



ABN: 869272295

**Quality Area 4  
Staffing Arrangements**

## CODE OF CONDUCT POLICY

We believe in forming an inclusive and welcoming environment and workplace by providing experiences that motivate and facilitate personal growth and development of our Occasional Childcare (OCC) staff and educators. The values that underpin our work ethic includes equality, respect, integrity and responsibility. Our Service is committed to adhere to the ECA Code of Ethics (2016) (*see Resources Folder Qlty Area # 4*) which is based on the principles of the United Nations Convention on the Rights of the Child (1991) and provides a framework for the reflection about the ethical responsibilities of early childhood professionals.

Our Occasional Childcare 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.

[Statement of Commitment to Child Safety and Well-being](#)

### NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other’s strengths and skills.
4.2.2	Professional Standards	Professional standards guide practice, interactions and relationships.



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QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.1	Service philosophy and purpose	A statement of philosophy guides all aspects of the service's operations.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.

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

**RELATED POLICIES**

<ul style="list-style-type: none"> <li>Bullying, Discrimination and Harassment Policy</li> <li>Child Protection Policy</li> <li>Child Safe Environment Policy</li> <li>Child Safety and Wellbeing Policy (VIC services)</li> <li>Dealing with Complaints Policy</li> <li>Interactions with Children, Family and Staff Policy</li> <li>Out of Hours Babysitting Policy</li> <li>Photograph Policy</li> <li>Privacy and Confidentiality Policy</li> </ul>	<ul style="list-style-type: none"> <li>Professional Development Policy</li> <li>Record Keeping and Retention Policy</li> <li>Recruitment Policy</li> <li>Respect for Children Policy</li> <li>Responsible Person Policy</li> <li>Staffing Arrangements Policy</li> <li>Social Media Policy</li> <li>Tobacco, Drug and Alcohol-Free Policy</li> <li>Work Health and Safety Policy</li> </ul>
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**PURPOSE**

Our Occasional Childcare Service aims to establish a common understanding of workplace standards and ethics expected of all employees of the Service. We aim to ensure positive working relationships



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are formed between all educators, educator assistants, and management, promoting dignity and respect by avoiding behaviour which is or may be perceived as harassing, bullying or intimidating. Educators, educator assistants 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.

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 which respects and fosters the rights and wellbeing of children in our care. We are dedicated in 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.

### SCOPE

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

### IMPLEMENTATION

The Occasional Childcare Service, educators, educator assistants, staff, volunteers and students will adhere to the Early Childhood Australian Code of Ethics, Education and Care National Regulations and the National Quality Standard, Child Safe Standards and OCC Service policies and procedures at all times, promoting positive interactions within the Service and the local community.

### RESPECT FOR PEOPLE AND THE SERVICE

- Employees, educators, staff and management are committed to the Service philosophy and values, inclusive of best practice in early childhood education 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



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- Employees, educators, staff and management adhere to our Child safe policies including *Child Safe Environment Policy, Child Protection Policy, Reportable Conduct Policy (Vic Services) and Child Safety and Wellbeing Policy (Vic Services)* at all times and take all reasonable steps to protect children from abuse and harm
- Employees, educators, staff and management understand that *child safety is everyone's responsibility*
- Effective, open, and respectful reciprocal communication and feedback between employees, 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, educators, staff, management, children, visitors, or families is unacceptable and will not be tolerated
- Employees, educators, staff and management are committed to valuing and promoting the safety, health, and wellbeing of employees, volunteers, children, and families
- Employees, educators, staff 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
- Employees, 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
- Employees, educators, staff and management promote the safety, participation and empowerment of children with a disability
- Employees, educators, staff and management are committed to an equal opportunity workplace and culture which values the knowledge, experience, and professionalism of all employees, team members, and managers, and the diverse heritage of our families and children
- Employees, educators, staff and management respect the privacy of children and their families by keeping all information about child protection concerns confidential and only share information to promote child wellbeing or safety and /or manage risk of family violence with other



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Information Sharing Entities (IES) as per state/territory legislation. [Child Information Sharing Scheme (CISS), Family Violence Information Sharing Scheme (FVISS) in Victoria]

- Our Service will conduct a comprehensive probation and induction orientation program for all new employees, 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 employees, educators, staff, students, visitors and families are aware of the standards of behaviour that is expected within the service
- Employees, educators, staff and management are informed that inappropriate behaviour, including bullying, sexual harassment, discrimination and harassment will not be tolerated
- It is important employees, 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 EMPLOYEES

##### Educators will:

- adhere to the *Code of Conduct Policy*
- refer to Appendix 1: Identify signs of child abuse
- ensure their Working with Children Check (WWCC) is valid and current
- ensure their work is carried out proficiently, harmoniously, and effectively in a way that reduces risks to child safety.
- 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, 11 Victorian 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.  
carry out all lawful directions, retaining the right to question any direction which 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



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- 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
- ensure compliance with a zero tolerance of racism within the OCC Service
- adhere to the *Tobacco, Drugs and Alcohol-Free Policy*
- understand their legislative responsibility as mandatory reporters to report any allegation of child abuse, neglect or possible risk of harm to management 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, including any updates of Child Protection Law and reporting processes
- report any instances of suspected corrupt conduct, mismanagement of government funds or other serious allegation to the Department of Education via their [Online contact form](#). For more information visit the Department of Education website: [Reporting fraud via a tip-off](#)
- 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, OCC educators should seek clarification from the Coordinator or Approved Provider
- be courteous and responsive when dealing with other educators, staff, 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



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- report any incidents or bullying, racism, 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 enrolled in our Service
- engage in critical reflection to inform individual and collective decision making and ensure continual improvement, including a review of Child Safe policies and procedures.

#### EMPLOYEES WILL NOT:

- use abusive, derogatory or offensive language
- engage in conduct that is detrimental to the professional standing of our OCC 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 with an adult 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



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- acquire personal profit or advantage because of their position (e.g., through the use of FDC Service information)
- approach other employees, 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 OCC Service policies and/or procedures.

#### EXPECTATIONS OF LEADERS AND MANAGEMENT

In addition to the above responsibilities, the OCC coordinator and Approved Provider are expected to:

- promote a collaborative and interconnected Service by developing positive working environments where educators can contribute to the ongoing continuous improvement of the overall Occasional Child Care Service
- promote leadership by working with educators and providing opportunities for professional development and growth
- provide flexible opportunities to ensure educators and educator assistants can participate in meetings and professional development
- promote open and effective communication with all staff regarding [Right to Disconnect](#) provisions under Fair Work Act- including out of hours emergency contact and expectations of staff
- provide ongoing support and feedback to educators and educator assistants
- keep employees informed about essential information and changes and make documents readily accessible to them
- ensure copies of the ECA Code of Ethics and National Child Safe Principles are available to staff and families
- model professional behaviour at all times whilst at the Service
- implement supportive and effective communication systems, consulting employees in appropriate decision making



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- take appropriate action if a breach of the code of conduct occurs
- share skills and knowledge with employees
- give encouragement and constructive feedback to educators, respecting the value of different professional approaches
- follow recruitment policies and procedures to ensure all potential candidates undergo appropriate background checks, including Working With Children Checks
- model and provide guidance to educators and staff to ensure compliance with a zero tolerance of racism within the OCC Service.

#### REPORTING A BREACH IN THE CODE OF CONDUCT

Our Service aims to foster a culture of transparency and accountability while supporting employees to report any reasonable suspicion of reportable matters of improper, illegal or misconduct within the service to management including, but not limited to:

- breaches of the Service code of conduct or service policies
- breaches of Education and Care Services National Law or Regulations
- breaches of legislation or law
- criminal activity
- corruption
- conduct that poses a danger or harm to any person/s
- harassment or discrimination
- improper or misleading financial practices

Our Service will implement protective practices to ensure employees 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.

- all employees are required by law to undergo a Working with Children Check (WWCC) which is verified by the employer to ensure it is valid and current



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- employees are required to notify management immediately of any enforcement actions issued to them during their course of employment
- if employees become aware of a serious crime committed by another employee, they are required to report it to management
- as mandatory reporters, all employees, students and volunteers must report possible risk of harm to children or young persons to management and/or Child Protection authority
- employees will report any concerns they may have about inappropriate actions of any other employee that involves children or young people to the approved provider as per the Reportable Conduct Scheme
- the approved provider/management will report any allegations or child related misconduct as per their legislative requirements:
- To report concerns that are life threatening, contact Victoria Police: 000 or to make a report, you should contact the Child Protection Intake Service covering the local government area (LGA) where the child normally resides. Telephone number to make a report during business hours (8.45am-5.00pm), Monday to Friday - North Division intake: 1300 664 977. If you are not sure which number to call, check the following website for details on the LGAs covered by each intake service at [Child protection contacts <https://services.dhhs.vic.gov.au/child-protection-contacts>](https://services.dhhs.vic.gov.au/child-protection-contacts).  
*Please note, child protection reports cannot be made via the department's website or by email.*

#### 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



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- 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, employees 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 and Family Information Sharing Schemes (e.g., CISS, FVISS and MARAM in Victoria)
- All employees are to ensure that confidential information is not accessed by unauthorised people
- Employees will adhere to the Service's *Privacy and Confidentiality Policy*.

#### BABYSITTING

- Our Service does not provide babysitting services outside normal operating hours
- Should employees undertake private babysitting arrangements with families, our Service takes no responsibility for any private arrangements between staff members and the family. However, we do expect staff to inform the Service if they are babysitting or caring for a child that attends the Service.
- All staff are bound by contract to the Service's *Privacy and Confidentiality Policy*, where they are unable to discuss any issues regarding the Service, other staff members, parents/families, or other children.



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### RECORD KEEPING

- Employees and Management will maintain full, accurate, and honest records as required by the Education and Care Services National Regulations
- The approved provider has a responsibility to ensure that employees comply with their record keeping obligation outlined in the *Record Keeping and Retention Policy*
- Employees 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 employees 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 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.

### APPROPRIATE USE OF COMMUNICATION AND SOCIAL NETWORKING SITES

- As a Child Safe Organisation, our OCC 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.
- Staff members are to use their own personal discretion when adding a family of the Service as a 'friend' on Facebook. The Service does not recommend staff 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.



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- Families are asked in our *Social Media Policy* to respect that staff may have a personal policy on adding families due to their professional philosophy and that the Service does not recommend staff to have families as friends on their private account.
- Staff members are not permitted to request the 'friendship' of families from the Service.

#### NATIONAL MODEL CODE AND GUIDELINES

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 employees of the Service provide children with their full attention, ensuring supervision is maintained and remains on the children at all times.

Our Service has adopted the [National Model Code and Guidelines](#) for taking images or videos of children. [optional]

- only service-issued/approved devices are to be used when taking images or video of children
- authorisation is only provided for a staff member or educator to use a personal electronic device for essential purposes (personal health requirement, disability, family necessity, local emergency event, technology failure)
- strict protocols are implemented for appropriate storage and retention of images and videos of children

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

- employees 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 mail or deliveries should be directed to the Service unless prior approval has been granted by the nominated supervisor/management
- employees are not to contact families or children of the Service for personal reasons
- if, for personal reasons an employee 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
- children are at no time to be given access to staff mobile phones



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- if, for personal reasons an employee 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.
- employees are not permitted to use smartwatches to access emails and social media during working hours. Smart watches are only to be used for viewing the time.
- if it becomes apparent that employees are using their Smart watches to check and respond to messages during shifts, they will be asked to either leave them at home or place in a designated locker / secure location until the end of their shift.
- personal mobile phones and Smart watches may be used during shift breaks when employees 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.

#### SERVICE EMAIL

- Email is to be used only for company usage, not for private communications
- 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
- Employees 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](#). The service and its employees will follow all conditions outlined in this act.



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- Our Service is bound by the Education and Care Services National Regulations. 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
  - 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*)
- Employees 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

- All employees 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
- Jewellery – **[one (1) earring per ear (small studs)]**

#### PERSONAL HYGIENE

Occasional Childcare educators are to adhere to the following standards:

- long hair is to be clean and neatly tied back: Ensure hair does not hang in your eyes



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- makeup is to be light and natural
- fingernails are to be clean and well groomed
- nail polish (if worn) cannot be chipped
- OCC Educators will follow appropriate oral hygiene practices
- an appropriate deodorant/antiperspirant will be worn
- strong perfumes will not be worn as they may cause allergic reactions in children.

#### BREACH OF THE CODE OF CONDUCT

All employees are made fully aware that the following breaches of the Code of Conduct and role responsibilities may result in disciplinary action which may lead to termination of employment:

- reporting to work under the influence of alcohol or drugs
- refusal to complete required additional training
- possessing or selling drugs at the Service
- immoral, immature, or indecent conduct while at the Service
- refusing to work as reasonably directed
- bringing disrepute to the OCC Service
- causing disruption or discontent in the relationship between a family and the OCC Service
- disclosure of confidential information
- falsifying documentation
- stealing, abusing, defacing, or destroying property owned by the OCC service
- interfering with work schedules
- falsification of reports, documents, or wages information
- failure to report for work without notice
- walking off the job
- 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



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- unable to maintain or hold a current Working With Children Check/Clearance [or state equivalent].

#### DISCIPLINARY ACTION

All employees are made fully aware that continued abuse of the following may result in disciplinary action. These include, but are not limited to the following:

- unauthorised absence
- having personal visitors whilst on shift
- continued personal phone calls
- using a personal mobile phone or device to take photographs of the children
- unauthorised solicitation or distribution of money or materials
- consistent or ongoing poor work standard
- carelessness in the performance of duties
- consistent or ongoing low level of enthusiasm
- lack of personal cleanliness and hygiene
- taking excessive breaks
- failure to report health, fire or safety hazards
- repeated tardiness

#### CONTINUOUS IMPROVEMENT/REFLECTION

The *Code of Conduct Policy* will be evaluated and reviewed on an annual basis in conjunction with children, staff, educators and management.

#### CHILDCARE CENTRE DESKTOP - RELATED RESOURCES

Code of Conduct – Staff Acknowledgement Form
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#### SOURCES

Australian Children's Education & Care Quality Authority. (2024). [Guide to the National Quality Framework](#)  
Australian Children's Education & Care Quality Authority. (2024). [National Model Code for Early Childhood Education and Care.](#)



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

Early Childhood Australia Code of Ethics. (2016).

Australian Government. Fair Work Ombudsman. (2024). [Hiring employees](#)

Government of South Australia Human Services [Child safe environments](#)

National Principles for Child Safe Organisations

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).

Victoria State Government. (2021). Family Violence Multi-Agency Risk Assessment and Management Framework.

Victoria State Government. (2022). Families, Fairness and Housing. Resources for Child Safe Standards [Western Australian Legislation Education and Care Services National Regulations \(WA\) Act 2012](#)

*Work Health and Safety Act 2011* (Cth).

*Workplace Relations Act 1996* (Cth).

**REVIEW**

POLICY REVIEWED BY	Childcare Centre Desktop	Policy Review Sub-Committee	08/07/2022
POLICY REVIEWED	JULY 2025	NEXT REVIEW DATE	JULY 2026
VERSION NUMBER	V16.12.24		
MODIFICATIONS	<ul style="list-style-type: none"> <li>• annual policy review</li> <li>• added section on National Model Code and Guidelines re: taking images and video of children in ECEC settings</li> <li>• added information re: Right to Disconnect legislation</li> <li>• added statement re: prohibition notices for employees</li> <li>• sources checked for currency and updated as required</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		NEXT REVIEW DATE
DECEMBER 2023	<ul style="list-style-type: none"> <li>• annual policy review- minor formatting edits</li> <li>• National Principles for Child Safe Organisations added</li> <li>• added terms- educators, staff and management within policy</li> </ul>		DECEMBER 2024



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	<ul style="list-style-type: none"> <li>vaping added to use of alcohol, drugs and tobacco</li> <li>added information related to bullying, sexual harassment and discrimination</li> <li>information added regarding reporting a breach of a reportable matter</li> <li>sources updated</li> </ul>	
DECEMBER 2022	<ul style="list-style-type: none"> <li>policy maintenance - no major changes to policy</li> <li>hyperlinks checked and repaired as required</li> <li>additional sources- South Australia DHS</li> <li>minor formatting edits within text</li> <li>Childcare Centre Desktop - related resources section added</li> <li>Continuous improvement section added link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>	DECEMBER 2023
JULY 2022	<ul style="list-style-type: none"> <li>Policy reviewed following updates to Victorian Child Safe Standards in July 2022</li> <li>Sources checked for currency</li> <li>Minor edits throughout policy</li> <li>Additional text included in policy in line with Code of Conduct (staff acknowledgement)</li> <li>Additional section added for Continuous Improvement link to Western Australian Education and Care Services National Regulations added in 'Sources'</li> </ul>	DECEMBER 2022
DECEMBER 2021	<ul style="list-style-type: none"> <li>Policy reviewed as part of yearly cycle (Changed from Jan to Dec)</li> <li>Child Information Sharing Schemes (CISS) information added</li> <li>Minor changes for Child Safe Standards – services to amend to their state/territory requirements</li> <li>Sources checked for currency</li> </ul>	DECEMBER 2022
JANUARY 2021	<ul style="list-style-type: none"> <li>Additional related regulations added</li> <li>Addition of Child Safe Standards and Reportable Conduct Scheme</li> </ul>	DECEMBER 2021



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	<ul style="list-style-type: none"> <li>• Additional section- Employees will NOT....</li> <li>• minor edits throughout policy lengthy content reduced as this is covered in related policies</li> <li>• rearranged order of social media, mobile phones</li> </ul>	
AUGUST 2020	<p>Additional information added to use of alcohol, drugs and tobacco section          Amendments to phone use          Additions to social media section          National Regulations and National Law source added          amendments as suggested by Regulatory Authorities for FDC Services</p>	JANUARY 2021
JANUARY 2020	<p>Additional information added to points          Mobile phone section added          Dismissal section added          Additional related policies added          Sources/references checked for currency/updated/ additional sources</p>	JANUARY 2021
JANUARY 2019	<p>Updated legislation and added dates (e.g. Workplace Relations Act 1996 (Cth) replaced the Industrial Relations act 1988 (Cth))          Rearranged the order of points for better flow          Points added (Highlighted).          Sources/references corrected, updated, and alphabetised.</p>	JANUARY 2020
JANUARY 2018	Related policy section added	JANUARY 2019
DECEMBER 2018	Modifications made to comply with changes to the National Quality Standard	JANUARY 2018
JANUARY 2017	Modifications made for Family Day Care Services	JANUARY 2018



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## Appendix 1: Identify signs of child abuse

The State Government of Victoria identifies the following signs of child abuse and includes definitions and physical and behaviour indicators. The following information has been sourced from the Victoria State Government- Child Protection in Early Childhood (PROTECT).

<https://www.education.vic.gov.au/childhood/professionals/health/childprotection/Pages/ecidentifying.aspx>

### INDICATORS OF ABUSE

There are common physical and behavioural signs that may indicate abuse or neglect. The presence of one of these signs does not necessarily mean abuse or neglect. Behavioural or physical signs which assist in recognising harm to children are known as indicators. The following is a guide only. One indicator on its own may not imply abuse or neglect. However, a single indicator can be as important as the presence of several indicators. Each indicator needs to be deliberated in the perspective of other indicators and the child's circumstances. A child's behaviour is likely to be affected if he/she is under stress. There can be many causes of stress and it is important to find out specifically what is causing the stress. Abuse and neglect can be single incidents or ongoing and may be intentional or unintentional.

#### **General indicators of abuse and neglect may include:**

- Marked delay between injury and seeking medical assistance
- History of injury
- The child gives some indication that the injury did not occur as stated
- The child tells you someone has hurt him/her
- The child tells you about someone he/she knows who has been hurt
- Someone (relative, friend, acquaintance, and sibling) tells you that the child may have been abused.



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## PHYSICAL ABUSE

Physical child abuse is the non-accidental infliction of physical injury or harm of a child.

Examples of physical abuse may include beating, shaking or burning, assault with implementation of female genital mutilation.

### **What are the physical indicators of physical child abuse?**

Physical indicators of physical child abuse include (but are not limited to):

- evidence of physical injury that would not likely be the result of an accident
- bruises or welts on facial areas and other areas of the body (back, bottom, legs, arms and inner thighs)
- burns from boiling water, oil or flames or burns that show the shape of the object used to make them (iron, grill, cigarette)
- fractures of the skull, jaw, nose and limbs, especially those not consistent with the explanation offered, or the type of injury possible at the child's age of development
- cuts and grazes to the mouth, lips, gums, eye area, ears and external genitalia
- bald patches where hair has been pulled out
- multiple injuries, old and new
- effects of poisoning
- internal injuries

### **What are the physical indicators of physical child abuse?**

In an infant or toddler:

- self-stimulatory behaviours, for example, rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emaciated and pale
- exhibits significant delays in gross motor development and coordination
- their parent/carer is unresponsive or impatient to child's cues and unreceptive to support.



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In all children, infants and toddlers:

- disclosure of physical abuse (by child, friend, family member)
- inconsistent or unlikely explanation for cause of injury
- wearing clothes unsuitable for weather conditions to hide injuries
- wariness or fear of a parent, carer or guardian and reluctant to go home
- unusual fear of physical contact with adults
- fear of home, specific places or particular adults
- unusually nervous, hyperactive, aggressive, disruptive and destructive to self-and/or others
- overly compliant, shy, withdrawn, passive and uncommunicative
- change in sleeping patterns, fear of the dark or nightmares and regressive behaviour (bed-wetting)
- no reaction or little emotion displayed when being hurt or threatened
- habitual absences from the service without reasonable explanation, where regular attendance is expected
- complaining of headaches, stomach pains or nausea without physiological basis, poor self-care or personal hygiene.

### CHILD SEXUAL ABUSE

Child sexual abuse is when a person uses power or authority over a child to involve them in sexual activity. This can include a wide range of physical and non-contact sexual activity.

Physical sexual contact:

- kissing or fondling a child in a sexual way
- masturbation
- fondling the child's genitals
- oral sex
- vaginal or anal penetration by a penis, finger or other object
- exposure of the child to pornography

Non-contact offences

- talking to a child in a sexually explicit way



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- sending sexual messages or emails to a child
- exposing a sexual body part to a child
- forcing a child to watch a sexual act including showing pornography to a child
- having a child pose or perform in a sexual manner (including child sexual exploitation)
- grooming or manipulation

Child sexual abuse does not always involve force. In some circumstances a child may be manipulated into believing that they have brought the abuse on themselves, or that the abuse is an expression of love through a process of grooming.

### **What is child sexual exploitation?**

Child sexual exploitation is also a form of sexual abuse where offenders use their power (physical, financial or emotional) over a child to sexually or emotionally abuse them. It often involves situations and relationships where young people receive something (food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) in return for participating in sexual activities.

Child sexual exploitation can occur in person or online, and sometimes the child may not even realise they are a victim.

### **Who is most at risk of child sexual abuse?**

Any child can be victim of sexual abuse, however children who are vulnerable, isolated and/or have a disability are disproportionately abused and are much more likely to become a victim.

### **What are the physical indicators of child sexual abuse?**

Physical indicators of sexual abuse may include (but are not limited to):

- injury to the genital or rectal area (bruising, bleeding, discharge, inflammation or infection)
- injury to areas of the body such as breasts, buttocks or upper thighs
- discomfort in urinating or defecating
- presence of foreign bodies in the vagina and /or rectum
- sexually transmitted infections



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- frequent urinary tract infections.

### **What are the behavioural indicators of child sexual abuse?**

The behavioural indicators of sexual abuse may be, but are not limited to in an infant or toddler

- self-stimulator behaviours, for example rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emacipated and pale
- exhibits significant delays in gross motor development and coordination

In all children, infants and toddlers:

- disclosure of sexual abuse (by child, friend, family member)
- drawings or descriptions of stories that are sexually explicit and not age appropriate
- persistent and age-inappropriate sexual activity (excessive masturbation or rubbing genitals against adults)
- wariness or fear of a parent, carer or guardian and reluctance to go home
- unusual fear of physical contact with adults
- change in sleeping patterns, fear of the dark or nightmares and regressive behaviour such as bed-wetting
- wearing clothes unsuitable for weather conditions to hide injuries
- unusually nervous, hyperactive, aggressive, disruptive and destructive to self- and/or others
- exhibits significant delays in gross and fine motor development and coordination
- overly compliant, shy, withdrawn, passive and uncommunicative
- fear of home, specific places or particular adults
- poor self-care or personal hygiene
- complaining of headaches, stomach pains or nausea without physiological basis.

### **GROOMING**

Grooming is when a person engages in predatory conduct to prepare a child for sexual activity at a later time. Grooming can include communicating and/or attempting to befriend or establish a



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relationship or other emotional connection with the child or their parent/carer. Sometimes it is hard to see when someone is being groomed until after they have been sexually abused, because some grooming can look like 'normal' caring behaviour.

Examples of grooming behaviours may include:

- giving gifts or special attention to a child or their parent or carer
- controlling a child through threats, force or use of authority (this can make a child or their parent fearful to report unwanted behaviour)
- making close physical contact or sexual contact, such as inappropriate tickling and wrestling
- openly or pretending to accidentally expose the victim to nudity, sexual material and sexual acts.

### **What are the behavioural indicators of child grooming?**

Behavioural indicators that a child may be subject to grooming include (but are not limited to):

- developing an unusually close connection with an older person
- displaying mood changes (hyperactive, secretive, hostile, aggressive, impatient, resentful, anxious, withdrawn, depressed)
- using street/different language, copying the way the new friend may speak, talking about the new friend who does not belong to his/her normal social circle
- possessing gifts, money and expensive items given by the friend

### **EMOTIONAL ABUSE**

Emotional child abuse occurs when a child is repeatedly rejected, isolated or frightened by threats or by witnessing family violence. It also includes hostility, derogatory name-calling and put-downs, and persistent coldness from a person, to the extent that the child suffers or is likely to suffer, emotionally or psychological harm to their physical or developmental health. Emotional abuse may occur with or without other forms of abuse.

### **What are the physical indicators of emotional child abuse?**



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Physical indicators of emotional abuse include (but are not limited to)

- language delay, stuttering or selectively being mute
- delays in emotional, mental or physical development

### **What are the behavioural indicators of emotional child abuse?**

In an infant or toddler

- self-stimulatory behaviours, for example, rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emancipated and pale
- exhibits significant delays in gross motor development and coordination
- their parent/carer is unresponsive or impatient to child's cues and unreceptive to support

In all children, infants and toddlers

- overly compliant, passive and undemanding behaviour
- extremely demanding, aggressive and attention-seeking behaviour or anti-social and destructive behaviour
- low tolerance or frustration
- poor self-image and low self-esteem
- unexplained mood swings, depression, self-harm
- behaviours that are not age-appropriate
- exhibits significant delays in gross and fine motor development and coordination
- poor social and interpersonal skills
- violent drawings or writing
- lack of positive social contact with other children.

### **NEGLECT**

Neglect includes a failure to provide the child with

- an adequate standard of nutrition
- medical care



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- clothing
- shelter
- supervision

to the extent that the health or physical development of the child is significantly impaired or placed at serious risk.

In some circumstances the neglect of a child:

- can place the child's immediate safety and development at serious risk
- may not immediately compromise the safety of the child but is likely to result in longer term cumulative harm.

This includes low-to-moderate concerns for the wellbeing of a child, such as:

- concerns due to conflict within a family
- parenting difficulties
- isolation of a family or a lack of apparent support

Both forms of neglect must be responded to via the Four Critical Actions for Early Childhood Services.

#### **What are the physical indicators of neglect?**

Physical indicators of neglect include (but are not limited to):

- appearing consistently dirty and unwashed
- being consistently inappropriately dressed for weather conditions
- being at risk of injury or harm due to consistent lack of adequate supervision from parents
- being consistently hungry, tired and listless
- having unattended health problems and lack of routine medical care
- having inadequate shelter and unsafe or unsanitary conditions.

#### **What are the behavioural indicators of neglect?**



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Behaviour indicators of neglect include (but are not limited to):

In an infant or toddler:

- self-stimulatory behaviours, for example, rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emaciated and pale
- exhibits significant delays in gross motor development and coordination
- inadequate attention to the safety of the home (e.g. dangerous medicines left where children may have access to them)
- being left unsupervised, either at home, on the street or in a car
- their parent/carer is unresponsive or impatient to child's cues and unreceptive to support
- developmental delay due to lack of stimulation.

In all children, infants and toddlers:

- being left with older children or persons who could not reasonably be expected to provide adequate care and protection
- gorging when food is available or inability to eat when extremely hungry
- begging for, or stealing food
- appearing withdrawn, listless, pale and weak
- aggressive behaviour, irritability
- little positive interaction with parent, carer or guardian
- indiscriminate acts of affection and excessive friendliness towards strangers
- exhibits significant delays in gross and fine motor development and coordination
- poor, irregular or non-attendance at the service (where regular attendance is expected)
- refusal or reluctance to go home
- self-destructive behaviour
- taking on an adult role of caring for parent.

#### FAMILY VIOLENCE

Family violence is behaviour towards a family member that may include:



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- physical violence or threats of violence
- verbal abuse, including threats
- emotional or psychological abuse
- sexual abuse
- financial and social abuse.

A child's exposure to family violence constitutes child abuse. This exposure can be very harmful and may result in physical harm and long-term physical, psychological and emotional trauma. Action must be taken to protect the child, and to mitigate or limit their trauma.

Research shows that during pregnancy and when families have very young babies:

- there is an increased risk of family violence
- pre-existing family violence may increase in severity
- there is an opportunity for intervention as families are more likely to have contact with services.

The longer that a child experiences or is exposed to family violence, the more harmful it is. This is why if you suspect that a child is exposed to, or at risk of being exposed to family violence, you must follow the [four critical actions](#).

#### **Family Violence in Aboriginal and Torres Strait Islander Communities**

In identifying family violence in Aboriginal and Torres Strait Islander communities it is important to recognise that:

- Aboriginal and Torres Strait Islander family violence may relate to relationships that aren't captured by the Western nuclear family model (grandparents, uncles and aunts, cousins and other community and culturally defined relationships)
- Aboriginal and Torres Strait Islander family violence can also include cultural and spiritual abuse
- perpetrators of Aboriginal and Torres Strait Islander family violence may not be Aboriginal and Torres Strait Islander people



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Aboriginal and Torres Strait Islander family violence occurs in a historical context of colonisation, dispossession, and the loss of culture. This has resulted in the breakdown of kinship systems and of traditional law, racism, and previous government policies of forced removal of children from families.

However, this should never detract from the legitimacy of the survivor's experience of violence, or your obligation to report and respond to any suspected family violence.

#### **What are the physical indicators of family violence?**

Physical indicators of family violence may include (but are not limited to):

- speech disorders
- delays in physical development
- failure to thrive (without an organic cause)
- bruises, cuts or welts on facial areas, and other parts of the body including back, bottom, legs, arms and inner thighs
- any bruises or welts (old or new) in unusual configurations, or those that look like the object used to make the injury (such as fingerprints, handprints, buckles, iron or teeth)
- internal injuries.

#### **What are the behavioural indicators of family violence?**

Behavioural indicators of family violence may include (but are not limited to):

In an infant or toddler:

- self-stimulatory behaviours, for example, rocking, head banging
- crying excessively or not at all
- listless and immobile and/or emancipated and pale
- exhibits significant delays in gross motor development and coordination.

In all children, infants and toddlers:

- violent/aggressive behaviour and language
- depression and anxiety



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- appearing nervous and withdrawn, including wariness of adults
- difficulty adjusting to change
- developmentally inappropriate bedwetting and sleeping disorders
- extremely demanding, attention-seeking behaviour
- participating in dangerous risk-taking behaviours to impress peers.
- overly compliant, shy, withdrawn, passive and uncommunicative behaviour
- 'acting out', such as cruelty to animals.
- demonstrated fear of parents, carers or guardians, and of going home
- complaining of headaches, stomach pains or nausea without physiological basis.

#### CHILDREN EXHIBITING INAPPROPRIATE SEXUAL BEHAVIOUR

Inappropriate sexual behaviour includes:

##### **Problem sexual behaviour**

Problem sexual behaviour is the term used by the Victorian government and funded service providers to describe concerning sexual behaviour exhibited by children under the age of 10 years. Children under 10 years are deemed unable to consent to any form of sexual activity and cannot be held criminally responsible for their behaviour.

##### **Sexually abusive behaviour**

Sexually abusive behaviour is the term used by the Victorian Government and funded service providers to describe concerning sexual behaviour by children aged 10 years or older and under 15 years of age.

A child is considered to exhibit sexually abusive behaviour when they have used power, authority, or status to engage another party in sexual activity that is unwanted, or the other party is unable to give consent. A child who engages in sexually abusive behaviour may be in need of therapeutic treatment. It may also be an indicator that the child has been or is being sexually abused by others. Sexually abusive behaviour may amount to a sexual offence. A sexual offence includes



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rape, sexual assault, indecent acts and other unwanted sexualised touching, all of which are offences under the Crimes Act 1958.

It may be difficult to determine the nature of children's sexual behaviour, including whether the behaviour:

- constitutes a sexual offence
- is indicative of any underlying abuse.

Under Victorian Law:

- children aged between 12-15 can only consent to sexual activity with a peer no more than two years their senior (therefore sexual contact led by a child with another child outside of these age parameters may amount to a sexual offence)
- in order for a person to consent to sexual activity they have to have the capacity to understand the context and possible consequences of the act (therefore sexual contact led by a child involving a person with a cognitive impairment or affected by alcohol and other drugs may also amount to a sexual offence).

Most critically you must follow the four critical actions if:

- you witness an incident, receive a disclosure or form a reasonable suspicion that a child has engaged in inappropriate sexual behaviour, even if you're not sure (these actions will support you to report to Victoria Police)
- a child's inappropriate sexual behaviour leads you to form a reasonable belief that the child may be subject to abuse.