability for another service type. An example email is below:

I have known xxx for xxx years, they are over 18 years of age and have adequate knowledge and understanding of the provision of education and care to children. They have an ability to effectively supervise and manage an education and care service. They have a history of compliance with the National Law and other relevant laws.

The applicant is suitable for [to be completed].

4. The application must be sent to the relevant Education and Care Coordinator for their recommendation, which will accompany the application, supporting documents and supervisor recommendation.
5. This information will be assessed by an Education and Care Coordinator.
6. Following the approval, the document will be sent back to the centre to be placed in the staff member's file at the centre and registered in ECM.
7. Please ensure that the education and care [Responsible Person Register](#) is updated with the ECM Document ID number.

Educational Leader

Section [118](#) of the Regulations outlines the requirement for each service to appoint a suitably qualified and experienced educator, coordinator or other individual as an Educational Leader to lead the development and implementation of educational programs in the service. The role also requires the Educational Leader to guide, support and inspire their peers. The Educational Leader works collaboratively with educators to ensure the service's program is in line with section [168](#) of the Law and sections [73-76](#) of the Regulations.

All Educational Leaders participate in and attend Educational Leader meetings with other Council educators to provide a platform for discussion around the role of this position and exchange ideas in regard to the service's programs, curriculum and practices.

The role of the educational leader is primarily to:

- collaborate with educators and provide curriculum direction and guidance
- support educators to effectively implement the cycle of planning to enhance programs and practices
- lead the development and implementation of an effective educational program in the service
- ensure children's learning and development are guided by the learning outcomes of the Early Years Learning Framework and/or the Framework for School Age Care or other approved learning frameworks.

When an educational leader is appointed, the attached Staff Record must be completed by the Nominated Supervisor and accepted and agreed to by the appointed Educational Leader.

Early Childhood Teacher

Section [272](#) of the Regulations outlines the requirement for ECTs – children preschool age or under in the LDC services. The number of teachers in attendance when educating and caring for children preschool age and under is set out in sub-regulations 272(1)–272(6). In the absence of an ECT, the centre must consider the requirements for the number of ECTs required at the service.

To meet this requirement, the following persons may be taken for the purposes of this regulation to be an ECT during their absence:

- a person who holds an approved diploma level education and care qualification, or
- a person who holds a qualification in primary teaching [Reg 272(6)].

Sub-regulation 272(7) outlines that an ECT can only be replaced in accordance with sub-regulation 272(6) for a maximum of 60 days in any 12 month period.

The attached record must be completed when replacing an ECT in accordance with sub-regulation 272(7).

Administration and fiscal management

Each service also has administrative support to help with day to day tasks and implement the recording and reporting requirements of the Federal Government in relation to Child Care Subsidy (CCS).

Staff who have administration access in SmartCentral and who are registered in Proda are required to have a police check. Staff who are entered in SmartCentral for the purposes of signing in /out of daily duties but who do not require administration access, do not need a police check.

Responsibilities of Council staff

- Conduct affairs legally, ethically and with integrity as per Council's Code of Conduct.
- Identify risks which may impact on the operation of the services and legal obligations and manage these through policies, guiding principles and procedures within the direction of Council's charter.
- Adhere to all Council's policies and procedures to allow clear and transparent governance.

Staff and Educator Records – Centre-based and FDC

Accurate staff records must be maintained at all times and include the information set out in sections [145-148](#) of the Regulations. The attached Staff Record must be completed in full by all staff. Staff are to complete the relevant record, according to their position. Sign in/out attendance records, daily staffing notices and rosters record educators working directly with children [Reg [151](#)], including access to ECTs [Reg [152](#)].

All staff records, certificates and accreditations must be kept up to date. A checklist of all required documents must be conducted at least every 12 months or when a staff member commences work at the service (checklists for permanent/fixed term and casual staff attached). A training expiry checklist must also be maintained every 12 months to keep track of all training and when they are due to expire (training expiry date checklist attached). The Centre Director must ensure all records are maintained to ensure the service's compliance with this. All staff/educator records and documents must be kept in a folder onsite and registered in ECM to the relevant staff member's personnel file.

Register of FDC Educators, Coordinators and Assistants

Section [153](#) of the Regulations requires the service to keep a register outlining relevant information in relation to FDC educators, coordinators, and assistants.

All required information for FDC educators are kept in their Home Visit folder, their Compliance folder and their Business folder.

All required information for FDC educator assistants are kept in their Compliance folder.

All required information for Coordinators, meaning Child Development Officers and the Centre Director/Nominated Supervisor are kept in the service's staff/educator folder.

All information is to be registered in ECM in the relevant FDC educator, FDC educator assistant or staff member's personnel file.

Information and record-keeping requirements

Information to be displayed

Section [173](#) of the Regulations requires the service to display the relevant information set out in the Provider Information form to be displayed (attached).

The other information to be displayed includes (if applicable) a notice stating that a child enrolled at the centre or at a FDC home has been diagnosed as at risk of anaphylaxis [[Regs 173\(2\)\(f\)\(i\)](#) and [173\(2\)\(f\)\(ii\)](#)] (attached sign to be displayed).

Where there is an occurrence of an infectious disease at the centre premise or FDC home, a notice must be displayed [[Regs 173\(2\)\(g\)\(i\)](#) and [173\(2\)\(g\)\(ii\)](#)] (attached sign to be displayed).

All services and FDC homes are to be drug, smoke and alcohol free in line with section [82](#) of the Regulations (attached sign to be displayed). Educators and volunteers are not to be affected by alcohol or drugs, including prescription medication, so as to impair the person's capacity to supervise or provide education and care for children at the service [[Reg 83](#)].

Reporting of prescribed information

Approved providers are required to notify the regulatory authority about incidents, complaints, and changes to information [[Regs 174-176A](#)]. The types of notifications and timeframes vary. A [list](#) can be found on the ACECQA website. NSW requires services to also report matters relating to child protection to the Office of the Children's Guardian. This notification is made by Council's Triage Team.

At times, services may wish to apply for a [waiver](#) to maintain their level of service to families. Situations when waivers may be applied for include special circumstances or unexpected events or in supporting families in need. Waivers can be temporary waivers (up to 12 months) or service waivers (ongoing period). Services must apply for waivers via the NQA IT System, including all relevant information, reasons for applying for the waiver and supporting documents [[Regs 41-45](#)]. When the waiver is granted, a new service approval certificate is issued and must be displayed.

Prescribed records to be kept

Section [177](#) of the Regulations outlines the requirement for services to ensure prescribed enrolment and other documents are kept at the service under section [175\(1\)](#) of the Law. These documents are found in Council's education and care guiding principles. The Centre Director must ensure these documents are completed accurately and that all areas of the forms are completed. These forms must be saved in Council's electronic documentation management system in accordance with the Document management and electronic archiving section below.

Insurance information to be kept

All services must keep a current copy of Council's public liability certificate to show if requested for inspection by the Regulatory Authority or an authorised officer under the Law [[Reg 180](#)].

Law and Regulations to be available

The service must ensure that a copy of the Law and Regulations is accessible at the education and care premise at all times for use by the Nominated Supervisor, staff, volunteers, parents of children enrolled at the service and prospective families. Soft copies of the documents can be found on Council's [website](#).

Document management and electronic archiving

Council's Education and Care Services is required to retain certain documentation under the Regulations including, but not limited to, enrolment details, medical conditions, accident, injury and trauma records, programs, developmental records and any other documentation collected in day to day duties.

Some documentation must be retained for the period of time in accordance with legislative requirements and Council's requirements and is specified in the Document Retention and Destruction section below.

All documentation must be saved electronically in ECM to the appropriate Subject folder by using the corresponding QAP as outlined in the linked [ECM Archiving Reference Table](#). Using the correct QAP will ensure the document is linked to all the correct indices and the correct Precis format is inserted. Ensure the document is 'Saved' immediately after selecting the QAP and mandatory indices are completed, then proceed to complete the Precis (keeping the format applied). Refer to Council's Education and Care's Registering a Document in ECM Work Procedure Schedule for further information regarding document saving format.

Definitions

Asset	An ECM index where Council's Education and Care Services are contained
Client	An ECM index where individual children's files and FDC educators' files are contained
Customer	An ECM index where Council's education and care folder is contained
Document Set ID	The ECM registered document number
ECM	Enterprise Content Management which is Council's electronic documentation management system
Employee	An ECM index where all staff and educators' files are stored
Precis	The ECM document title which briefly describes the document content
QAP	Quick Add Profile in ECM which defines document properties and index links on registration of document
Subject	An ECM index where Council's education and care subject folders are contained

Child files

At the time of enrolment, the Nominated Supervisor must check to see if the child already has a file set up in ECM. Every child is to have an individual Client file created in ECM.

If a Client file has not already been set up, a new Child Client file must be created in ECM by following the [Records Procedure on How to Create Child Client Files](#).

Once a child's Client file has been established in ECM, the enrolment form and associated information must be scanned and saved together to the respective Client and also be linked to the appropriate Asset. NB: Please ensure all attachments have been saved to this form.

All additional information must be scanned and saved separately; for example, court orders, AVOs, medical reports etc.

Guiding principles signed at the enrolment and orientation process are to be scanned and saved in ECM and linked to the child's Client file.

Medication forms and administering of medication records must be scanned and filed to the child's Client file as and when these are completed. The hard copy medication form must also be filed in the child's hard copy file held at the centre.

Whilst the child is still in care, the enrolment form hard copy will also be kept in the centres and FDC educators' secured filing system. Note: this system is the same at all centres and is the responsibility of the Nominated Supervisor.

Hard copy of scanned information is to be placed into the child's file with the scanning date and ECM Document Set ID noted on the front. Any further information received must be scanned and saved in ECM before being added to the child's hard copy file.

When preparing a document for scanning, remove all paper clips, staples and post-it notes. Check to ensure the documents to be scanned have been completed correctly, dated and signed.

Nominated supervisors are responsible for ensuring all documents are scanned and saved into ECM. This must be done as each document is received and each document must be saved individually.

All FDC educators' children's documents are to be returned to the FDC office once a child has left care.

Educator and staff files

Educators and staff have their own individual Employee file established in ECM to which documents must be saved as and when they are received. Whilst the staff member or educator is working, they must also have a hard copy filed and kept at the centre in which they are based.

NOTE: All child, educator and staff ECM and hard copy files are confidential and have limited accessibility attached to each ECM file.

FDC educator files

FDC educators have their own individual Client file established in ECM.

FDC educators' timesheets (sign in and out sheets) must be scanned and emailed to accounts.children@cumberland.nsw.gov.au every fortnight. The Education and Care Support Officers will then save these in ECM to the respective FDC educator Client file using the 'EDC FDC Timesheets' QAP.

Centre files

Children's sign in and out sheets for the week must be scanned and saved in ECM to the centre's Asset file using the 'EDC Child Attendance' QAP.

Staff attendance records must be scanned fortnightly and saved to ECM.

After each page of the service's visitors' log sheet is completed, it must be scanned and saved into ECM.

Document Retention and Destruction

All original children's files and staff/educator files which have been saved to ECM, are to be kept for six months after they have left the service before being shredded.

All incident, injury, trauma and illness records (centre-based and FDC) are to be kept until child is 25 years old [[Reg 183\(2\)\(a\) and \(b\)](#)].

If a death of a child has occurred whilst being educated and cared for at a service, records must be kept for 7 years from child's death [[Reg 183\(2\)\(c\)](#)].

For all records relating to a child enrolled at a service, these records must be kept until the end of 3 years after the last date on which the child was educated and cared for by the service [[Reg 183\(2\)\(d\)](#)].

For all records relating to the approved provider, these records must be kept until the end of 3 years after the last date on which the approved provider operated the education and care service [[Reg 183\(2\)\(e\)](#)].

For all records relating to a Nominated Supervisor or staff member of an education and care service, these records must be kept until the end of 3 years after the last date on which the Nominated Supervisor or staff member provided education and care on behalf of the service [[Reg 183\(2\)\(f\)](#)].

For all other records, these must be kept until the end of 3 years after the date on which the record was made [[Reg 183\(2\)\(g\)](#)].

IMPORTANT: Before shredding, all documents must be checked to ensure that they have been scanned and saved in ECM and named correctly. All information on file is confidential.

When transferring old boxed paper archived files prior to 2010 to the ECM system, and scanning to the child's file, they are to be scanned in a batch – date sequence.

Privacy Information Collection Statement

Council's Education and Care Services are committed to maintaining all personal information provided by children, families, staff, educators, management, volunteers, students and community in accordance with Council's policies.

Each family, educator/staff member, volunteer and student is provided with a privacy collection statement upon enrolment or induction.

This statement outlines the type of personal information collected by our services and how information is acquired, used and disclosed. Council will not sell personal information to any third parties.

What is personal information? How is it collected and why?

Personal information is information that personally identifies an individual, such as name, residential or email address and includes information relevant to the enrolment process, billing records, documentation of a child's learning and development and recorded information regarding complaints.

This service only collects personal information when individuals specifically and knowingly elect to provide this, such as when individuals enrol a child in the service, payment of fees, and when providing health or family information to support the inclusion of a child.

This service complies with ChildCare EasyPay's Privacy Policy and Notification when collecting, holding, using and disclosing personal information, and securely storing all banking details (including card and/or bank account details) for direct debit payment consistent with the [Privacy Act 1988](#).

What is sensitive information?

Sensitive information is a subset of personal information and is defined as:

- Information or an opinion (that is also personal information) about an individual's:
 - racial or ethnic origin
 - political opinions
 - membership of a political association
 - religious beliefs or affiliations
 - philosophical beliefs
 - membership of a professional or trade association
 - membership of a trade union
 - sexual orientation or practices, or
 - criminal record
- Health information about an individual
- Genetic information (that is not otherwise health information)
- Biometric information that is to be used for the purpose of automated biometric verification or biometric identification, or
- Biometric templates.

Information may be sensitive information where it clearly implies one of these matters. For example, many surnames have a particular racial or ethnic origin, but that alone will not constitute sensitive information that clearly indicates the racial or ethnic origin of an individual with that surname.

Terms such as 'political opinions' and 'philosophical beliefs' are not defined in the Privacy Act. They take their ordinary meaning and should be interpreted broadly. However, not every value, belief or opinion of an individual will be considered to be a political opinion or philosophical belief.

Sensitive information is generally afforded a higher level of privacy protection under the APPs than other personal information (for example, see APPs 3, 6 and 7). This recognises that inappropriate handling of sensitive information can have adverse consequences for an individual or those associated with the individual. For example, discrimination or mistreatment is sometimes based on a person's race or ethnic origin or union membership. Mishandling of sensitive information may also cause humiliation or embarrassment or undermine an individual's dignity.

Public information

Publicly available information, such as information on a public website profile is not considered personal information.

Personal information and storage

The service collects and uses personal information generally to provide individuals with the

information and the services they request, and to provide appropriate and relevant information pertaining to the education and care of a child/ren. Providing an individual developmentally appropriate program that is educational, stimulating, nurturing and safe and to continue to improve service quality.

Personal information is stored in a safe and secure manner, using locked filing cabinets or a password protected database and computer. Information is backed up electronically and securely stored. Hard copy information is stored securely at the service and any information not actively being used may be archived in accordance with regulatory requirements.

The approved provider of the service will ensure information is collected and maintained in accordance with the Regulations.

Access and updating personal information

Families may seek access to the personal information collected about them or their child by contacting the service. The family that is the account holder must authorise on the family enrolment form for the other family members to make enquiries on their behalf.

The accuracy of the information depends to a large extent on the information that is provided. Families will be required to advise our service in writing of any changes that may affect the initial information provided.

Council's Education and Care Services will obtain written family permission before disclosing a child's personal and sensitive information to a professional attending our service for the specific purpose of providing a service for a child. This includes early intervention teachers, speech therapists, doctors, occupational therapists, counsellors and the Department of Education.

Council's Education and Care Services will include families' contact details in a class listing used in the service's emergency procedure. Access to this information is limited to educators and boundaries within the education and care section of Cumberland City Council and the Department of Education, which can request this information at any time.

Summary of information collected

What information is collected?	How information is collected?	Why it is collected?
Medical information, health and immunisation	<ul style="list-style-type: none"> ▪ Enrolment form ▪ Employment record ▪ Immunisation history statement ▪ Health care cards – Medicare and health fund information ▪ Accident, Illness and Injury forms ▪ Reports from paediatrician/ other services 	To ensure the health and safety of every child and as a requirement under Family Assistance legislation and the NSW Public Health Act 2010
Income and financial details, which includes banking information	<ul style="list-style-type: none"> ▪ Enrolment form ▪ Employment record ▪ Fee payment and purchases 	For the provision of the education and care service and as required under Family Assistance legislation and as per Funding Agreements with the Department of Education

*Cumberland City Council Education and Care Guiding Principle
Governance, Management and Leadership*

What information is collected?	How information is collected?	Why it is collected?
Contact details of family and emergency contact information	<ul style="list-style-type: none"> ▪ Enrolment form ▪ Employment record ▪ Updated details form 	Required under the Regulations
Children's developmental records	<ul style="list-style-type: none"> ▪ Observations ▪ Summative assessment of children's learning ▪ Programming documents ▪ Communication with families ▪ Transition to school statement forms ▪ Journals and portfolios 	Required under the Regulations and to provide a high quality education and care service
Family Assistance information	<ul style="list-style-type: none"> ▪ Enrolment form ▪ Employment record ▪ CCS ▪ CRN 	Required under Family Assistance legislation, Employment legislation and Income Tax legislation
Legal information	<ul style="list-style-type: none"> ▪ Enrolment form ▪ Employment record ▪ Court orders or AVOs 	Required under the Regulations
Employment, marital status and nationality	<ul style="list-style-type: none"> ▪ Enrolment form ▪ Employment record 	Required under Employment legislation and to provide priority of access under Commonwealth and State legislation
Qualifications	<ul style="list-style-type: none"> ▪ Employment record ▪ Certified copies of documents 	Required under the Regulations
Working With Children Check (WWCC)	<ul style="list-style-type: none"> ▪ Employment record ▪ Originals of documents ▪ WWCC verification 	Required under the Regulations
Driver Licence and Demerit Point Check	<ul style="list-style-type: none"> ▪ Employment record ▪ Driver consent form ▪ DRIVES system 	Required under Council to ensure employee/s are able to drive Council vehicles
Prohibition Notice	<ul style="list-style-type: none"> ▪ Employment record ▪ Declaration for Prospective Staff Members form 	Required under Children (Education and Care Services) National Law (NSW)
Criminal history record	<ul style="list-style-type: none"> ▪ Employment record ▪ Certified copy of document 	Required under the Regulations
Staff entitlements	<ul style="list-style-type: none"> ▪ Payroll records ▪ Tax File Number 	Provision of entitlements

What information is collected?	How information is collected?	Why it is collected?
<p>Any information required to be recorded under the National Law and Regulations, the Family Assistance legislation and other relevant information collected to support the enrolment of a child</p>	<ul style="list-style-type: none"> ▪ Enrolment form ▪ Employment record ▪ Complaints records 	<p>Required under appropriate legislation</p>

Confidentiality

Council's Education and Care Services protect the privacy and confidentiality of individuals by ensuring that all records and information about individual children and their families, educators, staff and management are kept in a secure place and are only accessed by or discussed with those people who need the information to fulfil their responsibilities or have a legal right to know.

Confidentiality is the process by which the right to privacy of all users is protected. The practice of confidentiality relates to:

- accessibility, storage and destruction of **written records**.
- care and consideration in dealing with **verbal information**.

Children

- All written records relating to a child must remain confidential and can only be made available to the following persons:
 - Approved Provider
 - The Nominated Supervisor/Certified Supervisor
 - An educator of the service authorised to access the records by the Approved Provider or Nominated Supervisor
 - Regulatory Authority
 - A person otherwise authorised by law to inspect the records
 - A parent of the child (information will not be provided if the parent does not have custody of the child)
 - Any person authorised in writing to inspect the records by a parent of the child.
- Confidentiality must be respected with regards to sensitive health issues, learning difficulties, behavioural problems, etc. relating to children in care.
- Educators may discuss this information on a professional level, if seeking advice or support, and must always be aware of their surroundings.
- Confidential matters should only be discussed with persons directly involved in the issue on a need-to-know basis.

Families

- Private information given to educators by families regarding income levels, fees, personal circumstances, reasons for care, custodial arrangements, etc. must be kept strictly confidential.
- In centre based care, at no time are educators' home and/or private mobile telephone numbers to be given to families.
- If a family requests strict confidentiality about a particular matter the educator should endeavour to respect that request. Occasionally, however, the nature of the information received may cause for the matter to be discussed with the relevant person/persons (e.g. a safety issue). Families will be notified of this decision.
- This guiding principle has been developed to protect children, families, their rights and their privacy, so please consider others when making enquiries to avoid placing educators in an uncomfortable position of having to refuse your queries.
- Educators will strive to develop positive relationships with families that are based on mutual trust and open communication.
- Educators are able to relay events that are pertinent to your child's well-being but we cannot disclose the identity, situation and circumstances relating to other children and their families.
- At no time will a family discuss information regarding an educator/family to another educator or family.

Educators (FDC)

- Council's FDC Coordination Unit will provide information to prospective parents of the service about educators which is of relevance to the care provided.
- Personal records, details, reports, agreements, etc. will be kept confidentially and available to educators on their request.
- Educators should feel secure that disclosures made to other educators or Council's staff will be handled in a professional and confidential manner.
- At no time will a family/educator be permitted to discuss information about one educator/ family to another.
- Information about educators will only be accessed by Council's FDC staff and the Approved Provider on a need to know basis.
- Educators are to ensure that discussions about children's behaviour typically occur when the children are not within hearing range – including discussions with families and other educators.
- Information about the service you work for, educators, children and their families should not be displayed or discussed on social networking sites e.g. Facebook.

Educators (centre-based care)

- All educators will maintain confidentiality in relation to other co-workers' personal information (i.e. marital status, illness, and contact details).
- Any concerns relating to educators must be reported to the Centre Director of the service. In the case of the concern involving the Centre Director it would be appropriate for educators to contact the Manager Education and Care directly.
- Information exchanges that occur should be professional; discussions should not take place between two persons about a third party.

- Educators should be mindful of developing relationships with the children and families outside the workplace as these may cause a conflict of interest.
- Information about the centre you work for, educators, children and their families should not be displayed or discussed on social networking sites e.g. Facebook. Families will be advised of this when taking photos at centre events and must sign the attached Statement of Agreement - Family Declaration that photos must not be shared or posted on social media.
- At no time will a family/educator be permitted to discuss information about one educator/ family to another.

Written permission

- The attached photo release form must be signed by the family prior to the use of any photographs or images of their child/ren.
- The family's written permission must be sought prior to the use or disclosure of any confidential or personal information of a child to a third party (in accordance with the Children section above).

Students, volunteers and persons on work experience

- Students, volunteers and persons on work experience must not discuss children, educators, families and staff. Any concerns should be raised professionally with the appropriate educators/supervisor.
- Students, volunteers and persons on work experience must not at any time use family names in recorded or tutorial information.
- The attached Statement of Agreement must be read and signed before work is commenced at any service.
- If students, volunteers and persons on work experience need to take photos, this must be done on the centre camera and printed at the centre. These photos can only be emailed to the student by a staff member after approval from the Centre Director and written permission from the family.

Examples of confidentiality situations

Socio/economic situations

As you will appreciate your own socio/economic status remains confidential (i.e. fees, payments, marital status). We also cannot disclose the socio/economic status of others.

Health

We can make you aware of infectious diseases that occur at the centre/service however we cannot disclose the identity of the people with the disease.

We are unable to discuss the state of children's and their family member's health with other families at the centre/service, however, we have a [Medical Conditions and Medication](#) Guiding Principle that must be adhered to, to keep everyone's health optimum.

Altercations

If your child has an altercation with another child (e.g. fight, is bitten etc.) we are able to tell you of the event and steps taken by educators to resolve the situation (e.g. comfort, discipline measures etc.), but we cannot disclose the identity of the other child involved in the altercation.

Records

Families are entitled to view their own child's records including observations, activities planned, developmental evaluations etc. but we cannot discuss or reveal the development status of other children.

Educators will not write references for families.

At no time will staff/educators access children's personal records unless required for emergency reasons.

Addresses/phone numbers

We cannot disclose the address, phone number etc. of other families. However, if you wish to contact another family at the centre/ service we are more than happy to contact them for you and pass on your details for them to contact you.

Extended family and friends

Please advise other collectors of your child that we can tell them how your child's day went but we cannot discuss your child's developmental status and are unable to discuss your family issues.

Social media

Social media platforms are a way of sharing information and highlighting programs within Council's Education and Care Services. Every employee has the responsibility to maintain and enhance the public image of Council's services and to use social media in a responsible manner. All employees must maintain professionalism at all times.

Social media is defined as interactive platforms and applications through which individuals and communities create and share user-generated content using accessible publishing technologies. Social media is distinct from industrial media, such as newspapers. Social media covers many different forms of technology, such as blogs, wikis, apps, photo/ video sharing and social networking.

Council understands at group events; e.g. graduation ceremonies, families may wish to take photos of their child/ren and peers. Families and visitors have a responsibility not to take unauthorised photos or videos of other children.

Unacceptable use of social media

Unacceptable social media behaviour refers to anything on social media that:

- has the potential to bring the services into disrepute
- discloses or discusses the service's confidential information
- could be viewed as derogatory towards or disparaging to educators, families, management, visitors, children or support agencies.

The Nominated Supervisor will:

- be responsible for all information posted on social media by their service
- ensure that no confidential information can be gained from Council's education and care [website](#)
- ensure information provided by an individual via email will remain confidential

- ensure that information gained via email can only be used by administration staff or management to contact a person, offer or send information about the service and to request feedback on the website or the education and care service
- administer Kindyhub pages for their service, staff and FDC educators.

Educators will:

- leave mobile phones in lockers during work hours unless instructed otherwise (not FDC educators)
- follow guidelines for educators regarding their participation with families currently connected with the education and care service on social media sites such as Facebook, Twitter and Instagram
- not access personal social networking sites during working hours at the service via a mobile phone or any other device
- not post information about the service, educators, staff, management, families, visitors, Council or any matters relating to the service on any personal social networking site
- not post photos with the uniform showing the Council logo on any personal social networking site (refer to [Educators Professional Development and Standards](#) Guiding Principle).

Any breaches of this policy will result in disciplinary action. The privacy and protection of children, families and educators is not to be compromised by participation on social media sites.

All staff and educators must sign the attached Statement of Agreement Staff / Educator Declaration.

Students, volunteers, families and visitors must not:

- use a personal camera or mobile phone to take photographs at the service or during excursions unless they are taking images of their own child
- post information about the service, educators, staff, management, families or any matters relating to the service on a social networking site
- use social media to harass or bully others.

Any use of social media must not place at risk the safety, health or wellbeing of children, educators, families or visitors at the service (My Time, Our Place Outcome 1).

Families must sign the attached Statement of Agreement - Family Declaration.

Students and volunteers must sign a privacy declaration at the time of their orientation/ induction.

FDC educators must:

- seek prior approval from the centre director if they would like to market their business on social networking sites
- email the centre director with the following details:
 - name
 - date
 - social network type (e.g. Facebook)
 - which group this will be posted to
 - what they would like to post (limit to a maximum of 70 words)

- photos
- ensure all posts which are uploaded remain professional and maintain confidentiality.

NB: The above supplements Council's [Social Media Policy](#) for Council engaged workers.

Policies / Guiding Principles

Council's policies, guiding principles and procedures are in place to meet the requirements of legislation and regulations which govern our education and care services. Section [168](#) of the Regulations outlines services' requirements to have policies and procedures relating to matters set out in section [168\(2\)](#) of the Regulations. In addition, the development and review of policies, guiding principles and procedures protects and meets the needs of all stakeholders.

The Nominated Supervisor/FDC educator will ensure that all educators, families and any other relevant persons are aware of how to access policies, guiding principles and procedures and the review process and must ensure that the current guiding principles and policies are readily accessible (either in hard or soft copy) and available for inspection at the service/ FDC homes [[Reg 171](#)]. Guiding principles are also accessible on Council's [website](#).

Staff, educators, including FDC educators, and volunteers must ensure they follow the policies and procedures required under section [168](#) of the Regulations [[Reg 170](#)].

Council policies

Council ensures that policies are in place as required by the Local Government Act 1993 and guide all Council staff to act in a manner that is in accordance with Council's expectations. These policies are endorsed by the leadership team and councillors.

Guiding principles

Education and care services guiding principles are developed by Council's education and care management team in consultation with staff, families and relevant stakeholders. Guiding principles are in place as required under the Regulations and other regulations and laws that the service must comply with. They are developed under the NQF and written in plain English.

Sections [168](#) and [169](#) of the Regulations outline that services, including FDC must have policies and procedures in relation to matters set out in subsection (2).

Additional policies and procedures are developed as deemed necessary by management, based on the following criteria:

- To ensure quality, consistency and awareness of regulations and requirements.
- To ensure daily operations of the service are clear to educators, families and management.

Policy and guiding principle review process

Council's Education and Care Services aim to provide effective management through the ongoing development and review of policies and guiding principles for the efficient operation of the education and care services. This will ensure clear and effective communication between educators and families which in turn will support the transition of children between home and the services.

Council's education and care guiding principles are reviewed by education and care staff, educators, families and other stakeholders annually and Council policies are reviewed every 2 years.

Education and care staff, including all education and care staff at the centres and FDC staff are required to participate in the review process. After a guiding principle and/or policy has been updated, staff and educators must sign the attached Educator/Staff Declaration to confirm their understanding and commitment to abide by those guiding principles and policies. FDC educators must use the attached separate FDC Educator Declaration.

Families are encouraged to contribute to the development and review of Council's policies and guiding principles.

The review of policies will be based on the following criteria:

- Is the policy/guiding principle operating effectively?
- Does it include appropriate responses to individual incidents?
- Does it meet the needs of all involved in the service?
- Does it meet the aims and objectives as outlined?
- Is it consistent with current philosophy?
- Is it consistent with current legislation, acts and standards?

In line with section [172](#) of the Regulations, families of children enrolled at the service are notified at least 14 days prior to any changes to existing policies/guiding principles being implemented where those changes have a significant impact on the provision of education and care to any child enrolled at a service, a family's ability to utilise the service, or any change that affects the fees charged or the way in which fees are collected. However, if the notice period poses a risk of safety, health or wellbeing of any child enrolled at the service, changes will be implemented immediately and families will be notified as soon as practicable. The date the changes will become effective will be noted on the policy/guiding principle. A set of the current policies/guiding principles will be available for all families to access in the foyer of our services and online cumberland.nsw.gov.au/guiding-principles-councils-education-and-care-services.

For any other changes to guiding principles/policies (i.e. not of significant impact), updated documents will be circulated to the services for replacing in their guiding principles/policy folder and made accessible to families.

Code of Conduct

- Council has a Code of Conduct for staff which is complimented by the Education and Care Services Code of Conduct, which is more specific to education and care.
- This Code of Conduct outlines standards of behaviour that are expected from educators, parents, families and children of Council's Education and Care Services.
- The Code of Conduct acknowledges and outlines the rights and responsibilities of children, educators and families.
- The Code of Conduct provides an ethical framework to guide actions, and also by highlighting the existing requirements for educators, parents, families and children's behaviour.
- Educators use the Code of Ethics (Early Childhood Australia) as a guide to support pedagogical practice when working with or on behalf of children and their families.

Gifts & benefits

Council staff are required to decline offers of gifts where that gift is above token value. Council appreciates any kind gestures but a thank you message to our staff is enough. Council has a reward and recognition program where staff are nominated to receive awards and incentives for doing good work.

Attachments

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Related Legislation and Online Resources

- [Children \(Education and Care Services\) National Law \(NSW\)](#): Sections [56\(2\)\(a\)](#), [161-162A](#), [164](#), [172](#), [188](#), [263-265](#)
- [Education and Care Services National Regulations](#): Sections [145-154](#), [168-173](#), [181-183](#) & [195](#), [Part 4.7](#)
- Australian Children's Education and Care Quality Authority (ACECQA), [National Quality Standards](#): Quality Areas 4.1.1, 4.2, [Quality Area 6](#), [Quality Area 7](#)
- [National Quality Framework](#)
- [Local Government Act 1993](#)
- [Children and Young Persons \(Care and Protection\) Act 1998](#)
- [Child Protection \(Working with Children\) Act 2012](#)
- [Child Protection \(Working with Children\) Regulation 2013](#)
- [Department of Education, Skills and Employment - Child Care Provider Handbook](#)
- [Early Childhood Australia: Code of Ethics](#)
- [Ombudsman Act 1974](#)
- [Privacy Act 1988](#)
- [Privacy Code of Practice for Local Government](#)
- [Privacy and Personal Information Protection Act 1998 \(PPIPA\)](#)
- [Australian Government, Office of the Australian Information Commissioner \(OAIC\): Australian Privacy Principles \(APP\) Guidelines, Chapter B: Key concepts](#) - B.138 - B.141
- [My Time, Our Place: Framework for School Age Care in Australia](#)
- [NSW Government State Archives & Records: Local Government Records \(GA39\)](#)

Related Documents and Council Policies

- [ACECQA](#) forms and information:
 - [NS01 - Nominated supervisor consent form](#)
 - [Notification types and timeframes](#)
 - [Applying for a waiver](#)
- Council policies and documents:
 - Guidelines for accessing information held by Council
 - [Child Protection Policy](#)
 - [Social Media Policy](#)
 - [Code of Conduct](#)
 - [Education and Care Code of Conduct Handbook](#)
 - [Employee Handbook](#)
 - [Communications and Mobile Devices Operating Procedure](#)
 - [Records Procedure on How to Create Child Client Files](#)

- Council's Education and Care guiding principles and documents:
 - [Educational Program Planning and Practice](#) Guiding Principle
 - [Accident, Incident and Trauma](#) Guiding Principle
 - [Educators Professional Development and Standards](#) Guiding Principle
 - [Medical Conditions and Medication](#) Guiding Principle
 - [ECM Archiving Reference Table](#)
 - [Menu Plan – LDC Services](#)
 - [Menu Plan – OOSH Services](#)
 - Policy/Guiding Principle and Procedure folder at the service
 - Policy Review - Work Procedure Schedule
 - Registering a Document in ECM - Work Procedure Schedule
 - Quality Improvement Plan

Authorisation & Version Control

Guiding Principle owner	<i>Manager Children, Youth and Families</i>
Authorised by	<i>Education and Care Management Team</i>
ECM no.	<i>8567251</i>
Implementation date	<i>March 2022</i>



CUMBERLAND
CITY COUNCIL

APPLICATION AND CONSENT FORM

Nominated Supervisor / Responsible Person / Person in Day-To-Day Charge – Education and Care

Title:		Family name:	
First name:		Middle name:	
Phone (bh):		Phone (ah):	
Mobile:		Fax:	
Email:			
Residential address:		State:	
		Postcode:	
Postal address: (if different)		State:	
		Postcode:	
Date of birth: (dd/mm/yyyy)		Place of birth:	
Are you, or have you ever been known by any other name(s)?			
<p><i>Please attach copies of your proof of identity and indicate by ticking box below. The Centre Director must sight the original document and note on the copy "Original sighted" along with their name, signature and date.</i></p> <p> <input type="checkbox"/> Passport <input type="checkbox"/> Driver's Licence <input type="checkbox"/> Proof of Age Card <input type="checkbox"/> Other </p>			

Fit & Proper Check

Working With Children Check Clearance Number:		
Have you ever been convicted in Australia of any offences relating to a person seeking to work with children in the period from the date of your last WWCC approval?	<input type="checkbox"/> No	<input type="checkbox"/> Yes - give brief details & attach statement with further info
Have you lived and worked outside Australia any time within the last three (3) years? If yes, please provide reference & statement about whether you have been convicted outside Australia of any offences relevant to WWCC.	<input type="checkbox"/> No	<input type="checkbox"/> Yes - give brief details & attach statement with further info
Have you ever been subject to a formal disciplinary proceeding or action under an education law of any Australian State or Territory?	<input type="checkbox"/> No	<input type="checkbox"/> Yes - give brief details & attach statement with further info, including date & type of action

Evidence of Skills, Knowledge & Experience Working with Children

Please attach evidence that demonstrates you have the following skills, knowledge and experience required to carry out the duties of a Nominated Supervisor, Responsible Person and/or Person in Day-To-Day Charge:

Regulation [117B](#) states the minimum requirements for a person in day-to-day charge:

- (1) An approved provider or a nominated supervisor of an education and care service must not place a person in day-to-day charge unless:
- (a) the person has attained the age of 18 years; and
 - (b) the approved provider or nominated supervisor (as the case requires):
 - (i) has had regard to the matters set out in subregulation (2); and
 - (ii) has taken reasonable steps to ensure that the person has adequate knowledge and understanding of the provision of education and care to children and an ability to effectively supervise and manage an education and care service.

Please attach all documents below:

- Resume - except if a person has worked for Council for over 10 years
- Recommendation email from the Nominated Supervisor outlining the applicant's suitability for the role and which service types they could assume the role of Responsible Person / Person in day-to-day charge
- Education and care qualifications
- First aid
- CPR
- Child protection
- Proof of identity
- WWCC verification

Declaration

I, declare that:

(applicant's full name)

- I have read and understood my legal obligations and requirements under, and I understand the roles and responsibilities set out in, the:
 - National Quality Framework (NQF) for Early Childhood Education & Care Services
 - [Children \(Education and Care Services\) National Law \(NSW\)](#)
 - [Education & Care Services National Regulations](#)
- I am familiar with the following websites and where to find regulatory information:
 - ACECQA - acecqa.gov.au
 - NSW Department of Education - education.nsw.gov.au
 - Child Story Reporter Community - reporter.childstory.nsw.gov.au
- I have read and understood the requirements and conditions for a Nominated Supervisor / Responsible Person / Person in Day-To-Day Charge of an education & care service
- I have read and am familiar with the Philosophy of this service
- I have read and agree to comply with Cumberland City Council's policies and procedures including education and care guiding principles
- I have read and understood the role of the Nominated Supervisor / Responsible Person / Person in Day-To-Day Charge for this service outlined in the Governance, Management and Leadership Guiding Principle
- I have read and I agree to comply with Cumberland City Council's Education and Care Code of Conduct
- The information provided in this application (including any attachments) is true, complete & correct
- I confirm I am able to fulfil the delegations involved as per regulatory requirements

Applicant signature:..... **Date:**

Office use only (refer to relevant Staff Record)

Approved: No Yes If Yes, service type: LDC OOSH FDC

Name:

Position:

Signature: Date:

The completed and signed form should be saved in ECM using the
"EDC Operation & Staffing Not Casuals or Timesheets" QAP

RESPONSIBLE PERSON RECORD

(Section 162 of the [Children \(Education and Care Services\) National Law \(NSW\)](#) Offence to operate education and care service unless Responsible Person is present)

A Responsible Person may be the Approved Provider, the Nominated Supervisor or a Certified Supervisor. Services must ensure a Responsible Person is on the premises at all times the service is approved to operate. **PLEASE USE THIS FORM TO LOG THE NAME OF THE RESPONSIBLE PERSON AT THE SERVICE. IF THIS PERSON LEAVES THE SERVICE FOR ANY PART OF THE DAY, THEY MUST PASS THIS FORM ON TO THE NEXT RESPONSIBLE PERSON.**

The Centre Director must also complete this form when they are on the premise. In FDC, the Responsible Person must be working, not necessary at the Coordination Unit.

Week beginning:	MONDAY/...../.....	TUESDAY/...../.....	WEDNESDAY/...../.....	THURSDAY/...../.....	FRIDAY/...../.....
PERSON 1	Name:	Name:	Name:	Name:	Name:
	Start: AM/PM	Start: AM/PM	Start: AM/PM	Start: AM/PM	Start: AM/PM
	Sign	Sign	Sign	Sign	Sign
	End: AM/PM	End: AM/PM	End: AM/PM	End: AM/PM	End: AM/PM
	Sign:	Sign:	Sign:	Sign:	Sign:
PERSON 2	Name:	Name:	Name:	Name:	Name:
	Start: AM/PM	Start: AM/PM	Start: AM/PM	Start: AM/PM	Start: AM/PM
	Sign	Sign	Sign	Sign	Sign
	End: AM/PM	End: AM/PM	End: AM/PM	End: AM/PM	End: AM/PM
	Sign:	Sign:	Sign:	Sign:	Sign:
PERSON 3	Name:	Name:	Name:	Name:	Name:
	Start: AM/PM	Start: AM/PM	Start: AM/PM	Start: AM/PM	Start: AM/PM
	Sign	Sign	Sign	Sign	Sign
	End: AM/PM	End: AM/PM	End: AM/PM	End: AM/PM	End: AM/PM
	Sign:	Sign:	Sign:	Sign:	Sign:



CUMBERLAND CITY COUNCIL

Staff Record: Nominated Supervisor

(Section 146 of the Regulations: Nominated Supervisor)

Employment type: Permanent Fixed term Full time Part time

Full name:	
Date of birth:	Phone:
Address:	
Email address:	
Medical conditions (if any):	
Emergency contact 1	
Emergency contact 2	
Name:	Name:
Relationship:	Relationship:
Home phone:	Home phone:
Work phone:	Work phone:
Mobile:	Mobile:
Qualifications	
Qualifications currently held by this staff member: <i>(Please tick and specify name of qualification)</i>	<input type="checkbox"/> Approved qualification: <input type="checkbox"/> First aid certificate <input type="checkbox"/> Anaphylaxis management <input type="checkbox"/> Asthma management <input type="checkbox"/> CPR <input type="checkbox"/> Child protection qualification: <input type="checkbox"/> NESAs teacher no.
Is this staff member actively working towards an approved qualification? <i>(Please specify name of course)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Working With Children Check	
Working with Children Check consent provided and verified?	<input type="checkbox"/> Yes - WWCC clearance no. <input type="checkbox"/> No
Documents to be attached	
<input type="checkbox"/> Resume <input type="checkbox"/> NS01 –Nominated supervisor consent form <input type="checkbox"/> Qualification certificate and transcript <input type="checkbox"/> Teacher accreditation record <input type="checkbox"/> WWCC <input type="checkbox"/> First aid certificate <input type="checkbox"/> CPR <input type="checkbox"/> Child protection certificate	<input type="checkbox"/> Food handlers certificate <input type="checkbox"/> Prohibition notice declaration <input type="checkbox"/> Drivers licence check (if applicable) <input type="checkbox"/> Police check (if applicable) <input type="checkbox"/> Letter of offer <input type="checkbox"/> Position description <input type="checkbox"/> Code of conduct <input type="checkbox"/> Centre induction form <input type="checkbox"/> Secondary employment documentation (if applicable)

Compliance history statement

Please provide information about any compliance action or disciplinary proceedings to which you have been subject under:

- The Children (Education and Care Services) National Law (NSW), including the Education and Care Services National Regulations, and
- any of the laws listed in _____ below, in any Australian state or territory

.....
.....
.....
.....
.....

Have you ever had a supervisor certificate that was subject to any conditions or suspended or cancelled by the regulatory authority?

- Yes - please provide details below No

.....
.....
.....
.....
.....
.....
.....

Are you or have you ever been subject to a prohibition notice under the Children (Education and Care Services) National Law (NSW)?

- Yes - please provide details below No

.....
.....
.....
.....

Have you ever held or applied for a licence, approval, registration, certification or other authorisation under the Children (Education and Care Services) National Law (NSW) which the regulatory authority refused, refused to renew, suspended or cancelled?

- Yes - please provide details below No

.....
.....
.....
.....

Declaration and consent of Nominated Supervisor

I,

[insert full name]

of

[insert address]

and born on

[insert date of birth]

DECLARE THAT:

1. the information provided in this statement is true and complete, and
2. I am aware that I may be subject to penalties under a Commonwealth or State or Territory Act if I provide false or misleading information.

I agree to update the Approved Provider should any of the following occur:

- change of name or contact details
- withdraw consent to the nomination

I understand and accept my responsibilities under the following:

- [Children \(Education and Care Services\) National Law \(NSW\)](#)
- [Education and Care Services National Regulations](#)
- [Cumberland City Council's Education and Care Guiding Principles](#)
- [Cumberland City Council's Code of Conduct](#)
- [Education and Care Code of Conduct Handbook](#)

Signature: Date:

Witness: Date:

Table 1

Other relevant laws, including children's services laws, education and care services laws in any Australian state or territory

Australian Capital Territory	Children and Young People Act 2008 Education and Care Services National Law(ACT) Act 2011 Education Act 2004 Working with Vulnerable People (Background Checking) Act 2011
New South Wales	Children and Young Persons (Care and Protection) Act 1998 Education Act 1990 Teacher Accreditation Act 2004 Teaching Service Act 1980 Child Protection (Working with Children) Act 2012
Northern Territory	Care and Protection of Children Act 2007 Education Act 2015 Teacher Registration (Northern Territory) Act 2004 Teacher Registration (Northern Territory) Regulations 2004
Queensland	Child Protection Act 1999 Education and Care Services Act 2013 Education and Care Services National Law (Queensland) Act 2011 Education (Accreditation of Non-State Schools) Act 2017 Education (General Provisions) Act 2006 Education (Overseas Students) Act 2018 Education (Queensland College of Teachers) Act 2005 Family and Child Commission Act 2014 Working with Children (Risk Management and Screening) Act 2000
South Australia	Children and Young People (Safety) Act 2017 Children's Services Act 1985 Education and Children's Services Act 2019 Education and Early Childhood Services (Registration and Standards) Act 2011 Education Act 1972 Teachers Registration and Standards Act 2004
Tasmania	Child Care Act 2001 Education and Care Services National Law (Application) Act 2011 Education Act 2016 Teachers Registration Act 2000 Registration to Work with Vulnerable People Act 2013 Children, Young Persons and Their Families Act 1997
Victoria	Children's Services Act 1996 Education and Care Services National Law Act 2010 Commission for Children and Young People Act 2012 Children, Youth and Families Act 2005 Working with Children Act 2005
Western Australia	Child Care Services Act 2007 Education and Care Services National Law (WA) Act 2012 Child Care Services (Child Care) Regulations 2006 School Education Act 1999 Teacher Registration Act 2012 Working with Children (Criminal Record Checking) Act 2004



CUMBERLAND
CITY COUNCIL

Staff Record: Educational Leader

(Section 118 of the Regulations: Educational Leader)

Employment type: Permanent Fixed term Full time Part time

Full name:	
Date of birth:	Phone:
Address:	
Email address:	
Medical conditions (if any):	
Emergency contact 1	
Emergency contact 2	
Name:	Name:
Relationship:	Relationship:
Home phone:	Home phone:
Work phone:	Work phone:
Mobile:	Mobile:
Qualifications	
Qualifications currently held by this staff member: <i>(Please tick and specify name of qualification)</i>	<input type="checkbox"/> Approved qualification: <input type="checkbox"/> First aid certificate <input type="checkbox"/> Anaphylaxis management <input type="checkbox"/> Asthma management <input type="checkbox"/> CPR <input type="checkbox"/> Child protection qualification: <input type="checkbox"/> NESAs teacher no.
Is this staff member actively working towards an approved qualification? <i>(Please specify name of course)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Statement about the Educational Leader's experience in the development and implementation of educational programs that are based on the approved learning framework and their suitability for the role in leading a team <i>(s168 of the Law)</i>	
Working With Children Check	
Working with Children Check consent provided and verified?	<input type="checkbox"/> Yes - WWCC clearance no. <input type="checkbox"/> No

Documents to be attached

- | | |
|---|---|
| <input type="checkbox"/> Resume | <input type="checkbox"/> Prohibition notice declaration |
| <input type="checkbox"/> Qualification certificate and transcript | <input type="checkbox"/> Drivers licence check (if applicable) |
| <input type="checkbox"/> Teacher accreditation record | <input type="checkbox"/> Police check (if applicable) |
| <input type="checkbox"/> WWCC | <input type="checkbox"/> Letter of offer |
| <input type="checkbox"/> First aid certificate | <input type="checkbox"/> Position description |
| <input type="checkbox"/> CPR | <input type="checkbox"/> Code of conduct |
| <input type="checkbox"/> Child protection certificate | <input type="checkbox"/> Centre induction form |
| <input type="checkbox"/> Food handlers certificate | <input type="checkbox"/> Secondary employment documentation (if applicable) |

Agreement to accept the designation of Educational Leader

By signing this document, I

accept the designation of Educational Leader of
[service name]

and agree to lead the development and implementation of educational programs in the service as specified in section [118](#) of the [Education and Care Services National Regulations](#).

I understand and accept my responsibilities under the following:

- [Children \(Education and Care Services\) National Law \(NSW\)](#)
- [Education and Care Services National Regulations](#)
- [Cumberland City Council's Education and Care Guiding Principles](#)
- [Cumberland City Council's Code of Conduct](#)
- [Education and Care Code of Conduct Handbook](#)

Signature:..... Date:

Witness: Date:



CUMBERLAND CITY COUNCIL

Staff Record: Other staff member

Employment type: Permanent Fixed term Full time Part time

Full name:	
Date of birth:	Phone:
Address:	
Email address:	
Medical conditions (if any):	
Emergency contact 1	
Emergency contact 2	
Name:	Name:
Relationship:	Relationship:
Home phone:	Home phone:
Work phone:	Work phone:
Mobile:	Mobile:
Qualifications	
Qualifications currently held by this staff member: <i>(Please tick and specify name of qualification)</i>	<input type="checkbox"/> Approved qualification: <input type="checkbox"/> First aid certificate <input type="checkbox"/> Anaphylaxis management <input type="checkbox"/> Asthma management <input type="checkbox"/> CPR <input type="checkbox"/> Child protection qualification: <input type="checkbox"/> NESAs teacher no.
Is this staff member actively working towards an approved qualification? <i>(Please specify name of course)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Working With Children Check	
Working with Children Check consent provided and verified?	<input type="checkbox"/> Yes - WWCC clearance no. <input type="checkbox"/> No
Documents to be attached	
<input type="checkbox"/> Resume <input type="checkbox"/> Qualification certificate and transcript <input type="checkbox"/> Teacher accreditation record <input type="checkbox"/> WWCC <input type="checkbox"/> First aid certificate <input type="checkbox"/> CPR <input type="checkbox"/> Child protection certificate <input type="checkbox"/> Food handlers certificate	<input type="checkbox"/> Prohibition notice declaration <input type="checkbox"/> Drivers licence check (if applicable) <input type="checkbox"/> Police check (if applicable) <input type="checkbox"/> Letter of offer <input type="checkbox"/> Position description <input type="checkbox"/> Code of conduct <input type="checkbox"/> Centre induction form <input type="checkbox"/> Secondary employment documentation (if applicable)

Written consent of staff member

I understand and accept my responsibilities under the following:

- [Children \(Education and Care Services\) National Law \(NSW\)](#)
- [Education and Care Services National Regulations](#)
- [Cumberland City Council's Education and Care Guiding Principles](#)
- [Cumberland City Council's Code of Conduct](#)
- [Education and Care Code of Conduct Handbook](#)

Signature:..... Date:

Witness: Date:



STAFF RECORD CHECKLIST – PERMANENT AND FIXED TERM STAFF

To be completed every 12 months and as new casual staff work at the centre.

Centre name: Date of completion:

Name of record	Staff names									
Staff Record form										
NS01 Nominated Supervisor Consent form										
Application and Consent form - Nominated Supervisor / Responsible Person / Person in Day-To-Day Charge (if applicable)										
Qualification Certificate										
Qualification Transcript										
Teacher Accreditation Record (if applicable)										
WWCC verification										
Covid-19 Vaccination Verification										
First Aid Certificate										
CPR Certificate										



CUMBERLAND
CITY COUNCIL

STAFF RECORD CHECKLIST – CASUAL STAFF

To be completed every 12 months and as new casual staff work at the centre

Centre name: Date of completion:

Name of record	Staff names									
Staff Record form										
Application and Consent form - Nominated Supervisor / Responsible Person / Person in Day-To-Day Charge (if applicable)										
Qualification Certificate										
Qualification Transcript										
Teacher Accreditation Record (if applicable)										
WWCC verification										
Covid-19 Vaccination Verification										
First Aid Certificate										
CPR Certificate										
Child Protection Course Certificate (CHCPRT001)										



CUMBERLAND
CITY COUNCIL

Illness or Absence of Early Childhood Teacher or Suitably Qualified Person Record

Section [272\(6\)](#) of the [Education and Care Services National Regulations](#) (2011) states that if an Early Childhood Teacher is absent from a centre-based service because of short-term illness or leave, the following persons may be taken for the purposes of this regulation to be an early childhood teacher during that absence:

(a) a person who holds an approved diploma level education and care qualification, or (b) a person who holds a qualification in primary teaching.

Section [272\(7\)](#) states that an Early Childhood Teacher can only be replaced by the above persons for a maximum of 60 days in a 12-month period.

A part time teacher can be absent, but the 60 days is to be calculated on a pro rata basis [Reg 272(8)]. See also Regulation 135.

**PLEASE USE THIS FORM TO LOG EACH OCCASION WHERE AN EARLY CHILDHOOD TEACHER IS ILL OR ABSENT
AND IS REQUIRED TO BE REPLACED BY AN ELIGIBLE PERSON TO MEET THE TEACHER REQUIREMENT UNDER REGULATION [272](#)**

Early Childhood Teacher: **Centre name:**

Commencement date: **Completion date:**

Must be within a 12-month period

Day	Date	Name of the educator to be taken to be an Early Childhood Teacher	Reason for absence	Higher grade duties submitted in TechOne	Centre Director name and signature
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					

Day	Date	Name of the educator to be taken to be an Early Childhood Teacher	Reason for absence	Higher grade duties submitted in TechOne	Centre Director name and signature
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
37					

Day	Date	Name of the educator to be taken to be an Early Childhood Teacher	Reason for absence	Higher grade duties submitted in TechOne	Centre Director name and signature
38					
39					
40					
41					
42					
43					
44					
45					
46					
47					
48					
49					
50					
51					
52					
53					
54					
55					
56					
57					
58					
59					
60					



PROVIDER INFORMATION

Approved Provider Name

Provider Approval Number

Service Name

Service Approval Number

Conditions on Provider Approval (if any)

Conditions on Service Approval (if any)

Operational days and hours

AM

PM

Monday

Tuesday

Wednesday

Thursday

Friday

Nominated Supervisor at this Service

Overall Service Rating

Responsible Person currently on duty

Last rating by the NCAC (if applicable)

Educational Leader

Date

Current National Quality Framework Rating

QUALITY AREA 1

QUALITY AREA 2

QUALITY AREA 3

QUALITY AREA 4

QUALITY AREA 5

QUALITY AREA 6

QUALITY AREA 7

Service waivers approved for this Service:

QUALITY AREA 1:

QUALITY AREA 2:

QUALITY AREA 3:

QUALITY AREA 4:

QUALITY AREA 5:

QUALITY AREA 6:

QUALITY AREA 7:

Contact the Nominated Supervisor for general issues.

For further complaint handling, please contact:

Name

Address

Phone Number

CONTACT DETAILS FOR NSW DEPARTMENT OF EDUCATION

Early Childhood Education Directorate
Information and Enquiries Team
NSW Department of Education
Locked Bag 5107, Parramatta NSW 2124

Ph: 1800 619 113 (toll free)

Fax: 02 8633 1810

Email: ececd@det.nsw.edu.au



EDUCATION AND CARE - FORTNIGHTLY ATTENDANCE RECORD – OOSH/SHC

CUMBERLAND CITY COUNCIL

**** ATTENTION EVERY EMPLOYEE - FAILURE MAY RESULT IN SHORT PAYMENT ****

It is each employee's responsibility to ensure that their attendance, or absence from supervision and/or work, is recorded CORRECTLY on this attendance record

Note: Any period of time > 30 minutes away from supervising children must be recorded on this sheet. Employee is to complete the shaded area and Centre Director to finalise and authorise

Employee name: Service:

Ordinary hours:..... hours/week Grade:.....PPE:.....

Day	Start time	Sign in SHIFT START	Lunch	Sign out SHIFT FINISH	Finish time	List other times not supervising (>30mins)	Transport & excursions (no. plate & times off site)	Employee Signature	Total shift hours	Overtime – OT Extra hours – EH Time in Lieu - TIL
Example	7.55am	8.00am	12.00pm-12.30pm	4.30pm	4.45pm	2.30 – 3.15 - programming	HCC 963 2.30 – 3.00	<i>Sally Smith</i>	7.75	+1hr TIL (ratios)
Mon										
Mon										
Tues										
Tues										
Wed										
Wed										
Thurs										
Thurs										
Fri										
Fri										
Mon										
Mon										
Tues										
Tues										
Wed										
Wed										
Thurs										
Thurs										
Fri										
Fri										

Total fortnightly hours: Total TIL:

Authorised by Centre Director:

ECM no.



EDUCATION AND CARE - FORTNIGHTLY ATTENDANCE RECORD – LDC/FDC

**** ATTENTION EVERY EMPLOYEE - FAILURE MAY RESULT IN SHORT PAYMENT ****

CUMBERLAND CITY COUNCIL

It is each employee's responsibility to ensure that their attendance, or absence from supervision and/or work, is recorded CORRECTLY on this attendance record

Note: Any period of time > 30 minutes away from supervising children must be recorded on this sheet. Employee is to complete the shaded area and Centre Director to finalise and authorise

Employee name: Service:

Ordinary hours:..... hours/week Grade:.....PPE:.....

Day	Start time	Sign in SHIFT START	Lunch	Sign out SHIFT FINISH	Finish time	List other times not supervising (>30mins)	Transport & excursions (no. plate & times off site)	Employee Signature	Total shift hours	Overtime – OT Extra hours – EH Time in Lieu - TIL
Example	7.55am	8.00am	12.00pm-12.30pm	4.30pm	4.45pm	2.30 – 3.15 - programming	HCC 963 2.30 – 3.00	<i>Sally Smith</i>	7.75	+1hr TIL (ratios)
Mon										
Tues										
Wed										
Thurs										
Fri										
Mon										
Tues										
Wed										
Thurs										
Fri										

Total fortnightly hours: Total TIL:

Authorised by Centre Director: _____ ECM no. _____



Attention Families **and Visitors**

We have children in our care with allergies and/or anaphylaxis.

Please do not bring any food or beverages other than water into this service.



Attention Families
and Visitors

**Our property is
smoke, drug and
alcohol free**





CUMBERLAND
CITY COUNCIL

Notification of Infectious Disease

There have beenreported cases of
.....
at



**If your child has had any of the following
symptoms, they are unable to return to care
without a medical clearance:**

.....
.....
.....

**Please advise the service immediately if your child has
been unwell or is currently unwell. Their attendance at this
time may affect the children and staff at this service.**

Please note this outbreak has been reported to the Public Health Unit
for guidance and management under our reporting guidelines.



CUMBERLAND
CITY COUNCIL

Photography and Filming Model Release Form

(One person per form)

I permit Cumberland City Council (Council) to use photographs and / or video footage obtained of me / my child for promotional and / or publicity purposes, whether or not wording and / or drawings accompany the use of such image/s.

I acknowledge that the image/s may be distributed in hard copy form, digital form or on internet pages. I understand that there is possibility that the footage or photo taken of me/my child may not be used.

The image/s may be used indefinitely unless I withdraw my permission, in writing, sent to the Council. I acknowledge that I do not have any interest in copyright of the image/s and that I shall not seek payment for its/their use.

Adults (16 years and over)

Name	
Address	
Phone Number	
Email Address	
Date	
Signature	

Children (Under 16 years)

Child's Name	
Child's Age	
Parent/Guardian Name	
Phone Number	
Date	
Signature	

PHOTOGRAPHER USE ONLY

Event or program:

Date:

Photo ID number or description:



CUMBERLAND
CITY COUNCIL

STATEMENT OF AGREEMENT

Family Declaration

Ihave read, understood and agree to the conditions stated in Council's Education and Care [Governance, Management & Leadership](#) Guiding Principle, in particular relating to following sections:

- Confidentiality
- Privacy Information Collection Statement
- Social media

I am aware that in the course of my child's placement I may see or hear confidential or privileged information. I agree that, as a condition of my child's placement, I will not divulge any information of this kind to any person including social media websites.

I understand I am not permitted to take photographs or videos of any child other than my own, whilst at the centre, on excursions, or at any other group events.

I acknowledge and declare that any photos or videos that I (or any other family member or accompanied guest) take throughout such events which contain other children, will not be shared in any form, including on any social networking websites (e.g. Facebook, Instagram, Snapchat etc.) without the permission of the other child/ren's parents.

Child/ren's name:

Parent (parent/guardian/caregiver) name:

Parent signature: Date:

Service name:

Cumberland City Council

16 Memorial Avenue, PO Box 42, Merrylands NSW 2160.

T 8757 9000 W cumberland.nsw.gov.au E council@cumberland.nsw.gov.au

Cumberland City Council Sydney [cumberlandcitycouncil](https://www.instagram.com/cumberlandcitycouncil)



CUMBERLAND
CITY COUNCIL

STATEMENT OF AGREEMENT

Staff / Educator Declaration

Ihave read, understood and agree to the conditions stated in Council's Education and Care [Governance, Management & Leadership](#) Guiding Principle, in particular relating to following sections:

Confidentiality

I am aware that in the course of my duties I may see or hear confidential or privileged information. I agree that, as a condition of my employment/registration, I will not divulge any information of this kind to any person including social media websites.

Code of Conduct

All staff/educators are reminded of their responsibilities in relation to Council's [Code of Conduct](#). Responsibilities of staff/ educators state, in part, that as a staff member it is important at all times you act in a manner that enhances community confidence in our Council and that while on duty, you are to give the whole of your time and attention to the business of Council.

As an education and care staff member, you must act in an ethical and professional manner remembering you are a role model to the children.

Filming child for medical purposes

If I film a child for medical purposes in accordance with the [Medical Conditions and Medication](#) Guiding Principle (e.g. to assist medical professionals to determine the type of seizure experienced by a child), I declare the footage will be taken on a Council device solely for medical purposes and the family will be informed of the footage taken. I further declare that such footage will be immediately deleted from the Council device after being provided to the medical professional.

Staff/educator name:

Staff/educator signature: Date:.....

Cumberland City Council

16 Memorial Avenue, PO Box 42, Merrylands NSW 2160.

T 8757 9000 W cumberland.nsw.gov.au E council@cumberland.nsw.gov.au

Cumberland City Council Sydney [cumberlandcitycouncil](https://www.instagram.com/cumberlandcitycouncil)

