

7.10 DEREGISTRATION OF EDUCATORS

Purpose Statement

It is the expectation of the Family Day Care (FDC) Co-ordination Unit that educators adhere to their responsibilities under the Educator Agreement, Education and Care Services National Regulations, Education and Care Services Law Act 2010 and FDC policy and procedures at all times. In the event of a serious contract breach, inactivity or conduct bringing Windermere into disrepute, deregistration of an Educator Agreement may proceed.

Scope

This policy applies to all contracted educators.

Definitions

Educator Agreement: a signed contract between two parties (educator and Windermere Child & Family Services) that is enforceable by law.

Breach or Non-Compliance: an act of breaking or failing to observe a law, agreement, or code of conduct.

Deregistration: termination of FDC educator registration.

Policy Statement

TO CLEARLY OUTLINE THE CIRCUMSTANCES AND PROCEDURE TO DEREGISTER A CONTRACTED EDUCATOR WITH WINDERMERE'S FAMILY DAY CARE SCHEME.

Procedures

Grounds for Immediate Termination (or Deregistration) of Educator Agreement

Serious contract noncompliance may result in the immediate termination of an Educator Agreement. Serious noncompliance will often result in DET recommending a course of action. Windermere will support DET in implementing any recommended course of action following a serious breach.

Some examples of grounds for immediate termination of an Educator Agreement include:

1. Children left with a person who is not a registered educator with the service
2. Educators or other persons on the educator's property being under the influence of drugs / alcohol while FDC children are in care
3. Children left unattended: at home, in a vehicle, anywhere outside the home
4. Physical punishment, humiliation, demeaning of a child enrolled in care
5. Fraudulent administration procedures
6. Theft from parents, FDC staff or service
7. Numerous substantiated parent complaints

7.10 DEREGISTRATION OF EDUCATORS

- Continued noncompliance of the Educator Agreement, Education and Care Services National Regulations, Education and Care Services Law Act 2010 and FDC policy and procedures
- Breach of either State or Federal laws as pertains to safety or wellbeing of a child e.g. failure to use an approved safety restraint in a motor vehicle. (*Vehicles procedure*)
- Any other occasions where a child's life might be endangered
- Any conduct which brings Windermere into disrepute.

NOTE: in some circumstances, noncompliance may result in a contract breach notice being issued. For further information refer to the *Breach of Educator Agreement* procedure.

Unavailability of Educator Resulting in Deregistration of Agreement

As per the Educator Agreement, educators may elect to be unavailable to perform services for one period of up to two months (i.e. extended leave). If an educator is unavailable, for any reason, to perform education and care services for a period of more than two months then Windermere may:

- Terminate (or deregister) the Educator Agreement
- Require the educator to reapply for registration as an educator

Procedures to Follow if Deregistration is to Proceed:

Where deregistration is to proceed, the following procedures will be implemented:

- Give written notice to the educator of their deregistration, including the date the deregistration becomes effective.
- Notify families of the educator involved that the educator will be finishing up with the Scheme (without divulging the reason - any explanation will be left to the educator).
- Make arrangements for children to be moved to another educator if possible or requested.
- Advise in writing the Department of Education and Training, Centrelink and the appropriate Public Liability Insurance Company that the educator is no longer registered with the Scheme.

Items/Documents to be returned to Service upon Deregistration

In the event that an educator is de-registered, he/she must return the following to the Coordination Unit immediately:

- equipment
- library and receipt books
- name badge
- registration certificate
- documentation of child assessments or evaluations for delivery of the educational program
- incident, injury, trauma and illness records
- medication records



7.10 DEREGISTRATION OF EDUCATORS

8. children's attendance records
9. child enrolment records
10. record of visitors to the Family Day Care residence or approved Family Day Care venue; and
11. any other Windermere Family Day Care property.

Relevant Standards/Legislation

- National Quality Framework for Early Childhood Education and Care Services including:
 - Education and Care Services National Law 2011
 - Education and Care Services National Regulations 2011

Related Policies & Links

- Educator Agreement
- *Breach of Educator Agreement* procedure
- *Educator Leave* procedure
- FDC policies and procedures