

# Out of school hours care (OSHC) policy

This is a mandated policy under the operational policy framework. Any edits to this policy must follow the process outlined on the [creating, updating and deleting operational policies](#) page.

## Overview

This policy outlines the legislative and department requirements for establishing and operating out of school hours care (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
- volunteers who deliver an OSHC service on a department site.

## Detail

School-age children attending a South Australian government school should have access to an OSHC service, where possible. 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 children.
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# Operational requirements

OSHC services must comply with the requirements of the:

- [National Quality Framework \(NQF\) for early childhood education and care](#)
- [Education and Early Childhood Services \(Registration and Standards\) Act 2011](#)
- Schedule 1 Education and Care Services National Law (South Australia)
- [National Law](#)
- Education and Care Regulations
- [National Regulations](#)
- [Children and Young People \(Safety\) Act 2017](#)
- [Child Safety \(Prohibited Persons\) Act 2016](#)

OSHC services must also comply with:

- [Family Assistance Law](#)
- guidelines of the Australian Government Department of Education, Skills and Employment (DESE)
- the [Fair Work Act 2009](#)
- guidelines of the [Fair Work Commission](#)
- the [providing out of school hours care \(OSHC\) services on department sites procedure](#)
- relevant department policies, procedures, guidelines and standards.

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

In the event an OSHC service is unviable, the school governing council must [conduct a review before closing an OSHC service](#) to determine if the need for a service still exists within the community. If the service closes, the school governing council should give families 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 must be re-invested into the service or service facility. The school governing council is responsible for deciding where to target re-investment to:

- balance the need to support ongoing viability
- comply with the requirements of the [National Law](#) and [National Regulations](#)
- meet program quality and department requirements.

## Delivering OSHC

An OSHC service can be delivered through the school governing council:

- as the approved provider
- by engaging a third-party provider as the approved provider.

The school governing council, when considering which delivery model to adopt, must 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 \(PDF 645 KB\)](#).

## Work, health and safety

In delivering an OSHC service, all approved providers, their employees and volunteers must follow the department's [work health and safety policy](#) and relevant supporting documents.

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

- [working in isolation procedure](#)
- [hazardous chemicals management standard \(PDF 252.7KB\) \(PDF 252 KB\)](#)
- [inclement weather and sun protection](#)
- [infection control and employee immunisation programs](#)
- [injury management policy](#)
- [safety management](#).

# Roles and responsibilities

## School governing council

Comply with the requirements outlined in this policy and the:

- [NQF for early childhood education and care](#)
- [National Law](#)
- [National Regulations](#)
- [Family Assistance Law](#)
- [Fair Work Act 2009](#)
- guidelines of the [Fair Work Commission](#)
- relevant department policies and procedures.

Governing councils must make sure that anyone appointed by a governing council adheres to the [Safeguarding children and young people policy](#), and can follow the department's suite of child safe environments policies and procedures as required, in particular ensuring all adults working and volunteers at the service:

- have current [Working with Children Checks](#) and that these are monitored,
- have completed the [RRHAN-EC training](#) relevant to their role every 3 years and
- are supported to understand their mandatory notification obligations and fulfil their individual requirements under the Safeguarding children and young people policy, including how to make a mandatory notification

## Principal

Comply with the requirements outlined in this policy and the

- [NQF for early childhood education and care](#)
- [Children and Young People \(Safety\) Act 2017](#)
- [Child Safety \(Prohibited Persons\) Act 2016](#)
- [National Law](#)
- [National Regulations](#)
- [Family Assistance Law](#)
- [Fair Work Act 2009](#)
- guidelines of the [Fair Work Commission](#)
- relevant department policies and procedures.

Actively contract manage the [licence and services agreement \(PDF 645 KB\)](#) between the Minister, school governing council and third-party provider, when a third-party provider is engaged.

## OSHC director and employees

Comply with the requirements outlined in this policy and the:

- [NQF for early childhood education and care](#)
- [National Law](#)
- [National Regulations](#)
- [Family Assistance Law](#)
- [Fair Work Act 2009](#)
- guidelines of the [Fair Work Commission](#)
- relevant department policy and procedures.

## Approved provider

Comply with the requirements outlined in this policy and the:

- [NQF for early childhood education and care](#)
- [National Law](#)
- [National Regulations](#)
- [Family Assistance Law](#)
- [Fair Work Act 2009](#)
- [Children and Young People \(Safety\) Act 2017](#)
- [Child Safety \(Prohibited Persons\) Act 2016](#)
- guidelines of the [Fair Work Commission](#)
- relevant department policy and procedures.

Third-party providers will also meet the requirements of the [licence and services agreement \(PDF 645 KB\)](#) between the Minister, school governing council and third-party provider.

Third-party OSHC providers maintain their own compliance status with the Department of Human Services as a Child Safe Organisation and abide by the department's suite of child safe environments policy and procedures.

## Early Childhood Services and Strategy

Monitor this policy and review it every 3 years or sooner if required.

## Education director

Support sites to implement this policy.

## Definitions

### OSHC

Approved out of school hours care service including before school, after school, on pupil-free days and vacation care.

## National Law

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

## National Regulations

Education and care 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.

# Supporting information

[Guide to the National Quality Framework](#)

[National Quality Framework \(NQF\) for early childhood education and care](#)

[Child care provider handbook](#)

[DHS – Child safe environments](#)

## Related legislation

[Education and Early Childhood Services \(Registration and Standards\) Act 2011](#)

[Education and Care Services National Regulations](#)

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

[Child Safety \(Prohibited Persons\) Act 2016](#)

[Children’s Services Award 2010](#)

[Family Assistance Law](#)

[Fair Work Act 2009](#)

[Fair Work Regulations 2009](#)

[National Employment Standards](#)

[Return to Work Act 2014](#)

[State Records Act 1997](#)

[Work Health and Safety Act 2012](#)

[Work Health and Safety Regulations 2012](#)

## Related policies

[School governance administrative instruction \(PDF 769 KB\)](#)

[Complaint management procedure](#)

[Information sharing guidelines for promoting safety and wellbeing \(PDF 1.4MB\)](#)

[Interagency code of practice – Investigation of suspected harm to children and young people](#)

[Managing allegations of sexual misconduct in SA education and care settings \(PDF 610 KB\)](#)

[Providing out of school hours care \(OSHC\) services on department sites procedure](#)

[Procurement governance policy](#)

[Protective practices for staff in their interactions with children and young people – guidelines for staff working or volunteering in education or care settings \(PDF 3 MB\)](#)

[Screening and suitability – child safety policy \(PDF 280 KB\)](#)

[Volunteer policy](#)

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## Contact

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