

CODE OF CONDUCT

Quality Area 4: Staffing Arrangements

Standard 4.1: Staffing arrangements

Standard 4.2: Management, Educators and staff are collaborative, respectful and ethical

Education and Care Services National Regulations

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83 Staff members and family day care educators not be affected by alcohol or drugs

84 Awareness of child protection law

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We believe in forming an inclusive and welcoming environment and workplace by providing experiences that motivate and facilitate personal growth and development for staff and educators. The values that underpin our work ethic includes equality, respect, integrity and responsibility.

Our Family Day Care Service is committed to creating and maintaining an environment that promotes the safety of all children and embeds the National Principles for Child Safe Organisations. All staff and volunteers are responsible for promoting a culture of safety and wellbeing to minimise the risk of child abuse or harm to children whilst promoting children's sense of security and belonging.

PURPOSE Our Service aims to establish a common understanding of work place standards expected of all employees, educators, management, students and volunteers of the service. We aim to ensure positive working relationships are formed between all educators and management, promoting dignity and respect by avoiding behaviour which is or may be perceived as harassing, bullying or intimidating. Employees, educators, management, students and volunteers will at all times conduct themselves in an ethical manner and strive to make all interactions positive and compliant in accordance with the Services philosophy.

Our FDC Service takes every reasonable effort to accommodate the diversity of all children in implementing the Child Safe Standards. 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 which respects and fosters the rights and wellbeing of children in our care. We are dedicated in promoting cultural safety for

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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 Employees, educators, management, students and volunteers will adhere to the Early Childhood Australian Code of Ethics, National Regulations and Quality Standards and Service policies and procedures at all times, promoting positive interactions with the Service and the local community.

PROCEDURES

The code of conduct has been developed to assist everyone involved with the service to;

- understand what conduct is expected of them
- enable them to fulfill their duty of care
- act in a way to positively promote the service within the community
- to develop their understanding of the Code of Ethics in relation to children, families, colleagues, the community, and themselves
- create and nurture a culture of Child Safety

Respect for people and the Service

- Employees, educators, management, students and volunteers are committed to the Service philosophy and values, inclusive of best practice in early childhood education and building positive partnership with children, families and communities.
- Employees, educators and management adhere to the Child Safe Standards, *Child Safe Environment and Child Protection Policies* at all times.
- Employees, educators and management understand that *child safety is everyone's responsibility*
- Effective, open and respectful reciprocal communication and feedback between employees, educators, 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 employees, children, visitors or families is unacceptable and will not be tolerated.

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- Employees, educators, management, students and volunteers are committed to valuing and promoting the safety, health and wellbeing of all stakeholders.
- Employees, educators, management, students and volunteers are committed to an Equal Opportunity workplace and culture which values the knowledge, experience and professionalism of all stakeholders, and the diverse heritage of our families and children

Expectations of Educators and Educator Assistants

Educators and educators assistants **WILL**;

- ensure their work is carried out proficiently 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, laws, regulations and National Quality Standards
- act honestly and exercise attentiveness in all Service operations. They will carry out all lawful directions, retaining the right to question any direction which they consider to be unethical.
- 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
- always provide adequate and active supervision of the children
- understand their legislative responsibility as 'Mandatory Reporters' to report any allegation of child abuse, neglect or possible risk of harm to management and follow reporting procedures
- understand their legislative responsibility to report any inappropriate action of any other employee or colleague that involves children or young people to Management as part of the *Reportable Conduct Scheme*
- have a solid understanding of the Service's policies and procedures, if uncertain about the content of any policy or procedure with which they must comply, they should seek clarification from the Nominated Supervisor or Approved Provider.
- be courteous and responsive when dealing with colleagues, students, visitors, children and families.

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- respect the rights of all children and be positive role models for children at all times
- 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

Educators and educator assistants **WILL NOT**;

- 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 of a child
- Persistently criticise and / or denigrate a child
- Verbally assault a child or create a climate of fear
- Encourage a child to communicate with them in a private setting
- Share details of sexual experiences with a child or in front of 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)

Source: NSW Children's Guardian Codes of Conduct resource (2020)

Expectations of Family Day Care Coordinators, Nominated Supervisor, Approved Provider and Service management

In addition to the above responsibilities, FDC Coordinator , Nominated Supervisor, Approved Provider and Service management are expected to;

- Promote a collaborative and interconnected workplace by developing a positive working environment where all stakeholders can contribute to the ongoing continuous improvement of the service.
- Promote leadership by working with all stakeholders to improve professional development and growth

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- Provide flexible opportunities to ensure educators and educator assistants can participate in meetings and professional development
- Provide ongoing support and feedback
- Model professional behaviour at all times whilst at the Service
- Implement supportive and effective communication systems, consulting educators in appropriate decision making
- Keep educators informed about essential information and changes and make documents readily accessible to them
- Ensure copies of the ECA Code of Ethics are readily available to Educators and families
- Take appropriate action if a breach of the code of conduct occurs
- Share skills and knowledge
- Give encouragement and constructive feedback, reflecting the value of different professional approaches

Reporting a breach in the code of conduct

- all educators and educator assistants are required by law to undergo a Working with Children Check, which is verified by the Approved Provider to ensure it is valid and current
- as mandatory reporters, all educators and educator assistants must report possible risk of harm to children or young persons to the Approved Provider and/or Child Protection
- educators will report any concerns they may have about inappropriate actions of any colleague that involves children or young people to the Approved Provider as per the Reportable Conduct Scheme
- management will report any allegations or child related misconduct to Child Protection (or reporting authority within your state/territory)

Record Keeping

- Educators will maintain full, accurate and honest records as required by the Education and Care Services National Regulations
- The approved provider of the FDC service has a responsibility to ensure that educators comply with this record keeping obligation as per *Regulation 183*

Adhering to Service confidentiality

- Unless authorised to do so by legislation; Management, staff and educators must not disclose or use any confidential information without appropriate approval
- Lawful sharing of information with other parties must be to promote the wellbeing or safety of children and adhere to guidelines under Child and Family Information Sharing Schemes
- Educators will respect individual's rights to privacy
- All educators and educator assistants are to ensure that confidential information is not accessed by unauthorised people.

Duty of Care

- Management and staff and educators 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
- Duty of Care relates to both physical and psychological wellbeing of individuals
- Educators and educator assistants must provide adequate supervision of children at all times to ensure the 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.

Use of alcohol, drugs and tobacco

- Tobacco, alcohol and illicit drugs ARE NOT permitted to be used on the premises of a Registered Family Day Care Educator whilst children are in care.
- Educators and household members are NOT to be under the influence of alcohol or illicit drugs whilst children are being cared for as part of the Family Day Care Service.
- Tobacco, alcohol and drugs, including advertising etc ARE NOT permitted to be visible on the premises of a Registered Family Day Care Educator whilst children are in care
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Our Service supports the [Smoke Free Environment Act 2000](#).

- Smoking is NOT permitted on the Coordination Unit premises.
- Alcohol, drugs or other substance abuse by employees can have serious adverse effects on their own health and the safety of others. As such, all employees must not:
 - Consume alcohol nor be under the influence of alcohol while working
 - Use or possess illegal drugs at any workplace; nor
 - Drive a vehicle, having consumed alcohol or suffering from the effects of illegal substances
- If you suspect any staff, educators, or management to be affected by drugs or alcohol, they must inform the Nominated Supervisor immediately
- Staff and educators 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
- Any medical condition which may affect the care of the children will be discussed with the Nominated Supervisor. The medical condition will remain confidential and an appropriate management plan put into place.
- All issues pertaining to these matters shall be kept strictly confidential.

Appropriate use of communication and social media networking sites

- As a Child Safe Organisation, our FDC 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 *Media and Technology policy*
- The FDC Service has a Facebook page as a communication tool. The account is administered by management of the FDC Service.
- The Administrator controls the content on the page and ensures that the postings are relevant and respectful of the Service, the children, the staff, families, and greater community.
- FDC Educators and other staff members who have a personal Facebook account are not permitted to post any negative comments relating to the Service, children, colleagues, or

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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 an early childhood educator. If it is not, we request that they do not 'like' the page.

- Educators are to use their own personal discretion when adding a family of the Service as a 'friend' on Facebook. The FDC Service does not recommend educators or other staff members to add families of the Service as they will be seen still as a representative of the Service and held to the Service's Code of Conduct on all posts on their private 'wall' if families have access.
- Families are asked in our *Media and Technology policy* to respect that educators may have a personal policy on adding families due to their professional philosophy and that the FDC Service does not recommend educators to have families as friends on their private account.
- Educators are not permitted to request the 'friendship' of families from the FDC Service
- Educators are permitted to establish a separate social media account for their business upon approval by the FDC Service Approved Provider
- FDC educators must ensure families have provided written permission for the use of their children's photos in any marketing or social media prior to using them.

Personal phone calls / mobile phones/ smart watches

FDC educators have a duty of care to ensure children are protected from potential risk of harm. It is imperative that all FDC educators and assistants provide children with their full attention, ensuring supervision is maintained and remains on the children. As FDC educators primarily work on their own, there are times during the day that they may need to make or receive calls.

Educators must ensure that their mobile phone / iPad or computer is not accessible by the children or any other household members if it contains any information including contacts and photos of FDC enrolled children and families

Dress code

Educators and staff are expected to dress appropriately for their role.

No offensive logos or political statements, drug, alcohol or tobacco advertising to be on any clothing, or hats.

Clothes should allow for ease of movement when working with children, but also be professional and well presented

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General Conduct

- Integrity
 - any actions taken in regard to service delivery must be ethical and consistent. For example; a person cannot seek or accept bribes to influence them to act improperly
 - the service will be promoted to the public as a quality Education and Care service, for example; personal ethical behavior is demonstrated in all family day care activities
- Honesty and Professionalism
 - any actions taken while conducting family day care must be lawful and in accordance with the service policies, relevant legislation and funding agreements
 - refrain from making remarks in social media networks that would bring the service or individuals in disrepute

Breach of the code of conduct

All employees and registered educators of the FDC Service are made fully aware that the following breaches of the Code of Conduct and role responsibilities may lead to termination of employment / registration:

- working under the influence of alcohol or drugs
- refusal to complete required additional training
- possessing or selling drugs at the FDC residence
- immoral, immature, or indecent conduct while educating and caring for children at the FDC residence
- refusing to work as reasonable directed
- not ensuring firearms and ammunition (if relevant) are stored separately and locked away
- bringing disrepute to the FDC Service
- causing disruption or discontent in the relationship between a family and the FDC Service
- disclosure of confidential information
- falsifying documentation
- taking, abusing, defacing, or destroying property owned by the FDC service
- falsification of reports, documents, or wages information
- failure to report for work without notice
- walking off the job

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- failure to follow policies and procedures
- vulgarity or disrespectful conduct to families, management or colleagues
- making or publishing false, vicious, or malicious statements about any employee of the Service, or the Service itself.

Early Childhood Australia Code of Ethics

- educators are provided with a copy of the ECA Code of Ethics on registration, and are encouraged to use these principles when confronted with an ethical dilemma
- the service utilises the Code of Ethics when developing or reviewing scheme policies
- the service utilises the Code of Ethics when promoting the service within the community
- the service utilises the Code of Ethics when planning and promoting training opportunities
- individuals utilises the Code of Ethics when reflecting on current practice
- families can obtain a copy of the Code of Ethics if requested

Adherence to the Code of Ethics involves a commitment to:

- view the well-being of the individual child as having fundamental importance
- acknowledge the uniqueness of each person
- consider the needs of the child in context of the family and culture
- take into account the critical impact of self esteem on an individual's development
- base practice on sound knowledge, research and theories, while at the same time recognising the limitations and uncertainties of these
- work to fulfil the right of all children and their families to high quality services.

Source:

Anti-Discrimination Act: See <https://raisingchildren.net.au/disability/disability-rights-the-law/law/anti-discrimination-laws> for Acts for specific Australian states and territories.

Australian Children's Education & Care Quality Authority. (2014).

Australian Human Rights Commission <https://www.humanrights.gov.au/our-work/childrens-rights>

Education and Care Services National Law Act 2010. (Amended 2018).

Education and Care Services National Regulations. (2011)

Early Childhood Australia Code of Ethics. (2016).

Fair Work Act 2009 (Cth).

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).

Guide to the National Quality Framework. (2018). (Amended 2020)

NSW Government Office of the Children's Guardian *Code of Conduct- a guide to developing child safe Codes of Conduct*. (2020).

Ombudsman Act 2001 (Cth).

Privacy and Personal Information Protection Act 1998 (Cth).

Revised National Quality Standard. (2018).

Victoria State Government Department of Health and Human Services *Child Safe Standards toolkit*

Work Health and Safety Act 2011 (Cth).

Workplace Relations Act 1996 (Cth).

Work Place Law <https://www.workplacelaw.com.au/getting-your-mobile-phone-policies-right/>

Associated Forms/information:

- Code of Ethics 2016
- Code of Conduct

Failure to comply with this policy may result in disciplinary action or termination of employment or registration as an educator

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