

Staff Returning After a Period of Extended Leave Policy

POLICY AIM

To effectively reintroduce an educator or other staff member to the Service after a period of extended leave, whilst maintaining continuity of care and minimal disruption for educators, staff, children and their families.

RATIONALE

After an extended period of absence from the service, educators and staff may need to learn updated information (e.g. routines, policies, Regulations), meet new children, families or colleagues, and update their training to maintain continuity or compliance in the service.

SCOPE - WHO IS AFFECTED BY THIS POLICY?

- Educators / Staff
- Management

NATIONAL QUALITY STANDARD

QUALITY AREA 4 - STAFFING ARRANGEMENTS

- Standard 4.1 (Staffing arrangements) - *Staffing arrangements enhance children's learning and development.*
- Element 4.2.2 (Professional standards) - *Professional standards guide practice, interactions and relationships.*

QUALITY AREA 7 - GOVERNANCE AND LEADERSHIP

- Element 7.1.3 (Roles and responsibilities) - *Roles and responsibilities are clearly defined and understood, and support effective decision making and operation of the service.*
- Standard 7.2 (Leadership) - *Effective leadership builds and promotes a positive organisational culture and professional learning community.*

RELATED POLICIES & LEGISLATION

RELATED SWEETPEAS POLICIES:

- Educational Assistance Policy
- Professional Development Policy
- Staff Meeting Policy
- Staff Recruitment Policy
- Work Health and Safety Policy

RELATED EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS:

- Reg 136 - First aid qualifications
- Reg 137 - Approval of qualifications
- Reg 358 - Working with children check to be read

RELATED LEGISLATION:

- Fair Work Act 2009

TERMINOLOGY

- **Parental leave** - Parental leave lets employees take time away from work for the birth or adoption of a child. The term 'parental leave' can include:
 - unpaid parental leave under the Fair Work Act
 - government funded Parental Leave Pay
 - employer funded paid parental leave.

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IMPLEMENTATION AND STRATEGIES

Sweetpeas Kindergarten will endeavour to reintroduce any employee who has been on extended leave in the following manner:

- Where possible, have the employee come in and re-familiarise with routines, staff, environment, children and their families prior to starting work again.
- The employee will be notified of any changes to policies and procedures.
- The employee will be provided with any updated or significant information about the children and families in their care.
- Parents will be notified of an employee's return to work.
- Staff development and training will be offered to the employee, if required.
- If the period of absence is due to illness, all medical certificates and medical plans must be provided, to help management and the employee negotiate any special conditions in accordance with Work Health and Safety and Insurance guidelines.

RIGHT TO RETURN TO THE SAME JOB AFTER PARENTAL LEAVE

Source: [Fair Work Act 2009 s.84](#)

An employee who's been on parental leave is entitled to come back to the job they had before going on leave. They're entitled to this job even if another person is working in their role as a replacement.

If the employee was transferred to a safe job before they took parental leave, or they reduced their hours due to the pregnancy, then they're entitled to return to the job they had before the transfer or reduction of hours.

For example, if a Sweetpeas educator is employed as a diploma educator five days per week before going on parental leave, Sweetpeas must offer the employee a role as a diploma educator five days per week when they return from leave.

If Sweetpeas Management decides to make significant changes to an employee's job (for example, to their responsibilities, pay or location) while they're on parental leave, they have to:

- discuss these changes with the employee
- give them an opportunity to talk about these changes, even if they're on leave.

REFERENCES

- Early Childhood Australia Code of Ethics 2016
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations
- Fair Work Act 2009
- Guide to National Quality Standard
- Sweetpeas Philosophy
- Work Health and Safety Act 2011
- Work Health and Safety Regulations

REVIEW AND AMENDMENTS

This policy will be updated regularly to ensure compliance with all relevant legal requirements. Appropriate consultation of all stakeholders (including staff and families) will be conducted on a timely basis. In accordance with *Regulation 172* of the National Regulations, families of children enrolled will be notified at least 14 days and their input considered prior to any amendment of policies and procedures that have any impact on their children or family.

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Version	Amendment(s)	Review Date	Updated By
1.	Implemented for educator returning from maternity leave	February 2018	Janine Evans (Director)
1.1.	- Quality area changed from 7 to 4 - Updated national quality standard	February 2020	Janine Evans (Director)
2.	- Policy updated to new template - policy headings updated to match - Updated related policy list - Added Terminology - Added related Regulations - Added info on the right to return to work - Reviewed wording, making minor changes for grammar and clarity - Updated References	February 2025	Cassandra Way (Assistant Manager) Janine Evans (Managing Director)