

## Purpose

We aim to establish a common understanding of workplace standards and ethics expected of all staff of the Service. We aim to ensure positive working relationships are formed between all educators and management, promoting dignity and respect by avoiding behaviour that is or may be perceived as harassing, bullying or intimidating. Educators and management will at all times conduct themselves in an ethical manner and strive to ensure that all interactions are positive and respectful and are in accordance with the Service's philosophy.

## Scope

This policy applies to management, the approved provider, the nominated supervisor, staff, students, families, children, volunteers and visitors of the Service.

## Background

Our Service takes every reasonable effort to accommodate the diversity of all children in embedding the National Child Safe Principles into our organisation and service operations. We are committed to the safety and wellbeing of children and young people. We recognise the importance of and responsibility for, ensuring our Service provides a safe and supportive environment that respects and fosters the rights and wellbeing of children in our care. We are dedicated to promoting cultural safety for Aboriginal children, cultural safety for children from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children with a disability.

## Policy

The Service is committed to:

- Respecting the rights and values of all children.
- Acknowledging the vulnerability of Aboriginal children, children from a culturally and linguistically diverse background and children with a disability and has zero tolerance of discrimination.
- Maintaining a duty of care (refer to *Definitions*) towards all children at the service.
- The safety and wellbeing of each child at the service.
- The safety and wellbeing of all staff at the service.
- Providing a safe and secure environment for all at the service.
- Providing an open, welcoming environment in which everyone's contribution is valued and respected.
- Communicating openly and honestly
- Continually learning how to be inclusive and respectful of cultural needs.
- Encouraging volunteers, students, parents/guardians and visitors to support and participate in the program and activities of the service.

### RESPECT FOR PEOPLE AND THE SERVICE

- Staff, educators, and Management are committed to the Service philosophy and values, inclusive of best practice in school age education and care and building positive partnership with children, families and staff. Staff, educators, staff and management are committed to the Service philosophy and values, inclusive of best practice in school age education and care and building positive partnership with children, families and staff.
- Our Service has developed a *Statement of Commitment to Child Safety and Wellbeing* to demonstrate a strong culture of child safety within the Service.

- Staff, educators, staff and management adhere to our Child Safe policies at all times and take all reasonable steps to protect children from abuse and harm.
- Staff, educators, staff and management understand that *child safety is everyone's responsibility*.
- Effective, open, and respectful reciprocal communication and feedback between staff, children, families, and management is conveyed.
- It is important to treat colleagues, children, and families with respect. Bullying or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening, or derogatory language or intimidation towards other staff, educators, staff, management, children, visitors, or families is unacceptable and will not be tolerated.
- Staff, educators, staff and management are committed to valuing and promoting the safety, health, and wellbeing of staff, volunteers, children, and families.
- Staff, educators and management promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Islander children to express their culture and enjoy their cultural rights.
- Staff, educators, staff and management promote the safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds to support children to express their culture and enjoy their cultural rights.
- Staff, educators, staff and management promote the safety, participation and empowerment of children with a disability are committed to an Equal Opportunity workplace and culture that values the knowledge, experience, and professionalism of all staff, team members, and managers, and the diverse heritage of our families and children.
- Staff, educators, staff and management respect the privacy of children and their families by keeping all information about child protection concerns confidential and only sharing information to promote child wellbeing or safety and /or manage the risk of family violence with other Information Sharing Entities (IES) in line with the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS).
- Our Service will conduct a comprehensive probation and induction orientation program for all new staff, volunteers and students to include awareness of their roles and responsibilities in relation to Child Safe practices and Child Protection reporting obligations.
- Policies and procedures will be developed to ensure staff, educators, staff, students, visitors and families are aware of the standards of behaviour that are expected within the service.
- Staff, educators, staff and management are informed that inappropriate behaviour, including bullying, sexual harassment, discrimination and harassment will not be tolerated.
- Policies and procedures will be developed to ensure staff, visitors and families are aware of the standards of behaviour that are expected within the service.
- Staff are informed that inappropriate behaviour, including bullying, sexual harassment, discrimination and harassment will not be tolerated.
- It is important staff, educators, staff and management listen and respond to the views and concerns of children particularly if they are telling you that they or another child has been abused or they are worried about their safety or the safety of another.

## EXPECTATIONS OF STAFF

### Staff will:

- adhere to the Code of Conduct Policy
- ensure their work is carried out proficiently, harmoniously, and effectively. They will act in a professional and respectful manner at all times whilst at work, giving their full attention to their responsibilities and adhering to all Service policies, procedures, Child Safe Standards, Education and Care Services National Law and National Regulations, and the National Quality Standard
- act honestly and exercise attentiveness in all Service operations. They will carry out all lawful directions, retaining the right to question any direction that they consider to be unethical. If uncertain they can seek advice from the Nominated Supervisor, Approved Provider or the Ombudsman
- uphold the rights of children and always prioritise their needs
- treat all children and young people with respect
- promote the wellbeing and safety of children and take all reasonable steps to protect children from abuse
- provide adequate supervision of children at all times
- understand their legislative responsibility as mandatory reporters to report any allegation of child abuse, neglect or possible risk of harm to management and/or Child Protection Authority
- understand their legislative responsibility to report any inappropriate action of any other employee that involves children or young people to management as part of the Reportable Conduct Scheme

- participate in all mandatory training
- report any instances of suspected corrupt conduct, mismanagement of government funds or other serious allegations to the appropriate agency
- follow and comply with the Dealing with Complaints Policy when matters are raised regarding Child Safety and Wellbeing
- have a solid understanding of the Service's policies and procedures, Child Safe Standards and the ECA Code of Ethics. If uncertain about the content of any policy or procedure with which they must comply, staff should seek clarification from the nominated supervisor or approved provider.
- be courteous and responsive when dealing with colleagues, management, students, visitors, children and families
- work collaboratively with colleagues and management, families and members of the community with courtesy, respect and recognise and value diversity
- be mindful of their duty of care towards themselves and others
- be positive role models for children at all times
- ensure compliance with a zero tolerance of racism within the Service
- report any incidents of bullying, discrimination or harassment, including sexual harassment they have experienced or witnessed
- adhere to the Tobacco, Drugs and Alcohol-Free Policy
- respect the confidential nature of information gained about each child participating in the program
- engage in critical reflection to inform individual and collective decision making and ensure continual improvement, including a review of Child Safe policies and procedures.

**Staff will not:**

- use abusive, derogatory or offensive language
- engage in conduct that is detrimental to the professional standing of our Service, is improper or unethical, is an abuse of power, or harasses, discriminates against, victimises, humiliates, intimidates, or threatens other educators, staff members, volunteers, or visitors at the Service, either directly or indirectly via information technology such as email, text or social media. Additionally, they will not support those who do this
- condone or participate in illegal, unsafe or abusive behaviour towards children, including physical, sexual or psychological abuse, ill-treatment, neglect or grooming
- exaggerate or trivialise child abuse issues
- fail to report information to the approved provider if they know a child has been abused
- engage in unwarranted and inappropriate touching involving a child
- persistently criticise and/or denigrate a child
- verbally assault a child or create a climate of fear
- encourage a child to communicate in a private setting
- share details of sexual experiences with a child
- use sexual language or gestures in the presence of children
- discriminate against any child, because of culture, race, ethnicity or disability
- put children at risk of abuse- refusing food/play, making threats, exposing children to inappropriate language or material (movies, internet, photos)
- show preferential behaviour towards any child
- accept an offer of money, regardless of the amount
- seek or accept a bribe
- acquire personal profit or advantage because of their position (e.g., through the use of Service information)
- exchange any property of the Service for own use unless properly authorised
- approach other staff, managers or visitors directly on individual matters that are irrelevant to them
- engage in any action in breach of our *Privacy and Confidentiality Policy*, including but not limited to disclosure of confidential Service or customer information, or the improper or illegal use of that confidential information. Authorised persons will only access confidential information for the purpose intended.
- engage in or support any action in breach of Service policies and/or procedures.

## **EXPECTATIONS OF LEADERS AND MANAGEMENT**

In addition to the above responsibilities, leaders and management are expected to:

- promote a collaborative and interconnected workplace by developing a positive working environment where all staff can contribute to the ongoing continuous improvement of the Service
- promote leadership by working with staff and providing opportunities for professional development and growth
- provide flexible opportunities to ensure all staff can participate in staff meetings and professional development
- provide ongoing support and feedback to staff
- keep staff informed about essential information and any relevant changes and make all documents readily accessible to them
- model professional behaviour at all times whilst at the Service
- implement supportive and effective communication systems, consulting staff in appropriate decision making
- take appropriate action if a breach of the code of conduct occurs
- share skills and knowledge with staff
- give encouragement and constructive feedback to staff, respecting the value of different professional approaches
- follow recruitment policies and procedures to ensure all potential candidates undergo appropriate background checks
- model and provide guidance to educators and staff to ensure compliance with a zero tolerance of racism within the Service.

## REPORTING A BREACH OF THE CODE OF CONDUCT

Our Service aims to foster a culture of transparency and accountability while supporting staff to report any reasonable suspicion of reportable matters of improper, illegal or misconduct within the service to management.

Our Service ensures employee's identity is not compromised or disclosed, where applicable, following a report of a reportable matter including storage of documents in a secure and confidential manner and ensuring access to confidential documents is restricted to authorised personnel only. Once a report has been made the matter may be investigated through a formal investigation.

## MANAGING CONFLICT IN THE WORKPLACE

### Management will:

- adhere to the Dealing with Complaints Policy
- remain objective and impartial when managing conflict in the workplace
- be responsive and address a possible breach of the code of conduct by any employee as soon as they are aware of the breach
- investigate all allegations which may result in remedial action, or disciplinary action ranging from a caution to dismissal
- consider all relevant facts and make decisions or take actions fairly, ethically, consistently, and with transparency. If they are uncertain about the appropriateness of a decision or action they will consider:
  - whether the decision or conduct is lawful
  - whether the decision or conduct is consistent with Service policies and objectives
  - whether there will be an actual, potential, or perceived conflict of interest involving obligations that could influence the business relationship or conflict with business duties.

## ADHERING TO SERVICE CONFIDENTIALITY

- Unless authorised to do so by legislation, staff must not disclose or use any confidential information without appropriate approval (including written approval as required).
- Lawful sharing of information with other parties must be to promote the wellbeing or safety of children and adhere to guidelines under Child Information Sharing Scheme and Family Violence Information Sharing Schemes.
- All staff are to ensure that confidential information is not accessed by unauthorised people.
- Staff will adhere to the Service's *Privacy and Confidentiality Policy*.

## BABYSITTING

- Our service does not provide services outside normal operating hours.

- Due to possible legal implications, child protection legislation and privacy, we strongly discourage staff from babysitting children outside of work hours. However, we acknowledge the Educator's right to financial expansion and personal choice.
- Should staff undertake private babysitting arrangements with families, our Service takes no responsibility for any private arrangements between staff members and the family. Educators will need to comply with the Babysitting Policy at all times.

## **RECORD KEEPING**

- Staff and Management will maintain full, accurate, and honest records as required by Education and Care Services National regulations.
- The approved provider has a responsibility to ensure that staff comply with their record keeping obligation outlined in the *Record Keeping and Retention Policy*.
- Staff must not destroy records without permission from management.
- Records must be retained and stored securely as per our *Record Keeping and Retention Policy*.

## **DUTY OF CARE**

- The approved provider, management and staff have a responsibility to take reasonable care for the health and safety of themselves and others at the workplace to enable compliance with the work health and safety legislation outlined in the *Work Health and Safety Policy*.
- Duty of Care relates to both physical and psychological wellbeing of individuals.
- The approved provider, management and staff must provide adequate supervision of children at all times and ensure the health, safety and welfare of children and young people in their care. This includes taking all reasonable action to protect children and young people from risk of harm that can be reasonably predicted.

## **APPROPRIATE USE OF COMMUNICATION AND SOCIAL NETWORKING SITES**

### **SOCIAL MEDIA**

- As a Child Safe Organisation, our Service has the responsibility to ensure children and educators are protected from harm when they engage in with digital technology including social media.
- Strict guidelines for the use of social media are outlined in our *Social Media Policy*.
- Staff members who have a personal Facebook account are not permitted to post any negative comments relating to the Service, children, colleagues, or families. If they choose to 'like' the Service's page they have a responsibility to ensure that their profile picture is an appropriate representation of a school aged care educator. If it is not, we request that they do not 'like' the page.
- Staff members are not permitted to request the 'friendship' of families from the Service.

### **PERSONAL PHONE CALLS/MOBILE PHONES/SMART WATCHES**

We are mindful that educators have a duty of care to ensure children are protected from potential risk of harm. It is imperative that all staff of the Service provide children with their full attention, ensuring supervision is maintained and remains on the children.

- Staff or staff are not authorised to use the Service's phones for personal reasons unless in the case of an emergency or with permission from management.
- No personal mobile phones are to be used, checked or brought on the floor during working hours.
- Mobile phones are to be kept inside employee's bags which will be placed in a designated, secure location for safe keeping.
- Staff are not permitted to use Smart watches to access emails and social media during working hours. Smart watches are only to be used for viewing the time.
- Personal mobile phones and Smart watches may be used during shift breaks when staff are free from work and supervision duties. They are not to be used in general sight of children, unless a situation arises where there is an emergency.
- Personal mobile phones are not to be used to take photos of children, access service email, access information about families or any other service related service related application. (Service mobile phones or iPads may be used if it's for the purposes of 'observations' etc.)
- Children are at no time to be given access to staff mobile phones.

- No personal mail or deliveries should be directed to the Service unless prior approval has been granted by the nominated supervisor/management.
- Staff, are not to contact families or children of the Service for personal reasons.
- If, for personal reasons needs to remain contactable from someone outside the Service they should ensure that the situation is explained to management and that the service's primary contact details are passed on to the persons/family outside the Service.

## **SERVICE EMAIL**

- Email is to be used only for company usage, not for private communications
- Personal email is not to be used when corresponding with families for work related reasons.
- Passwords and access privileges are strictly confidential and to be used only by the educator issued with that access, or persons delegated to know and use that access in the normal course of operation
- It is the responsibility of the authorised user to take fair and reasonable steps to ensure the passwords and other forms of access are held safe
- Staff are to be aware that their Service email account may be accessed by management at any time.

## **USE OF ALCOHOL, DRUGS AND TOBACCO**

- Smoking or vaping is NOT permitted in or on surrounding areas of the Service.
- It is expected that the odour of cigarette smoke will not be detected on an employee's clothing. If an employee is found smoking/vaping on the premises, that employee's employment may be terminated. Our Service supports the [Smoke Free Environment Act 2000](#) and adopts Red Nose Safe Sleep Recommendations.
- Our Service is bound by the Education and Care Services National Regulations. Alcohol, drugs, or other substance abuse by staff can have serious adverse effects on their own health and the safety of others. As such, all staff must not:
  - consume alcohol nor be under the influence of alcohol while working
  - use or possess illegal drugs at any workplace
  - drive a vehicle, having consumed alcohol or suffering from the effects of illegal substances, or
  - bring alcohol or any illegal drugs onto the premises.
- If a co-worker suspects a colleague to be affected by drugs or alcohol, they must inform the nominated supervisor immediately. No employee will be allowed to work under the influence of drugs or alcohol. (See: *Tobacco, Drugs and Alcohol-Free Policy*)
- Staff undergoing prescribed medical treatment with a controlled substance that may affect the safe performance of their duties are required to report this to the nominated supervisor. Consideration will be given as to whether the particular medication affects the person's capacity to provide education and care to children
- All issues pertaining to these matters shall be kept strictly confidential. A breach of this policy may initiate appropriate action including the termination of employment.

## **DRESS CODE AND PERSONAL HYGIENE**

- All staff must adhere to our uniform/dress code supplied during induction including the display of their name badge whilst on shift.
- Enclosed shoes must be worn at all times (strictly no high heels, thongs, or wedges).
- Clothes must be suitable for free movement, active play, and messy play.
- No offensive logos or political statements are to be displayed on clothing or tattoos.
- For safety, jewellery and nail length should be kept at a minimum.
- Your personal hygiene should be appropriate for working in close proximity to children and other adults.

## **BREACH OF THE CODE OF CONDUCT**

All staff are made fully aware that the following breaches of the Code of Conduct Policy, the Employment Contract and/or role responsibilities may result in disciplinary action which may lead to termination of employment.

# Induction and ongoing training

This policy will be accessible by service staff via the intranet and by families via the website. A hard copy of the policy will be available through the Service. Nominated supervisors are responsible for ensuring staff access to the policy and any supporting documents and undertake induction training prior to the policy being implemented. All service staff are responsible for understanding and complying with this policy and ongoing training will be provided using a range of learning platforms.

## Monitoring, evaluation and review

Monitoring of compliance with this policy and the related procedure will be overseen by the policy owner. The review process for this policy will begin eight (8) weeks prior to the scheduled review date and include a consultation period with families, educators, compliance team and any other relevant stakeholders and will be facilitated by the Policy Officer.

All service staff will receive communication about any changes in or review of the policy or procedure. Training will be provided where required to ensure an understanding of the changes. Families will be notified of any changes 14 days prior to the implementation.

## Related documents

Code of Conduct Acknowledgement  
Babysitting Policy  
Bullying, Discrimination and Harassment Policy  
Child Safety and Wellbeing Policy)  
Dealing with Complaints Policy  
Interactions with Children, Family and Staff Policy  
Photograph Policy  
Privacy and Confidentiality Policy  
Professional Development Policy  
Record Keeping and Retention Policy  
Recruitment Policy  
Responsible Person Policy  
Social Media Policy  
Staffing Arrangements Policy  
Work Health and Safety Policy  
ACECQA National Model Code and Guidelines

## Legislative requirements

NATIONAL QUALITY STANDARDS (NQS)	
Quality Area 4	Staffing Arrangements
Quality Area 7	Governance and Leadership

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
82	Tobacco, drug and alcohol-free environment
84	Awareness of child protection law
155	Interactions with children
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed

## OTHER LEGISLATIONS

Charter of Human Rights and Responsibilities Act 2006 (Vic)

Child Wellbeing and Safety Act 2005 (Vic)

Disability Discrimination Act 1992 (Cth)

Equal Opportunity Act 2010 (Vic)

Fair Work Act 2009 (Cth)

Occupational Health and Safety Act 2004

Racial Discrimination Act 1975

Sex Discrimination Act 1984 (Cth)

## Definitions

Term	Meaning
<b>Bullying</b>	Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.
<b>Duty of care</b>	A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury.
<b>Harassment</b>	When someone is demeaning, derogatory or intimidating towards another person. Harassment includes: <ul style="list-style-type: none"> <li>• racial taunts</li> <li>• taunts about sexual orientation or gender identity</li> <li>• sexual harassment: unwelcome physical, verbal or written behaviour of a sexual nature</li> <li>• repeated insulting remarks</li> </ul>
<b>Respect</b>	Demonstrating regard for the rights of individuals, for different values and points of views.

## Policy information

Policy information			
<b>Policy title:</b>	QA4 Code of Conduct Policy	<b>Version:</b>	1.0
<b>Authorised Executive:</b>	Head of People Services	<b>Responsible Manager:</b>	TBC
<b>Approving authority:</b>	Board	<b>Approval date:</b>	9 August 2024
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Version control		
Version	Date	Changes
1.0	09/08/2024	Policy developed