

	<h2 style="text-align: center;">Code of Conduct Children's Services Policy and Procedure</h2>
<b>Version No.</b>	Version 3.0 12 April 2023 (approved)
<b>Authorisation</b>	Director City Life
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<b>Responsible Officer</b>	Manager Families and Children
<b>Policy Owner</b>	Early Childhood Coordinator

### 1. Purpose

Melton City Council children's services is committed to:

- establishing a standard of behaviour for the Approved Provider (if an individual), , , Nominated Supervisor, Person in day-to-day charge, Responsible Person's, educators and all staff at Melton City Council children's services that reflects the philosophy, beliefs, objectives and values of the service
- promoting desirable and appropriate behaviour
- ensuring that all staff interaction at the service with both children and adults is respectful, honest, courteous, sensitive, tactful and considerate.
- considering the wellbeing and respecting rights of each child at the service as paramount
- maintaining a Duty of Care towards all children 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
- encouraging parents/guardians, volunteers, students and community members to support and participate in the program and activities of the service.
- Compliance of the Victorian Child Safe Standards and the National Principals for a Child Safe Organisations.

1.1. This policy has been adapted from *PolicyWorks* Manual - National Quality Framework released by the Early Learning Association Australia.

### 2. Scope

This policy applies to the Approved Provider, Nominated Supervisor, Person in day-to-day charge, Responsible Person's , , educators, staff, students on placement, volunteers, parents/guardians and all adults involved in the programs and activities of Melton City Council children's services.

### 3. Background

A Code of Conduct establishes a standard of behaviour to be followed by the Approved Provider, Nominated Supervisor, Person in day-to-day charge, Responsible Person's, educators, staff, students on placement and volunteers at the service.

The Code of Conduct defines how individuals should behave towards each other, towards the children in their care, and towards other organisations and individuals in the community.

The Approved Provider, Person in day-to-day charge, Responsible Person's and Nominated Supervisor have a Duty of Care to the children attending the service and must ensure "that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury".

The National Quality Standard requires that "educators, coordinators and staff members are respectful and ethical" and that "professional standards guide practice, interactions and relationships" (National Quality Standard: 4.2 and 4.2.1, National Regulations).

Employers also have a legal responsibility to provide, as far as is practicable, a safe workplace that is free from discrimination, bullying and harassment.

This Code of Conduct is based on the service's philosophy, beliefs and values, and on ethical principles of mutual respect, equity and fairness. While a Code of Ethics focuses on values and attitudes, or guiding principles, a Code of Conduct has a more specific focus on behaviour and action. The Code of Conduct puts the guiding principles into action by clarifying standards of behaviour expected of individuals in the performance of their duties or involvement at the service, and by giving guidance in areas where individuals are required to make professional, personal and ethical decisions.

#### 4. Definitions

The terms defined in this section relate specifically to this policy and related procedures. For commonly used terms e.g. Approved Provider, Regulatory Authority etc. refer to the *Glossary of Terms*.

Word/Term	Definition
<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>Notifiable Complaint</b>	A complaint that alleges a breach of the Act or Regulation, or alleges that the health, safety or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by the Approved Provider (Manager) and to the secretary of Department of Education & Training (DET) within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b), National Regulations). If the Approved Provider (Manager) is unsure whether the matter is a Notifiable Complaint, it is good practice to contact DET for confirmation. Written reports to DET must include: <ul style="list-style-type: none"> <li>• details of the event or incident</li> <li>• the name of the person who initially made the complaint</li> <li>• if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)</li> <li>• any other relevant information.</li> </ul>

Word/Term	Definition
<b>Respect</b>	Value the rights, religious beliefs and practices of individuals. Refrain from actions and behaviour that constitute Harassment or discrimination.
<b>Serious Incident</b>	<p>An incident resulting in the death of a child, or an injury, trauma or illness for which the attention of a registered medical practitioner, emergency services or hospital is sought or should have been sought. This also includes an incident in which a child appears to be missing, cannot be accounted for, is removed from the service in contravention of the Regulations or is mistakenly locked in/out of the service premises (National Regulations 12).</p> <p>A Serious Incident should be documented in an Incident, Injury, Trauma and Illness Record (sample form available on the ACECQA website) as soon as possible and within 24 hours of the incident. The Regulatory Authority (DET) must be notified within 24 hours of a Serious Incident occurring at the service (National Regulations 176(2)(a)). Records are required to be retained for the periods specified in National Regulations 183.</p>
<b>Support</b>	Work in a cooperative and positive manner.
<b>Child Safe Standards</b>	<p>These Standards were introduced via amendments to the <i>Child Safety and Wellbeing Act 2005</i> (Vic), and from January 2017, all Victorian organisation which provide services for children, including Council, were required to comply with the Standards.</p> <p>On July 1, 2022, new Child Safe Standards were legislated. The Standards now consist of 11 Standards. The 11 Standards cover four main areas:</p> <ol style="list-style-type: none"> <li>1. Children and Families</li> <li>2. Leadership, governance, and culture</li> <li>3. Staff, contractors, and volunteers</li> <li>4. Risk Management. processes, policies, and complaints</li> </ol>

## 5. Responsibility/Accountability

5.1. The Approved Provider, according to Regulations is responsible for the implementation of this policy. This will be achieved through the Leadership Group and their service staff:

- that all educators, staff, volunteers, students, parents/guardians and visitors are provided access to a copy of the *Code of Conduct Policy* on employment, enrolment or arrival at the service
- that all children being educated and cared for at Melton City Council children's services are protected from harm and any hazard likely to cause injury (National Law Section 167, National Regulations).
- activating the *Complaints and Grievances Policy* on notification of a breach of the *Code of Conduct Policy* and/or the *Child Safety Policy and Procedure*, or the *Child Safety Code of Conduct*
- notifying DET in writing within 24 hours of a Serious Incident or of a Notifiable Complaint (refer to *Definitions*) at the service (National Law: Sections 174(2)(b) and 174(4), National Regulations: Regulations 175(2)(c) and 176(2)(b))
- taking appropriate disciplinary or legal action, or reviewing the terms of engagement in the event of misconduct or a serious breach of the *Code of Conduct Policy*

- contacting Police in an emergency situation where it is believed that there is an immediate risk (e.g. when violence has been threatened or perpetrated)
- reporting and recording all child safety concerns including risk of harm in both online and physical environments in accordance with the *Child Safety Policy and Procedure*
- working with the Nominated Supervisor, Person in day-to-day charge, Responsible person's, educators, staff, students, volunteers, parents/guardians and others at the service to provide an environment that encourages positive interactions and supports constructive feedback
- that parents/guardians of a child attending the service can enter the service premises at any time that the child is being educated and cared for, except where this may pose a risk to the safety of children or staff, or conflict with any duty of the Approved Provider, Nominated Supervisor or educators under the Law (Regulation 157, National Regulations)
- that parents/guardian assisting, or other adults participating in the program, are not placed in a situation where they are left alone with a child
- respecting individual abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal.

5.2. The Nominated Supervisor, Person in day-to-day charge. Responsible person's is responsible for:

- ensuring that all Educators, staff, volunteers, students, parents/guardians and visitors are provided access to a copy of the *Code of Conduct Policy* on employment, enrolment or arrival at the service
- ensuring that the children educated and cared for at Melton City Council children's services are protected from harm and from any hazard likely to cause injury (National Law: Section 167, National Regulations)
- informing the Approved Provider in the event of a Serious Incident , Notifiable Complaint or of a breach of the *Code of Conduct Policy*
- contacting Police in an emergency situation where it is believed that there is an immediate risk (e.g. when violence has been threatened or perpetrated)
- working with the Approved Provider, Person in day-to-day charge, Responsible Person's, educators, staff, students, volunteers, parents/guardians and others at the service to provide an environment that encourages positive interactions and supports constructive feedback
- ensuring that parents/guardians of a child attending the service can enter the service premises at any time that the child is being educated and cared for, except where this may pose a risk to the safety of children or staff, or where the parent is prohibited by a court order from having contact with a child (National Regulations 157)
- developing practices and procedures to ensure that parents/guardians assisting, or other adults participating in the program, are not placed in a situation where they are left alone with a child
- respecting individual abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal
- understanding and accepting that serious breaches of the *Code of Conduct Policy* will be deemed misconduct and may lead to disciplinary or legal action, or a review of their employment.

5.3. Certified Supervisors, Person in day-to-day charge, Responsible Person's and other educators are responsible for:

- providing guidance to parents/guardians and volunteers through positive role modelling and, when appropriate, clear and respectful directions

- working with the Approved Provider, Nominated Supervisor, Person in day-to-day charge, Responsible Person's, educators, staff, students, volunteers, parents/guardians and others at the service to provide an environment that encourages positive interactions and supports constructive feedback
- ensuring that parents/guardians assisting, or other adults participating in the program, are not placed in a situation where they are left alone with a child
- informing the Approved Provider in the event of a Serious Incident, Notifiable Complaint or of a breach of the *Code of Conduct Policy*
- contacting Police in an emergency situation where it is believed that there is an immediate risk (e.g. when violence has been threatened or perpetrated)
- respecting individual abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal
- understanding and accepting that serious breaches of the *Code of Conduct Policy* will be deemed misconduct and may lead to disciplinary or legal action, or a review of their employment.

5.4. Parents/guardians are responsible for:

- reading and abiding by the *Code of Conduct Policy*
- abiding by the law
- complying with all policies and procedures of the service.

5.5. Volunteers and students, while at the service, are responsible for following this policy and its procedures.

## Procedure

### Relationships with children

In their relationships with children, the Approved Provider (Manager), Nominated Supervisor,, Person in day to day charge, Responsible Person's educators and all staff will:

- act in the best interests of all children
- respect the rights of children as enshrined in the United Nations Convention on the Rights of the Child (1991) and commit to advocating for these rights
- recognise children as active citizens participating in different communities such as family, children's services and schools
- work with children to help them understand that they are global citizens with shared responsibilities to the environment and humanity
- respect the special relationship between children and their families and incorporate this perspective in interactions with children
- create and maintain safe, healthy environments, spaces and places, which enhance children's learning, development, engagement, initiative, self-worth, dignity and show Respect for children's contributions
- work to ensure children and families with additional needs can exercise their rights.
- acknowledge the uniqueness and potential of all children, in recognition that enjoying their childhood without undue pressure is important
- acknowledge the holistic nature of children's learning and the significance of children's cultural and linguistic identities
- work to ensure children are not discriminated against based on gender, age, ability, economic status, family structure, lifestyle, ethnicity, religion, language, culture, or national origin

- acknowledge children as competent learners, and build active communities of engagement and inquiry
- honour children's right to play, as both a process and context for learning
- empower children to have a voice and they are encouraged to participate in decisions affecting them and they are taken seriously
- ensure processes for complaints and concerns are child focused and children are empowered to speak up

#### Relationships with parents/guardians and families

- In their relationships with parents/guardians and families, the Approved Provider (Manager), Nominated Supervisor, Person in day to day charge, Responsible Person's educators and all staff will:
- listen to and learn from families, in order to acknowledge and build upon their strengths and competencies, and support them in their role of nurturing children
- assist each family to develop a sense of belonging and inclusion
- develop positive relationships based on mutual trust and open communication
- develop partnerships with families and engage in shared decision making where appropriate
- acknowledge the rights of families to make decisions about their children
- respect the uniqueness of each family and strive to learn about their culture, structure, lifestyle, customs, language, beliefs and kinship systems
- develop shared planning, monitoring and assessment practices for children's learning and communicate this in ways that families understand
- acknowledge that each family is affected by the community contexts in which they engage
- be sensitive to the vulnerabilities of children and families and respond in ways that empower and maintain the dignity of all children and families
- maintain confidentiality and respect the right of the family to privacy.
- Keep families informed and engage them in decision making and feedback and respond to this feedback

#### Relationships with students

- In their relationships with students, the Approved Provider, Nominated Supervisor, Person in day to day charge, Responsible Person's, educators and all staff will:
- afford professional opportunities and resources for students to demonstrate their competencies
- acknowledge and support the personal strengths, professional knowledge, diversity and experience which students bring to the learning environment
- model high-quality professional practices
- know the requirements of the students' individual institutions and communicate openly with the representatives of that institution
- provide ongoing constructive feedback and assessment that is fair and equitable
- implement strategies that will empower students to make positive contributions to the workplace
- maintain confidentiality in relation to students.

#### Relationships with employer

- In their relationships with the employer, the Approved Provider, Nominated Supervisor, Person in day to day charge, Responsible Person's, educators and all staff will:
- support workplace policies, standards and practices that are fair, non-discriminatory and are in the best interest of children and families
- promote and support ongoing professional development within work team
- adhere to lawful policies and procedures and when there is conflict, attempt to effect change through constructive action within the organisation or seek change through appropriate procedures.

#### Professional behaviour

- The Approved Provide, Nominated Supervisor, Person in day to day charge, responsible Person's, educators and all staff will:
- base work on contemporary perspectives on research, theory, content knowledge, high quality early childhood practices and their understandings of the children and families with whom they work
- regard themselves as a learner who undertakes reflection, critical self-study, and continuing professional development and engages with contemporary theory and practice
- seek and build collaborative professional relationships
- acknowledge the power dimensions within professional relationships
- act in ways that advance the interests and standing of their profession
- work within the limits of their professional role and avoid misrepresentation of professional competence and qualifications
- mentor other early childhood professionals and students
- advocate in relation to issues that impact on their profession and on young children and their families
- encourage qualities and practices of leadership within the early childhood profession.

#### In relation to the conduct of research

- The Approved Provider, Nominated Supervisor, Person in day-to-day charge, Responsible Person's, educators and all staff will:
- recognise that research includes routine documentation and investigations of children's learning and development, as well as more formal research projects undertaken with and by external bodies.
- be responsive to children's participation in research, negotiating their involvement taking account of matters such as safety, fatigue, privacy and their interest.
- support research to strengthen and expand the knowledge base of early childhood, and where possible, initiate, contribute to, facilitate and disseminate such research.
- make every effort to understand the purpose and value of proposed research projects and make informed decisions as to the participation of themselves, colleagues, children, families and communities.
- ensure research in which they are involved meets standard ethical procedures including informed consent, opportunity to withdraw and confidentiality.
- ensure that images of children and other data are only collected with informed consent and are stored and utilised according to legislative and policy requirements.
- represent the findings of all research accurately.

#### Relationships with colleagues at the service

- In their relationships with colleagues, the Approved Provider, Nominated Supervisor, Certified Supervisor, Primary Nominee, Nominee, educators and all staff will demonstrate collegiality and:
- encourage colleagues to adopt and act in accordance with this Code, and take action in the presence of unethical behaviours
- build collaborative relationships based on trust, Respect and honesty
- acknowledge and support the personal strengths, professional experience and diversity which colleagues bring to their work
- make every effort to use constructive methods to manage differences of opinion in the spirit of collegiality
- share and build knowledge, experiences and resources with colleagues
- collaborate with colleagues to generate a culture of continual reflection and renewal of high-quality practices in early childhood.

#### Relationships with the community

- In their relationships with the community, the Approved Provider, Nominated Supervisor, Certified Supervisor, Primary Nominee, Nominee, educators and all staff will demonstrate collegiality and:
- learn about the communities that they work within and enact curriculum programs that are responsive to those contexts and community priorities
- connect with people, services and agencies within the communities that support children and families
- promote shared aspirations amongst communities in order to enhance children's health and wellbeing
- advocate for the development and implementation of laws and policies that promote child-friendly communities and work to change those that work against child and family wellbeing
- utilise knowledge and research to advocate for universal access to a range of high-quality early childhood programs for all children
- work to promote community understanding of how children learn in order that appropriate systems of assessment and reporting are used to benefit children.

#### Professional responsibilities

The Approved Provider, Nominated Supervisor, Certified Supervisor, Primary Nominee, Nominee, educators and all staff will demonstrate commitment to their professional responsibilities by:

undertaking their duties in a competent, timely and responsible way

ensuring their knowledge and expertise is up to date and relevant to their role

understanding and complying with legal obligations in relation to:

- discrimination, harassment and vilification
- negligence
- mandatory reporting
- privacy and confidentiality
- occupational health and safety

raising any complaints or grievances in accordance with the *Complaints and Grievances Policy*.

## 6. References, Sources, Links to Legislation and Other Documents

### 6.1. Legislations



Relevant legislation and standards include but are not limited to:

- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- Public Health and Wellbeing Act 2008 (Vic)
- Public Health and Wellbeing Regulations 2009 (Vic)
- Occupational Health and Safety Act 2004 (Vic)
- Occupational Health and Safety Regulations 2017
- National Quality Standards
- Child and wellbeing and safety Act 2005

6.2. Related service policies and procedures

- Complaints and Grievances Policy and procedures
- Delivery and Collection of Children Policy and procedures
- Interactions with Children Policy and procedures
- Occupational Health and Safety Policy and procedures
- Privacy and Confidentiality Policy and procedures
- Relaxation and Sleep Policy and procedures
- Staffing Policy and procedures