

POLICY AIM

Sweetpeas aims to implement a robust, well-planned recruitment process to ensure we select the best person for the position and the needs of our early childhood education service. We aim to engage employees who are suitably qualified, experienced and passionate about the early years. Our recruitment policy outlines our processes to ensure they are aligned with legislative obligations, our Service's values and support diversity and inclusion.

RATIONALE

Sweetpeas wants to ensure the most suitably qualified, experienced and reliable staff are employed at our services. We are committed to ensuring we meet all legislative and regulatory requirements including the *Education and Care Services National Law*, the *Children and Young Persons (Care and Protection) Act 1998*, the *Fair Work Act 2009* and the *Anti-Discrimination Act 1977*.

Sweetpeas is committed to providing child safe services and upholding the 10 *Child Safe Standards* as recommended by the *NSW Office of the Children's Guardian*, and our recruitment and screening processes play a vital role in protecting children from harm.

Sweetpeas values workplace diversity and inclusion and we welcome and encourage applicants from all cultures and communities, including Aboriginal and Torres Strait Islanders, people who identify as LGBTQIA+, men, and individuals with differing abilities. Recruitment and selection of staff will be guided by the requirements of relevant legislation, issues of equity and diversity, qualification, knowledge and skills, workforce participation and experience.

SCOPE - WHO IS AFFECTED BY THIS POLICY?

- Staff/Educators
- Approved Provider
- Management

NATIONAL QUALITY STANDARD

QUALITY AREA 4 (STAFFING ARRANGEMENTS)

- Standard 4.1 (Staffing arrangements) - *Staffing arrangements enhance children's learning and development.*
- Element 4.1.1 (Organisation of educators) - *The organisation of educators across the service supports children's learning and development.*
- Element 4.1.2 (Continuity of staff) - *Every effort is made for children to experience continuity of educators at the service.*
- Standard 4.2 (Professionalism) - *Management, educators and staff are collaborative, respectful and ethical.*
- Element 4.2.1 (Professional collaboration) - *Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.*
- Element 4.2.2 (Professional Standards) - *Professional standards guide practice, interactions and relationships.*

QUALITY AREA 5 (RELATIONSHIPS WITH CHILDREN)

- Element 5.1.1 (Positive educator to child interactions) - *Responsive and meaningful interactions build trusting relationships which engage and support each child to feel secure, confident and included.*

QUALITY AREA 7 (GOVERNANCE AND LEADERSHIP)

- Element 7.1.3 (Roles and Responsibilities) - *Roles and responsibilities are clearly defined and understood and support effective decision making and operation of the service.*

- Element 7.2.3 (Development of professionals) - *Educators, co-ordinations and staff members' performance is regularly evaluated, and individual plans are in place to support learning and development.*

RELATED POLICIES AND LEGISLATION

RELATED SWEETPEAS POLICIES AND PROCEDURES:

- Anti-Bias and Inclusion Policy
- CCS Governance and Management Policy
- Child Protection Policy
- Child Safe Environment Policy
- Complaints Procedure for Staff
- Determining Responsible Person Policy
- Ethical Code of Conduct Policy
- Governance Policy
- Handling Grievances and Complaints Policy
- Privacy and Confidentiality Policy

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS:

- Regulation 4 - Definitions
- Regulation 84 - Awareness of child protection law
- Part 4.4 - Staffing Arrangements
 - Division 7 - Approval and determination of qualifications
 - Division 9 - Staff and educator records - centre-based services
 - Division 10 - Register of family day care educators, co-ordinators and assistants and records of family day care service
- Regulation 168 - Education and care service must have policies and procedures

RELATED LEGISLATION:

- A New Tax System (Family Assistance) (Administration) Act 1999
- Children and Young Persons Act 1998
- Education and Care Services National Law Act 2010
- Fair Work Act 2009
- Federal and State Equal Opportunity Legislation and any other relevant industrial awards
- Federal and State Occupational Safety and Health Legislation
- NSW Anti-Discrimination Act 1977
- Sex Discrimination Act

TERMINOLOGY

- **Approved Provider** - The Approved Provider (or Provider) is the legal entity that has the approval for running a service and is legally responsible for managing the service.
- **Fit and proper person** - The regulatory authority assesses whether an Approved Provider or a person with management or control of a service is a fit and proper person to be involved in the provision of an education and care service. (Criteria includes compliance history, criminal history, financial circumstances, medical conditions and management capability.)
- **Law** - References to the Law or National Law are referring to the *Education and Care Services National Law Act 2010*
- **Nominated Supervisor** - A Nominated Supervisor is approved as a suitable, fit and qualified person by the Regulatory Authority and appointed by the Approved Provider to oversee the day-to-day operations of the service.
- **Regulations** - References to the Regulations or National Regulations are referring to the *Education and Care Services National Regulations 2011*
- **Responsible Person** - A person, nominated by the Approved Provider and/or Nominated Supervisor, to be designated a responsible person in day-to-day charge of the service when the Nominated Supervisor is not in attendance.
- **WWCC** - Working with Children Check. The Working with Children Check is a requirement for anyone over 18 who works or volunteers in child-related work in NSW. It involves a National Police Check (criminal history record check) and a review of reportable workplace misconduct.

IMPLEMENTATION & STRATEGIES

RECRUITMENT DECISIONS

The Approved Provider and Managing Director, or their assigned nominee will approve all recruitment decisions as outlined in this Recruitment Policy. Recruitment decisions will be based on the need and requirements of the service and will consider the following:

- ensuring the Service meets all staffing requirements as per National Law and National Regulations
- any resignation of existing staff
- an increase in occupancy

The recruitment processes will be consistent, transparent, professional and timely. Any grievances relating to the recruitment procedure will be addressed as per the Sweetpeas *Handling Grievances and Complaints Policy*. All personal information regarding recruitment will be treated with the strictest confidence.

Selection criteria for each vacant position will be determined before advertisement and will take the following into consideration:

- position title
- qualifications required for the position
- experience required for the position
- position description/skills required for the position
- conditions of employment
- mandatory employment screening requirements including Working With Children Check, National Police History Check and reference checks

Any applicants deemed unsuitable will be advised within an appropriate time frame.

ADVERTISEMENTS

Information about the position and the Service will be provided to potential applicants which may include:

- job title
- location
- hours of work
- salary (award/ above award)
- Service Philosophy
- operation hours, age group of children educated and cared for
- selection criteria relating to the position available
- how to apply for the role
- a commitment to providing a safe environment for children
- closing date for applications
- contact information for further information.

Vacant positions may be advertised internally to encourage career advancement and opportunity.

External advertisements may be placed through relevant media and networks including social media, newspaper and employment services such as SEEK, Indeed, Child Care Jobs and Facebook Employment groups.

Potential applicants will be asked to complete an expression of interest on our website as part of their application for the position available. See <https://www.sweetpeaskindergarten.com/careers>

SELECTION PANEL AND INTERVIEWS

In most situations, applicants will be shortlisted by two people: the Managing Director along with another member of Management - in most cases the Director of the service advertising the vacant position.

Applicants who require support or access provisions, are encouraged to advise this at the time of their application, to ensure appropriate assistance is provided throughout the recruitment process.

Questions will be prepared in advance of the interview and applicant responses will be recorded during the interview. Each applicant will be asked the same questions to ensure fair and equitable treatment of all applicants. Interviews will be conducted in a private space and confidentiality will be maintained at all times.

Applicants will be provided an opportunity to ask questions relating to the service and position at the end of the interview.

PRE-EMPLOYMENT SCREENING

Effective pre-employment screening ensures our services are compliant to legislative and regulatory requirements and aims to ensure we engage staff who have the skills, experience, qualifications and general 'fit'.

All preferred candidates will undergo appropriate pre-employment checks including reference checks, Working With Children Checks (WWCC) and where applicable National Police criminal history checks before an offer of employment is recommended.

REFERENCE CHECKS

Verbal reference checks will be conducted over the phone for preferred applicants. Reference check questions will be determined prior to the check conducted and will establish the relationship the referee has with the applicant.

At least 2 references are to be provided for a reference check. Where possible, references should be from the immediate previous employer.

WWCC/POLICE CHECKS

Working with Children Check legislation aims to prevent people who pose a risk from working with children as paid employees or volunteers. All employees, volunteers and students must undergo a WWCC prior to working at the service. Employees, volunteers or students that are unable to provide a copy of a validated WWCC (or equivalent) prior to the start of engagement or employment will not be able to undertake any work-related activity within any Sweetpeas service.

In addition to these checks, prospective employees will be asked to complete a *Child Safe Employment Declaration for Prospective Staff Members* form.

Validated WWCC information is added to the Sweetpeas *WWCC Register* for monitoring and compliance.

PRODA BACKGROUND CHECKS

Employees involved in the administration of Child Care Subsidy (CCS) are required to undertake additional background checks. (See *CCS Governance and Management Policy*).

OFFER OF EMPLOYMENT

An offer of employment will be made to the successful applicant following careful consideration by the selection panel. Successful applicants are required to provide documentation regarding qualifications and immunisations and complete a *Staff Record Form*. (See *Staff Induction Checklist* and *New Employee Documentation Checklist*)

A written employment contract will be provided to the successful applicant detailing the position, hours of work, Award information, wages and salary, date and time of commencement, contact person, probationary period and other employment information required by the National Employment Standards and Fair Work. Successful applicants will also receive a *Staff Induction Pack* (see [Related Sweetpeas Documents](#)) including the applicable Fair Work Information Statement(s).

Applicants who are unsuccessful will be notified within an appropriate time frame and offered feedback regarding their application.

PROBATIONARY PERIOD AND INDUCTION

Each new employee is subject to a Probationary Period of three (3) months. This ensures assessment for both the employee and service to ensure suitability of the role for the employee. During this time employees will receive advice, training and guidance to help them become familiar with and competent in, performing the work they have been appointed to do. The appointment is subject to the satisfactory completion of the Probationary period which itself is subject to termination during any stage, by either party, upon notice in writing, or by payment in lieu of notice.

Sweetpeas is committed to providing a comprehensive induction program to ensure the smooth integration of new employees. The Managing Director or assigned nominee will support the new employee and help them to understand the organisational structure, how decisions are made and communicated and what role

they will have in the decision-making process. An induction checklist will be used to support this process, which explains an employee's responsibility to know the policies, procedures and practices. (See *Staff Induction Checklist*).

Continuity in care within the service is paramount. By orientating staff professionally and correctly, it guarantees the consistency of care not only within the room but also across the entire company. New employees will undergo regular supervision appraisals, mentoring, training and development as part of the orientation process.

APPOINTMENT OF RESPONSIBLE PERSONS AND CCS PERSONNEL

Educators and other staff who are qualified to be nominated as a Responsible Person or CCS Personnel must first complete their induction training and Probationary Period before stepping into either of these roles. This policy is to ensure all staff appointed are Fit and Proper persons to perform either of these roles. The only exemptions to this policy are at the discretion of the Managing Director and Approved Provider.

- For more information on becoming a Responsible Person in a Sweetpeas service, please see *Determining Responsible Person Policy*
- For more information on being appointed as CCS Personnel, please see the *CCS Governance and Management Policy*.

STAFF APPRAISALS AND PERFORMANCE REVIEWS

A staff appraisal is a management tool to help support employees in their professional development and reflect on their performance. Sweetpeas Management aims to engage in staff appraisals at least once per year, utilising the following documents:

- *Staff Appraisal* - For management to complete to appraise staff performance based on role.
- *Performance Review Survey* - For staff to complete to reflect on their own performance.
- *Staff Wellbeing Questionnaire* - For staff to complete to reflect on their wellbeing at work.
- *Goals* - (template being reviewed) for staff to set professional goals.

RELATED SWEETPEAS DOCUMENTS

- Appointment of Responsible Person
- Job Description(s)
- Staff Induction Pack:
 1. New Employee Documentation Checklist
 2. Staff Record Form
 3. Child Safe Employment Declaration
 4. TFN Declaration
 5. Staff Welcome Poster (provides QRs for new employees to:
 - Create a staff account on the Sweetpeas website
 - Read the Staff Handbook
 - Access and read the company policies and procedures
 - Access staff newsletters
 6. Staff Induction Checklist
 7. Fair Work Information Statement
 8. Ethical Code of Conduct Policy
- Staff Handbook
- WWCC Register

REFERENCES

- Application for a NSW Working with Children Check - <https://wwccheck.ocg.nsw.gov.au/Apply>
- Australian Government. Fair Work Ombudsman. (2022). Hiring employees <https://www.fairwork.gov.au/starting-employment/hiring-employees>
- Children's Services Award 2010 - <https://library.fairwork.gov.au/award/?krm=MA000120>
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations (2011)

- Educational Services (Teachers) Award 2020 - <https://library.fairwork.gov.au/award/?krm=MA000077>
- Family Assistance Law - <https://www.education.gov.au/early-childhood/provider-obligations/family-assistance-law>
- Miscellaneous Award 2020 - <https://library.fairwork.gov.au/award/?krm=MA000104>
- National Employment Standards - <https://www.fairwork.gov.au/employment-conditions/national-employment-standards>
- Office of the Children's Guardian Employer Portal - <https://wwccemployer.ocg.nsw.gov.au/Login>
- Office of the Children's Guardian: Child Safe Scheme - <https://ocg.nsw.gov.au/child-safe-scheme>
- Sweetpeas Careers: Expressions of Interest - <https://www.sweetpeaskindergarten.com/careers>
- Sweetpeas Philosophy

REVIEW AND AMENDMENT HISTORY

This policy will be updated regularly to ensure compliance with all relevant legal requirements. Appropriate consultation of all stakeholders (including staff and families) will be conducted on a timely basis. In accordance with *Regulation 172* of the National Regulations, families of children enrolled will be notified at least 14 days and their input considered prior to any amendment of policies and procedures that have any impact on their children or family.

Version	Amendment(s)	Review Date	Updated By (Role)
1.	<ul style="list-style-type: none"> • Revived old staffing policy and renamed Staff Recruitment Policy • Updated information to match current company practices and procedures • Updated format to reflect current policies format • Checked and updated all hot links 	June 2022	Cassandra Way (Assistant Manager) Janine Evans (Managing Director)
1.1.	<ul style="list-style-type: none"> • Updated with relevant CCS/Family Law info • Added information about Child Safe Scheme • Updated references • Checked and updated all hot links 	August 2022 (1)	Cassandra Way (Assistant Manager)
1.2.	<ul style="list-style-type: none"> • Cosmetic update with changes for new template/ colours only 	August 2022 (2)	Cassandra Way (Assistant Manager)
1.3.	<ul style="list-style-type: none"> • Added section on <i>Staff Appraisals and Performance Reviews</i> • Checked and updated all hot links 	August 2023	Cassandra Way (Assistant Manager) Janine Evans (Managing Director)
1.4.	<ul style="list-style-type: none"> • Updated list of <i>Related Policies & Legislation</i> to reflect updated policy names • Modified wording of <i>Rationale</i> for clarity • Added Modern Awards to <i>References</i> • Minor formatting updates for clarity • Fixed version numbering (Aug23 version previously v2.3) • Checked and updated all hot links • Updated list of <i>Related Sweetpeas Documents</i> to ensure listed with correct names and organised <i>Staff Induction Pack</i> documents together 	August 2024	Cassandra Way (Assistant Manager)