Out of schools hours care (OSHC)

This is a mandated policy under the operational policy framework and staff are required to adhere to the content.

Overview

This policy outlines the legislative and Department for Education (department) requirements for the establishment and operation of OSHC services on department sites.

Scope

This policy applies to all department employees, school governing councils and their employees, third party providers and their employees, and volunteers who deliver an OSHC service on a department site.
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Detail

Where feasible, school-age children attending a South Australian government school should have access to an OSHC service. OSHC contributes to:

- the social, emotional and learning development of children through play and leisure experiences
- the economic and social well-being of families, children and communities by supporting families to manage the competing demands of work, training and study responsibilities
- the range of school programs offered to families seeking a school to enrol their child/ren

Operational requirements

OSHC services must comply with the requirements of the National Quality Framework (NQF) for Early Childhood Education and Care, the Education and Early Childhood Services (Registration and Standards) Act 2011, Schedule 1 Education and Care Services National Law (South Australia), the National Law, the Education and Care Regulations, the National Regulations and associated department policies and requirements.


OSHC services must comply with the procedure Provision of out of school hours care (OSHC) services on department sites, including relevant department policies, procedures, guidelines and standards.

An OSHC service must demonstrate financial viability and not be reliant on supplementary funding from the school.

In the event an OSHC service is unviable the school governing council must conduct a review to determine if the need for a service still exists within the community. If the service closes, the school governing council should provide families with information about alternative school-age care options in the community and where these options are available.

Revenue

Income generated or received by the school governing council through the provision of an OSHC service is to be re-invested into the service or service facility. The school governing council, in balancing the need to support ongoing viability, compliance with the requirements of the National Law and National...
Out of school hours care policy, program quality and department requirements, is responsible for deciding where to target re-investment.

**Delivering OSHC**

An OSHC service can be delivered through:

- The school governing council as the approved provider
- The school governing council engaging a third party provider as the approved provider.

The school governing council, when considering which delivery model to adopt, is to take into account the following key management implications and approved provider responsibilities:

- operational control of OSHC service delivery (including policy and practice)
- financial viability, with a potential to generate income
- recruitment, selection and employment of OSHC staff (including line management, legal liability and accountability and industrial relations responsibilities)
- legislative responsibility for compliance with the National Law and National Regulations.

Where the school governing council engages a third party provider to be the approved provider of the OSHC service, the principal (as the Minister for Education’s representative) is responsible for actively managing the Licence and Services Agreement.

**Work, health and safety**

In delivering an OSHC service, all approved providers, their employees and volunteers are to adhere to the department’s Work health and safety policy (login credentials required) and supporting documents relevant to that policy.

In particular staff of OSHC services should be aware of the following:

- [Working in isolation procedure](#) (login credentials required)
- [Hazardous chemicals management standard](#) (login credentials required)
- [Inclement weather and sun protection](#) (login credentials required)
- [Infection control and employee immunisation programs](#) (login credentials required)
- [Injury management policy](#) (login credentials required)
- [Safety management](#) (login credentials required)
Roles and responsibilities

School governing council

Comply with the requirements outlined in this policy, the National Quality Framework (NQF) for Early Childhood Education and Care including the National Law, and the National Regulations, Family Assistance Law, the Fair Work Act 2009 and guidelines of the Fair Work Commission and relevant department policies and procedures.

Principal

Comply with the requirements outlined in this policy, the National Quality Framework (NQF) for Early Childhood Education and Care including the National Law, and the National Regulations, Family Assistance Law, the Fair Work Act 2009 and guidelines of the Fair Work Commission and relevant department policies and procedures.

When a third party provider is engaged, the principal (as the minister’s representative) must actively contract manage the Licence and Services Agreement between the minister, school governing council and third party provider.

OSHC director and employees

Comply with the requirements outlined in this policy, the National Quality Framework (NQF) for Early Childhood Education and Care including the National Law, and the National Regulations, Family Assistance Law, the Fair Work Act 2009 and guidelines of the Fair Work Commission and relevant department policy and procedures.

Approved provider

Comply with the requirements outlined in this policy, the National Quality Framework (NQF) for Early Childhood Education and Care including the National Law, and the National Regulations, Family Assistance Law, the Fair Work Act 2009 and guidelines of the Fair Work Commission and relevant department policy and procedures.

Third party providers will also meet the requirements of the Licence and Services Agreement between the minister, school governing council and third party provider.

Early Childhood Services

Monitor this policy and review it every three years or sooner if required.

Education director
Support sites with the implementation of this policy.

Definitions

**OSHC** – approved Out of School Hours Care service including before school and/or after school and/or on pupil-free days and/or vacation care.

**the National Law** – the Education and Early Childhood Services (Registration and Standards) Act 2011, Schedule 1 Education and Care Services National Law (South Australia).

**the National Regulations** - the Education and Care Regulations, the [National Regulations](#).

**approved provider** – a person who holds a provider approval under the [National Law](#). Only an approved provider can apply for a service approval to operate an approved education and care service under the [National Law](#).

**department employees** – employees inclusive of school staff and corporate office.

Supporting information

Related legislation

Education and Early Childhood Services (Registration and Standards) Act 2011, Schedule 1 Education and Care Services National Law (South Australia), the [National Law](#)

Education and Care Regulations, the [National Regulations](#)

[Children and Young People (Safety) Act 2017](#)

[Family Assistance Law](#)

[Australian Government Child Care Provider Handbook](#)

[Fair Work Act 2009](#)

[Fair Work Regulations 2009](#)

[National Employment Standards](#)

[Work Health and Safety Act 2012](#)

[Work Health and Safety Regulations 2012](#)

[Return to Work Act 2014](#)

[Children’s Services Award 2010](#)

[State Records Act 1997](#)

[Information Sharing Guidelines for promoting safety and wellbeing (ISG)](#)

Related policy documents

[Procedure for the provision of out of school hours care (OSHC) services on department sites](#)
Out of school hours care policy

Procurement Governance Policy
National Quality Framework for Early Childhood Education and Care
Guide to the National Quality Framework
Screening and suitability - Child safety policy
Volunteer policy
Protective practices for staff in their interactions with children and young people guidelines
Managing allegations of sexual misconduct in SA education and care setting guidelines
Interagency code of practice investigation of suspected child abuse or neglect
Section 5 Administrative Instructions and Guidelines – School Councils and Affiliated Committees
Consumer Complaints Management and Resolution Procedure

Access to the department intranet requires login credentials. If you do not have access, please see your school principal.

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