

## FIT AND PROPER PERSON

### Quality Area 4. Staffing arrangements

**Standard 4.1:** Staffing arrangements enhance children's learning and development and ensure their safety and wellbeing

**Standard 4.2:** Educators, Coordinators and staff members are respectful and ethical

### Education and Care Services National Regulations:

153 Register of Family Day Care Educators

154 Record of staff, Family Day Care Coordinators and Family Day Care Educator Assistants

163 Residents at Family Day Care residence and Family Day Care Educator Assistants to be fit and proper persons

**PURPOSE** To protect the safety and well-being of all children in care

**POLICY** The service is a child-safe and friendly organisation and choosing the right people to work with children is important, therefore it is expected that the people who children have contact with during the day in the absence of their family, will not compromise their safety or wellbeing; thorough procedures and checks are conducted to establish if applicants and adult household members are initially and continue to be fit and proper persons to be in the company of children

### PROCEDURES

The suitability of prospective educators, relief educators, educator assistants, coordinators and staff, will be determined from the following;

- Application details
- A personal interview
- Referee checks and references
- Working with Children Checks
- National Criminal History Checks
- Medical clearance

### WORKING WITH CHILDREN CHECKS

A Working with Children Check Clearance Number **MUST** be provided by all Prospective Educators, Educator Assistants, Relief educators, household family members over the age of 18 years, Coordinators, staff and students.

The educator must notify the nominated supervisor when any household member / resident turns 18 or if any new person over the age of 18 years will reside, or intends to reside at the residence. They will then be required to provide a Working with Children Check Clearance Number.

Taree Great Lakes Gloucester Five Star Family Day Care

These checks are completed by the Office of the Children's Guardian and are applied for by the individual. These clearances are valid for 5 years.

To apply visit [www.kidsguardian.nsw.gov.au](http://www.kidsguardian.nsw.gov.au) or phone (02) 92867219

Once they receive their clearance number, they must provide it to the service to be verified prior to commencing with the service.

### **UNSATISFACTORY WORKING WITH CHILDREN CHECK OR CHANGE IN STATUS**

The two possible results from a Working with Children Check are:

- Clearance
- Bar – the person is NOT permitted to work with children or reside in the residence used for providing education and care for Family Day Care.

### **NATIONAL CRIMINAL HISTORY CHECKS**

A National Criminal History Check MUST be provided by all Prospective Educators, Educator Assistants, Relief educators and household family members over the age of 18 years. These must be renewed every 5 years.

To apply visit [www.police.nsw.gov.au](http://www.police.nsw.gov.au) to complete the application form. The application and your identification is then taken to the closest police station for verification.

### **NOTIFICATION OF CHANGES**

Educators and staff MUST notify the nominated supervisor of any issue that arises that may affect themselves or adult household member's suitability as a fit and proper person such as:

- traffic offence resulting in loss of licence
- conviction requiring jail sentence
- conviction of fraud
- conviction requiring community service
- conviction relating to violence
- apprehended violence order
- conviction relating to offence against children
- conviction relation to illegal drugs
- is charged with or found guilty of a serious indictable offence
- becomes bankrupt
- has their Working with Children Check refused, amended or cancelled

Taree Great Lakes Gloucester Five Star Family Day Care

The nominated supervisor may be required to conduct a risk assessment to determine if the educator can be placed on or remain on the family day care register in some circumstances.

It is then the responsibility of the Service to notify the Department of these changes as required.

### **MEDICAL CLEARANCE**

Prior to registration and annually, educators, assistants and relief educators must provide the service with a medical clearance. This clearance must state that they are physically and mentally capable of providing unsupervised education and care to children.

#### **Source:**

- Education and Care Services Regulation 2011
- Working with Children check Guidelines—Office of the Children's Guardian
- NSW Police website

#### **Associated Forms/information:**

- New educator application form
- Educator Register form
- Medical Practitioner Declaration
- NSW Working With Children check—Information brochure

*Failure to comply with this policy may result in disciplinary action or termination of employment or registration as an educator*