

POLICY/PROCEDURE NAME & REVIEW PROCESS	COMPLIANCE POLICY <p>This policy has been created to provide our stakeholders with clear guidelines and transparency to our practices and procedures.</p> <p>We welcome feedback and input from all our stakeholders at any time and this policy is subject to review based on feedback or due date of annual review.</p>
NATIONAL QUALITY STANDARD	QUALITY AREA 7 GOVERNANCE AND LEADERSHIP 7.1 GOVERNANCE 7.1.2 Management systems. 7.1.3 Roles and responsibilities. 7.2 LEADERSHIP 7.2.1 Continuous improvement. 7.2.3 Development of professionals
NATIONAL LAW AND REGULATIONS	168-Education and care service must have policies and procedure 170-Policies and procedures to be followed 171-Policies and procedures to be kept available 172- Notification of change to policies or procedures
RELATED POLICIES and RECORDS	<ul style="list-style-type: none"> Close record. Compliance audit record. Employee induction record. Enrolment record. Excursion authorisation record. Medication administration record short/ long term. Medical management and communication record. Non-compliance response letter. Open record. Recruitment policy. Staff schedule record.
SCOPE OF POLICY	This policy applies to all management, educators, students, volunteers, and visitors at our service.
AIM OF POLICY	To ensure that our service has strong guidelines, procedures, and practices in place regarding compliance and the ability to recognise compliance, know what to do about it and how to implement practices for improving compliance standards. This is to ensure that we are supporting the safety, wellbeing, and protection of all children who attend the service. Our aim is to provide a clear policy, implement the policy, support practices relating to the policy, train staff regarding the policy and maintain and update the compliance of the policy for all our stakeholders.
SERVICE IMPLEMENTATION	<p>Maintaining compliance requires a proactive approach from Approved providers, Nominated supervisors and educators. It involves the continual practice of regular assessments, audits, and continuous improvement processes. By embracing a culture of compliance and continuous improvement, approved providers, nominated supervisors and educators can enhance the quality of care they offer to children and families.</p> <p>Regular collaboration with regulatory authorities, industry peers, and professional networks can provide valuable support and resources for navigating compliance requirements effectively. Ultimately, by prioritising compliance, childcare services contribute to creating safe, nurturing environments where children can thrive and reach their full potential.</p> <p>Education and Care services must adhere to the Education and Care Services National Regulations and Education and Care Services National Law, and relevant state/territory legislation. By fulfilling these obligations, an approved provider can contribute to the delivery of high-quality education and care for children while maintaining compliance with regulatory requirements and upholding the standards of the early childhood education and care sector.</p> <p>In Australia, childcare services are regulated by various government bodies at both the federal and state/territory levels. The primary regulatory authority is the Australian Children's Education & Care Quality Authority (ACECQA), responsible for overseeing the implementation of the National</p>

Policy Name	COMPLIANCE POLICY			Policy Version	V.2
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Quality Framework (NQF). Under the NQF, childcare services must comply with the National Quality Standard (NQS), which sets out seven quality areas which are as follows:

QA1	Educational program and practice
QA2	Children's health and safety
QA3	Physical environment
QA4	Staffing arrangements
QA5	Relationships with children
QA6	Collaborative partnerships with families and communities
QA7	Governance and leadership

The service is obligated to abide by national quality standards by implementing processes and procedures that align with these standards. One of the processes is to document procedures, and quality management systems to ensure compliance with the standards. This documentation serves as evidence of adherence to the standards and supports the Assessment and Rating process as well as keeping the service compliant.

Other methods are as listed below but not limited to.

Regulatory Compliance

In regard to maintaining compliance the Approved provider/ Nominated supervisor should adhere to the below as a minimum guide. They will.

Regulatory requirements

- Ensure compliance with minimum standards for staffing ratios, qualifications, health, safety, and facilities.
- Ensure all staff members hold valid Working with Children Checks (WWCC) or equivalent clearances and keep a record of this information on a staff schedule record.
- Implement policies and procedures that align with the seven quality areas of the NQS and ensure that there are policies in place that cover regulation 168.
- Regularly assess and monitor practices to ensure compliance with quality standards.
- Maintain and at least annually review and revise Quality Improvement Plan- QIP.
- Comply with all requirements outlined in the Education and Care Services National Regulations and Law, including governance, operational, and reporting obligations.
- Take prompt corrective action to address any identified non-compliance issues and implement preventive measures to mitigate future risks.

Child Protection requirements.

- Develop and implement child protection policies and procedures in accordance with state/territory legislation and national guidelines.
- Provide staff training on how to recognise and report child abuse and neglect and monitor ongoing knowledge of staff in regard to child protection.

Operational requirements

- Maintain a safe and hygienic environment for children, staff, and visitors by providing regular maintenance and provide a system for reporting maintenance. Training of staff to understand and recognise serious maintenance that needs to be advised to management immediately.
- Conduct regular risk assessments and implement appropriate measures to mitigate risks. Ensure that risk assessments are reviewed every 6 months or earlier if there is an issue.
- Ensure sufficient staffing levels to meet regulatory ratios and qualifications in accordance with state regulatory requirements. Appoint responsible person/s to monitor this throughout the day. Train them accordingly to the services requirements of what to put in place when it isn't possible for staff to leave or split up into groups due to ratio requirements.
- Conduct thorough background checks and screening for all staff and volunteers as per the **recruitment policy** guidelines.
- Maintain accurate records related to child enrolment, attendance, incidents, and complaints and understand when it is required to report serious incidents and or complaints.

Policy Name	COMPLIANCE POLICY			Policy Version	V.2
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- Retain records in accordance with regulatory requirements for specified periods.
- Develop, conduct drills, and review emergency evacuation procedures, lockdowns. Regulatory requirement is at least quarterly however more frequently is better practice.

Health and Safety

- Adhere to food safety regulations when handling, storing, and serving food to children.
- Ensure active diligent supervision of children at all times, including during indoor and outdoor activities, excursions, and rest periods.
- Develop and implement behaviour guidance strategies that promote positive interactions and minimise the risk of harm to children.
- Conduct routine checks of indoor and outdoor play areas for hazards such as insects, sharp objects, pooling of water, broken equipment, or uneven surfaces. Keep records of these audits each day on the **open record** and **close record**.
- Establish guidelines for the safe and responsible use of technology within the childcare setting, including the use of computers, tablets, and other electronic devices.
- Obtain written consent from parents/guardians for activities such as excursions, medical treatments, and photography/videography of children. Most of this is captured on the **enrolment record** and for excursions on the **excursion authorisation record** and for medical on the **medication administration record short or long term** and the **medical management and communication record**.

Compliance Monitoring and Reporting

- Conduct internal audits to assess compliance with regulatory requirements. **Service audits** and self-assessments are both valuable tools for this process.
- Report any serious incidents, accidents, or breaches of regulations to regulatory authority within the regulatory time frames and ensure that all staff and management cooperate with investigations and provide requested information in a timely manner.
- Establish mechanisms for ongoing review and improvement of policies, procedures, and practices and seek feedback from stakeholders, parents, and staff, to identify areas for improvement or change.

Staff Training

- Provide comprehensive training to all staff on relevant laws, regulations, and policies and ensure that this is included as a starting point in the commencement of employment of the service and is recorded on the **employee induction record**. Ensure regular check ins with staff regarding knowledge of policy and practice. Conduct regular staff meetings to review and revise policy and practice.
- Guide and train staff regarding their roles and responsibilities in maintaining compliance.

Parental Communication

- Communicate policies, procedures, and expectations regarding compliance to parents/guardians.
- Encourage parental involvement and feedback in compliance-related matters and policy changes and updates.

What happens in the event of not meeting regulatory compliance.

- If a childcare service fails to meet regulatory compliance, it can have serious consequences for the approved provider.
- A compliance notice can be issued by the regulatory authority during a visit, spot check or due to a complaint being received. A compliance notice is a written notice requiring the approved provider to take the steps set out in the notice to comply with any provision of the National Law and Regulations.
- Once received the approved provider must comply within the period set out in the notice. If the approved provider does not ensure that all steps outlined in the notice are completed in the timeframe, or they do not take those steps, the regulatory authority may consider taking further compliance action.
- The maximum penalty that may be imposed by a court for not complying is \$6,00 in the case of an individual; \$30,000, in any other case.
- In the event of receiving a compliance approved provider in conjunction with nominated supervisor should thoroughly read the non-compliance notice address all the criteria collate all relevant supporting documents. Review and revise policy if applicable. Complete a response on

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the **non-compliance response letter** and ensure that all deadlines are met. In the event that this cannot be achieved contact the regulatory authority prior to deadline seeking an extension.

- In summary, failing to meet regulatory compliance in the childcare sector can have serious ramifications for all stakeholders involved. It is essential for childcare service providers to prioritise compliance with regulatory requirements to ensure the safety, well-being, and quality of care provided to children and families.
- In conjunction with this policy an audit should be completed regularly which addresses all requirements under Education and Care Services Regulations and National Law in the form of the **compliance audit record**.

Each member of the team plays an important role in the implementation of each policies guidelines, and they are outlined as below but not limited to the following:

The Approved Provider

- Will ensure compliance with the National Quality Standards (NQS) and the Education and Care Services National Law Act 2010 and Education and Care Services National Regulations 2011.
- Will ensure they take reasonable steps to ensure that the nominated supervisor, educators, staff, and volunteers follow the policy and procedures.
- Will ensure they provide the nominated supervisor, educators, staff and volunteers the documentation to perform their role, follow policy, procedure, and document according to regulatory and service requirements.
- Will ensure that adequate induction process is provided to all staff to ensure they have time to read and understand policies and procedures and seek further information if unsure.
- Will ensure that the nominated supervisor and staff are equipped with ongoing professional development and training they require to comply with this policy
- Will encourage feedback from stakeholders regarding the policy's effectiveness, particularly in relation to identifying and responding to child safety concerns.
- Will ensure the policy is kept up to date with current legislation, research, and best practice.

The Nominated Supervisor

- Will ensure compliance with the National Quality Standards (NQS) and the Education and Care Services National Law Act 2010 and Education and Care Services National Regulations 2011.
- Will ensure they take reasonable steps to ensure that the educators, staff, and volunteers follow the policy and procedures.
- Will ensure they provide the educators, staff and volunteers the documentation to perform their role, follow policy and procedure and ensure they are checking the documentation according to regulatory and service requirements.
- Will ensure that a rigorous recruitment process is completed, and a thorough induction process is provided to all staff to ensure they have time to read and understand policies and procedures and seek further information if unsure.
- Will ensure that the staff are supported with ongoing professional development and training they require to comply with this policy.
- Will encourage feedback from stakeholders and staff regarding the policy's effectiveness, particularly in relation to identifying and responding to child safety concerns.
- Will ensure the policy is kept up to date with current legislation, research, and best practice.
- Will conduct regular staff meetings to address policy compliance with legislation, policy implementation, changes to policy and or collect feedback for annual review of policy.

Educators

- Will ensure compliance with the National Quality Standards (NQS) and the Education and Care Services National Law Act 2010 and Education and Care Services National Regulations 2011.
- Will ensure they take reasonable steps to follow the service policy and procedures and seek advice or further support if unsure.
- Will ensure they complete and document any related records regarding the implementation of this policy and practice requirements of the service.
- Will attend any ongoing professional development, staff meetings and training they require to comply with this policy and practice requirements of the service.
- Will provide feedback to the nominated supervisor or approved provider regarding the policy's effectiveness, particularly in relation to identifying and responding to child safety concerns.

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	<ul style="list-style-type: none"> Will provide feedback regarding policy review when required. <p>Families</p> <ul style="list-style-type: none"> Will participate and support the management and staff to meet their regulatory compliant obligations by completing required documents and adhering to policies and procedures.
REGULATION IMPLEMENTATION	The following procedures outline and support all stakeholders to understand and implement the regulatory guidelines of this policy.
In regard to regulation 168- Education and care service must have policies and procedures.	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure that obligations under the Education and Care Services National Law and National Regulations are met. Ensure they take reasonable steps to ensure that the policy and procedures are current, reviewed regularly and communicated to educators, staff, and stakeholders. Take reasonable steps to inform and support educators and staff regarding their responsibilities in implementing the policy and procedures at all times. Take reasonable steps to ensure that nominated supervisor, educators, staff, and volunteers follow the policy and procedures. Ensure copies of the policy and procedures are readily accessible to nominated supervisor, educators, staff, stakeholders, and volunteers and are available for inspection. Will notify families at least 14 days before changing the policy or procedures if the changes will: <ul style="list-style-type: none"> Affect the fees charged or the way they are collected or Significantly impact the service's education and care of children or Significantly impact the family's ability to utilise the service. Ensure policies and procedures regarding regulatory requirements are in place at the service. Ensure that a suitable Nominated supervisor is in place and will monitor practices and procedures relating to all policies in the service. Ensure policies and procedures are reviewed at least annually and changes are made if required prior to this review. Ensure all stakeholders are involved in the review. Ensure the service is conducive to a child safe environment and guidelines set out in the policy and procedure are clearly outlined.
In regard to regulation 170- Policies and procedures to be followed.	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure that all staff and volunteers are made aware of regulatory policies and procedures by ensuring that this forms a part of the induction process. Ensure probationary reviews will be conducted once new staff are appointed at the 3- month and 6-month mark to ensure that they are following policy and procedure and to review and revise regulatory policies. Ensure staff meetings will be conducted on a regular basis to allow for review of policy and procedure and further training and revision of procedural practices in relation to policy and procedure. Ensure annual review and revision of policies and procedures will be conducted, and all educators will be given the opportunity for input.
In regard to Regulation 171- Policies and procedures to be kept available.	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure that policies and procedures are available to all staff and the location and availability will form a part of the induction process. Ensure policies will be available on request for all staff members to have access when required. Ensure policies will be available when required for staff members to download copies and/or print out if required in order to complete assignments or to form part of their research and/ or update their knowledge. Ensure policies will be available for all stakeholders when requested and when updating.
In regard to Regulation 172- Notification of change to policies or procedures	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure staff meetings will be conducted on a regular basis to allow for review of policy and procedure, provide further training and allow for input if required in relation to policy and procedure. Ensure stakeholders will be invited to provide feedback for policies and procedures at any time, not just on annual review but will also be invited to add feedback at review time or after an event that may require change to policy or procedure.

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	<ul style="list-style-type: none"> ▪ Policies and procedures will be emailed or put on display in the foyer for stakeholders to have the ability to provide feedback. ▪ Feedback will be considered from stakeholders and educators and may result in a change in policy. ▪ Policy and procedure may be changed at any time if there has been an incident in the service that has required a change to be implemented for the safety and health of children and or educators. <p>In the event of a change to a policy after feedback or a situation that occurs, we will provide 14 days' notice to all stakeholders before the change takes effect.</p>
CONTINUOUS IMPROVEMENT	<p>We are dedicated to the ongoing improvement of our practices and procedures through the following actions:</p> <ul style="list-style-type: none"> ▪ Conducting regular reviews and updates of this policy with all stakeholders. ▪ Actively seeking feedback from children, families, and staff members. ▪ Providing targeted skill development and training for staff when areas for improvement are identified or when gaps in policy and procedure implementation are observed.
KEY TERMS	<ul style="list-style-type: none"> ▪ ACECQA – Australian Children’s Education and Care Quality Authority. The independent national authority that works with all regulatory authorities to administer the National Quality Framework, including the provision of guidance, resources, and services to support the sector to improve outcomes for children. ▪ Stakeholder - a person or group of people who have an interest in a business, a person such as an employee or customer. They have a sense of responsibility toward it and an interest in its success.
WE GRATEFULLY ACKNOWLEDGE THE FOLLOWING SOURCES	<ul style="list-style-type: none"> ▪ Australian Children’s Education & Care Quality Authority. ACECQA ▪ Code of Ethics ▪ Education and Care Services National Law Act 2010. ▪ Education and Care Services National Regulations. ▪ Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. ▪ Guide to the National Quality Framework. ▪ National Quality Standard. ▪ United Convention on the Rights of the Child

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