Wheelers Hill Child Care Centre
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Staffing Arrangements

POLICY

POLICY STATEMENT
Our organisation is committed to meeting regulatory requirements in relation to staffing, including that professional standards guide our practices, responsible people ensure that the service is effectively supervised and managed, and volunteers & students are provided with necessary training & support. In all staffing decisions, the safety, rights and best interests of children are the paramount consideration.

BACKGROUND
The *Education and Care Services National Regulations* require approved providers to ensure their services have policies and procedures in place in relation to staffing arrangements.

LEGISLATION
- National Law Act – 56, 56A, 161, 161A, 162, 162A, 165–170, 172, 173, 175
- National Regulations – 35, 77–85, 90, 93–96, 99–102, 117, 123, 125, 126, 136, 145–150, 155, 156, 168, 170–174
- National Quality Standard – 1, 2, 3, 4, 5, 6, 7

RELEVANT POLICIES
- Acceptance and Refusal of Authorisations
- Administration of First Aid
- Anaphylaxis Management
- Dealing with Complaints
- Dealing with Infectious Diseases
- Dealing with Medical Conditions
- Delivery and Collection of Children
- Emergency and Evacuation
- Enrolment and Orientation
- Excursions
- Governance and Management
- Health, Safety and Wellbeing
- Incident, Injury, Trauma & Illness
- Interactions with Children
- Nutrition, Food, Beverages, and Dietary Requirements
- Payment of Fees
- Providing a Child-Safe Environment
- Safe Arrival of Children
- Safe Transportation of Children
- Sleep and Rest for Children
- Sun Protection

LOCATION OF INFORMATION
- Centre Policy and Procedure Handbook
- Wheelers Hill Child Care Centre Website

MONITORING AND REVIEW
This policy is required to be reviewed at least annually by the approved provider, in conjunction with nominated supervisors, responsible persons, staff, families and children.

To be Reviewed: May 2027

- Dates of Review:
  - July 2026
  - February 2025
  - February 2024
  - January 2023
  - January 2022

Staffing Arrangements

PROCEDURES

APPROVED PROVIDERS

- A person must have provider approval to operate an education and care service under the national law and regulations.
- Approved providers are responsible for ensuring their organisation and services comply with the law and regulations. They must be deemed a *"fit and proper person to be involved in the provision of an education and care service."*
- The organisation is privately owned and operated by Trident Personnel Pty Ltd. This is a partnership consisting of approved providers, Colin Sann and David McLoughlin.
- The organisation operates the following four education and care services:
  - Glen Iris Childcare and Kindergarten
  - Kids on Gallaghers Child Care Centre
  - Kids on Mullum Child Care Centre
  - Wheelers Hill Child Care Centre
- Decisions pertaining to the running of the organisation, policies, procedures and improvement plans are made in conjunction with nominated supervisors, responsible persons, staff, families and children.
- The approved providers have been deemed fit and proper to operate education and care services, and have met all requirements of the Victorian Early Childhood Regulatory Authority (VECRA), including the need to have current Working with Children Checks.
- The organisation does not have any additional persons with management or control of the services.

NOMINATED SUPERVISOR

- The *National Law* requires that approved providers must not operate a service unless there is at least one nominated supervisor for that service.

- As the person responsible for the day-to-day management of a service, the nominated supervisor has a range of responsibilities under the *National Law* and *National Regulations* including:
  - Educational programs
  - Supervision and safety of children
  - Entry to and exit from the premises
  - Food and beverages
  - Administration of medication
  - Prescription and non-prescription drugs and alcohol
  - Sleep and rest
  - Excursions
  - Staffing

- The approved provider must notify the regulatory authority within at least seven days if the nominated supervisor:
  - ceases to be employed or engaged by the service, or
  - withdraws consent to the nomination.

- The approved provider must display the name of the nominated supervisor in a place where it is clearly visible to anyone from the main entrance of the education and care service premises.

- To be appointed as nominated supervisor, the person must:
  - be at least 18 years of age.
  - have adequate knowledge and understanding of the provision of education and care to children.
  - have the ability to effectively supervise and manage an education and care service.
  - have completed child protection training.
  - hold a current and valid employee *Working with Children Check* or *VIT registration*.
  - have satisfactory compliance history with Education and Care Services National Law, any former education and care services law, any children's services and education law.

- A person cannot be a nominated supervisor if they have:
  - held a supervisor certificate that was subject to any conditions or suspended or cancelled by the regulatory authority.
  - been subject to a prohibition notice under the *Education and Care Services National Law*.
  - held or applied for a licence, approval, registration, certification or other authorisation under the *National Law* which the regulatory authority refused, refused to renew or suspended.

- In determining whether to nominate a person as the nominated supervisor, the approved provider must consider:
  - the history of the person's compliance with the national law and national regulations.
  - whether the individual has been subject to compliance action or disciplinary proceedings under a children's services law, education law, or a previous education and care services law in any state or territory.
  - whether they have a demonstrated understanding of:
    - the *Education and Care Services National Law Act 2010.*
    - the *Education and Care Services National Regulations 2011.*
    - the *National Quality Framework* and *National Quality Standard.*
    - child protection responsibilities.
    - all policies and procedures.

RESPONSIBLE PERSONS

- Responsible persons are staff who have consented to be placed in day-to-day charge in the absence of the nominated supervisor, and have been deemed *'fit and proper'* by the nominated supervisor.

- To be appointed as a responsible person, the person must:
  - be at least 18 years of age.
  - have adequate knowledge and understanding of the provision of education and care to children.
  - have the ability to effectively supervise and manage an education and care service.
  - have completed child protection training.
  - hold a current and valid employee *Working with Children Check* or *VIT registration*.
  - have satisfactory compliance history with Education and Care Services National Law, any former education and care services law, any children's services and education law.

- In determining whether to nominate a person as a responsible person, the approved provider and nominated supervisor must consider:
  - the history of the person's compliance with the national law and national regulations.
  - whether the individual has been subject to compliance action or disciplinary proceedings under a children's services law, education law, or a previous education and care services law in any state or territory.
  - whether they have a demonstrated understanding of:
    - the *Education and Care Services National Law Act 2010.*
    - the *Education and Care Services National Regulations 2011.*
    - the *National Quality Framework* and *National Quality Standard.*
    - child protection responsibilities.
    - all policies and procedures.

DETERMINING THE RESPONSIBLE PERSON AT THE SERVICE

- The national law requires that the approved provider must have a responsible person present at all times that a service is educating or caring for children.

- A responsible person is defined in the *Education and Care Services National Law Act* as:
  - the nominated supervisor of the service.
  - a responsible person who has been placed in day-to-day charge of the service and deemed *'fit and proper'* by the nominated supervisor.

- Both the nominated supervisor and responsible persons must:
  - be at least 18 years of age.
  - satisfy the approved provider that they are fit & proper to be the supervisor of the service.
  - give their written consent to be placed in day-to-day charge of the service.

- The nominated supervisor is responsible for the day-to-day charge of the service. A responsible person is responsible for the day-to-day charge when the nominated supervisor is not on duty.

- Staffing arrangements include a *'responsible person'* who must be physically present at the service during all hours that the service is operating.

- The responsible person can be an approved provider, nominated supervisor, or staff deemed as responsible persons who have consented to be placed in day-to-day charge and deemed *'fit and proper'* by the nominated supervisor. This information is recorded on each individual staff record.

- At least one responsible person and one other staff member is physically present in the service at all times during operation.

- The responsible person is represented by a sign displayed at the main entrance. This sign is interchangeable and may change at various times of the day to reflect the service's roster.

EDUCATOR-TO-CHILD RATIOS

- The organisation adheres to the educator-to-child ratio requirements stipulated by the *Education and Care Services National Regulations*, which state the following:
  - 1:4 for children from birth to 24 months
  - 1:4 for children over 24 months and less than 36 months
  - 1:11 for children up to and including preschool age

- Ratios are calculated across the whole service (not by individual rooms).

- If there is a mix of children from all three specified age groups, ratios are calculated by including the older age groups as part of the ratios for children in younger age groups.

- The highest quality of education and care is maintained whilst abiding to educator-to-child ratios.

STAFFING

- Regulations to ensure the service meets minimum staffing arrangements include:
  - *a responsible person* – appointed to oversee the day-to-day operation of a service.
  - *qualifications* – staffing arranged to meet early childhood teaching, diploma and certificate III requirements, as well as first aid, anaphylaxis and emergency asthma management training and child protection.
  - *educator to child ratios* – minimum number of staff working directly with children.
  - *an educational leader* – appropriately qualified and experienced educational leader/s to lead the implementation of the educational program.

- All staff hold a current and valid employee *Working with Children Check* or *VIT registration*.

- At least 50% of required staff have an approved diploma level (or higher) qualification, or are actively working towards completing one.

- All other required staff have an approved certificate III level qualification, or are actively working towards completing one.

- At least two staff members are on duty whenever children are in attendance.

- The service will increase staff depending on the demands of individual children, and will employ new qualified staff members as occupancy rises or current staff finish at the service.

- All staff have been interviewed and assessed for their roles within the organisation.

- It is a requisite of continued employment that all staff complete training in child protection, food safety, and allergy management. Training is to be reviewed annually.

- At all times that children are being educated & cared for, there is at least one staff member who:
  - holds a current approved first aid qualification.
  - has undertaken current approved anaphylaxis management training.
  - has undertaken current approved emergency asthma management training.

- The same person may hold one or more of the above qualifications, and must be available:
  - immediately in an emergency at all times.
  - at any place where children are being cared for - including on excursions or outings.

- Any staff member employed at the service who is under 18 years of age will not work alone, and will always be adequately supervised by a staff member who is over 18 years of age.

EARLY CHILDHOOD TEACHERS

- Early childhood teachers (ECTs) are in attendance at the service as required by the Education and Care Services National Regulations, based on the number of children being educated and cared for.

- All ECTs hold current registration with the *Victorian Institute of Teaching (VIT)* to teach in Victoria.

- In Victoria, an individual can be counted as an ECT if they hold either:
  - an approved early childhood teaching qualification.
  - a former approved early childhood teaching qualification that commenced before 2012.
  - a qualification that ACECQA has determined to be an equivalent early childhood teacher qualification.
  - a qualification that ACECQA has assessed as *'equivalent to an approved early childhood teaching qualification'.*
- A second early childhood teacher or a *'suitably qualified person' (SQP),* is in attendance when 60 or more children aged pre-school age or under are being educated and cared for.
- ACECQA determined the following qualifications are required for a *'suitably qualified person':*
  - An individual who is *'actively working towards'* an approved early childhood teaching qualification and has completed at least 50 per cent of the qualification or holds an approved early childhood education and care diploma
    or
  - An individual who is registered as a primary or secondary school teacher in Australia and holds an ACECQA approved early childhood education and care diploma (or higher approved qualification).

- A person who obtained all of the following qualifications before 31 December 2024 continues to be recognised as equivalent to an ECT:
  - a primary or secondary teaching qualification and
  - teacher registration in Australia and
  - an approved education and care qualification at certificate III level (or higher).

EDUCATIONAL LEADER

- An educational leader has been appointed who is suitably qualified and experienced to lead the development and implementation of the educational program at the service.

- The role of the educational leader is primarily to:
  - collaborate with staff and provide curriculum direction and guidance.
  - support staff to effectively implement the cycle of planning to enhance programs & practices.
  - lead the development and implementation of an effective educational program in the service
  - ensure children's learning and development are guided by the learning outcomes of the *Early Years Learning Framework* or other approved learning framework.

- The educational leader also has a significant role in:
  - guiding and developing staff and families' understandings about play and leisure-based learning, and the significance of the early years in the education continuum for children.
  - building the knowledge, skills and professionalism of the team.
  - building a culture of professional inquiry with leaders and staff members to develop professional knowledge, reflect on practice and generate new ideas.

- In determining whether to nominate a person as an educational leader, the approved provider and nominated supervisor should consider the staff member's:
  - communication and interpersonal skills.
  - knowledge of theory relating to education and care, professional standards and approved learning frameworks, and contemporary understanding of evidence-based best practice approaches to teaching and learning.
  - knowledge of leadership theory and the use of a range of leadership styles.
  - critical thinking skills, including the ability to analyse and challenge conventional practice and ideas.
  - sense of purpose and direction, and the ability to influence.
  - willingness to mentor and support staff from diverse backgrounds and with varying levels of knowledge and experience.
  - commitment to learning and participating in professional learning opportunities.

RECRUITMENT

- The nominated supervisor and responsible persons are responsible for recruiting new staff.
- The service ensures the employment process is fair and transparent for all prospective employees, by:
  - advertising vacant positions through a variety of means, *e.g., Seek, website, social media*
  - inviting potential employees to apply and attend an interview.
  - performing reference checks after an interview has been conducted.
  - being an equal opportunity employer.
- Referees are contacted for prospective employees. If a referee raises any concerns about a potential staff member, additional referees may be requested.
- If the nominated supervisor or responsible persons do not deem the prospective employee to be a fit and proper person, the employment process will no longer continue.
- Prospective employees are required to provide evidence of a current and valid, employee *Working with Children Check* or *VIT registration* prior to receiving an offer of employment.
- Position descriptions are available for all positions within the organisation.
- Upon being offered a position within the organisation, all new employees are provided with a contract which outlines their conditions of employment.
- A staff record is kept for all staff members, volunteers and students that meets all regulatory record keeping requirements.
- If a *Working with Children Check* is returned with a disclosure that shows the prospective employee has caused harm or risk to a child, the employment process will no longer continue.

WORKING WITH CHILDREN CHECKS

- A *Working with Children Check (WWCC)* helps protect children from physical and sexual harm. It does this by screening people's criminal records and professional conduct and preventing those who pose an unjustifiable risk to children from working with or caring for them.
- All staff must have a current and valid employee *Working with Children Check*. Staff must provide their *Working with Children Check* card or documentation so a copy can be taken for record keeping.

- All staff, volunteers and students must also be recorded on the National Early Childhood Worker Register (NQAITS) before commencing work at the service. Any change to a person's Working with Children Check or registration status must be reported to the approved provider immediately and updated on the Register.

VIT REGISTRATION

- Any staff member employed as an early childhood teacher in a Victorian education and care service is required to be registered with the *Victorian Institute of Teaching (VIT).*
- All early childhood teachers must have current and valid *VIT registration*. Staff must provide their *VIT registration number* or documentation so a copy can be taken for record keeping.
- Registered teachers are exempt from requiring a *Working with Children Check*, but will be required to notify *Working with Children Check Victoria* if they engage in any paid or voluntary child-related work (other than their teaching).

INDUCTION

- Upon commencement of employment, all new staff members acquire knowledge on the service's operations, practices, policies, procedures, guidelines and daily routines through a comprehensive induction process. All staff are required to participate in the induction process.
- The benefit of the induction process for the new employee is that it assists staff to adapt more easily to their new working environment, encourages a positive approach to the new position & workplace, and facilitates more effective performance.
- When a new staff member first commences at the service, they work alongside another staff member to gain knowledge of practices, policies and procedures.
- Each new staff member is given an induction checklist that depicts the aims of the induction program and gives details on what to expect during employment. All inductees are also given their own copy of the staff handbook.
- New staff are presented with a range of information such as:
  - Position description
  - Staff handbook
  - Pay rates and awards
  - Grievance and disciplinary procedures
  - Employment agreement
  - Tax declaration form
  - Personal information form
  - Policy and procedure manual
  - Staff representative information
  - Emergency and evacuation procedures
  - Organisation and service operations
  - Shift times
- Inductees will be provided with information prior to starting and on the first day of employment which will include important information such as:
  - Occupational health and safety
  - Food safety and handling
  - Daily routine and pedagogical practices
  - Documents required
  - Policies and procedures

- Programming

- Prior to engagement, new staff members need to complete an induction booklet and supply employment documentation including qualifications, working with children check or VIT registration, and copies of first aid, CPR, child protection and food safety training certificates.
- MANDATORY CHILD SAFETY TRAINING — All staff, volunteers and students must complete the mandatory national child safety training via Geccko: Foundation training for all persons (existing staff by 27 August 2026; from 14 August 2026, new starters within 14 days of commencing or before working directly with children, whichever is earlier), refreshed every 2 years; and Advanced training for the nominated supervisor and persons in leadership roles, within the required timeframe following the module's publication. Completion is recorded in the staff compliance tracker.

PROBATIONARY PERIOD

- For the first 3 months of employment, new staff members are under probation. After the 3 months, new staff are expected to take part in a review of their performance which will include:
  - Interactions with children
  - Interactions with families
  - Interactions with other staff members
  - Interactions with the approved provider, nominated supervisor and responsible persons
  - Health and safety practices
  - Daily routine and pedagogical practices

- The probation review gives staff members the opportunity to ask questions and raise concerns and allows employers to provide valuable constructive feedback on their performance.

- The induction checklist provides information on the areas of knowledge that all staff must become familiar with and a box to record the date that each section was completed.

- During the follow up meeting after the probationary period, staff are informed about rosters, meetings, professional development training, annual appraisals, and the assessment and rating process. All staff are given the opportunity to provide feedback on the induction process.

ROSTERING

- To promote continuity, staff are rostered on similar shifts and in similar rooms across the week. This provides a secure and welcoming start to the day for children as well as providing staff at the end of the day that have cared for & educated those children to give information about their day.

- If a staff member is absent, staff from within the pool of casual staff are engaged for familiarity and consistency for children and families.

- The time approved for staff leave is arranged to prevent as few disruptions to children, families and staff. Staff members may be moved from one room to another to assist with continuity.

- Staff must confirm with the nominated supervisor or responsible persons before swapping shifts.

- Shifts are based on minimum hours so staff may be stood down without pay at any time should numbers be lower than expectation and there is not requirement for additional staff members to cover ratios.

BREAKS

- A staff member will not be required to work in excess of six hours without an unpaid meal break of not less than 30 minutes and not more than one hour.

- A staff member working four hours or more on any engagement will be entitled to a paid rest period of 10 minutes.

- Staff are required to return to and from breaks on time, as break rosters are tightly timed and other staff may miss out on their break as a result of lateness.

WAGES

- Wages for childcare staff are paid in accordance with the *Children's Services Award.*

- Wages for early childhood teachers are paid in accordance with the *Educational Services (Teachers) Award.*

- Wages are paid on a fortnightly basis via electronic transfer to the account nominated on their employee details form. They are processed on the Friday at the end of the fortnight and will be deposited into accounts the following Wednesday.

- All staff receive a pay slip via email, which contains all relevant information, as well as current leave entitlements and superannuation contributions. Any enquiries regarding information on a payslip should be directed to the nominated supervisor or responsible persons.

- Staff are required to fill out their own timesheet every day. This is the official payroll record from which wages are computed. Unless a staff member has been authorised to do overtime, they record their normal beginning and end of shift times.

- Staff are only paid for rostered hours unless otherwise approved. In addition, the taking of lunch breaks and any other absences must be recorded on the timesheets.

SUPERANNUATION

- The organisation's default superannuation company is *Hesta*. Superannuation is paid into a staff member's chosen superfund monthly.

ATTENDANCE

- All staff are required to attend work on time, go on their lunch breaks during the appropriate times, complete their tasks in a timely manner and to work until the scheduled end of day.

- Staff must advise the nominated supervisor or responsible persons prior to their start time if they will be late or will be absent from work.

- Staff who are absent from work must notify the nominated supervisor or responsible persons each morning of the day of their absence of the reasons for their absence and their expected date of return.

- Regular attendance contributes significantly towards strong teamwork and service operation. Good attendance is an essential component of solid employee performances. If a staff member is going to be absent for any reason, they are expected to give as much advance notice as possible. Continued absenteeism could have a detrimental effect on employment.

PUNCTUALITY

- Being on the job, ready to work, on time and in a fit state, is very important. Staff are expected to arrive at the service prior to their shift, to ensure there is ample time to organise themselves and be in their room ready to perform their assigned duties at the scheduled starting time.

- If staff are going to be absent or late unexpectedly, they must call the service before their assigned starting time. Without this notification, the absence or late start will be noted as 'unexcused' and could have a detrimental effect on employment.

- When a staff member is absent or late, they are missed and the service experiences disruption. If a staff member is unavoidably detained, the must call before their scheduled starting time with an anticipated time of arrival. Heavy traffic or sleeping in are not acceptable excuses.

- In the absence of the nominated supervisor, it is the responsibility of responsible persons to organise relief staff if a staff member calls in sick.

DRESS CODE

- All staff must adhere to the dress code. Maintaining a professional appearance and complying with dress standards is not only image related. Many of the required standards are for hygiene and safety reasons.

- The nominated supervisor and responsible persons are responsible for ensuring that the dress standards for staff are followed and maintained.

- Clothing must be:
  - neat and clean.
  - not too tight, short or ill-fitting.
  - modest, provide sun protection and allow safe manual handling.
  - conducive to active participation with children, families, staff and visitors.
  - appropriate to work activities.

- Shoes:
  - must be well presented, in good condition and appropriate for work activities.
  - must be closed in with adequate grip to protect feet.
  - must be flat and have non-slip soles.
- Excessive jewellery is not permitted. Body jewellery must be secure and covered, if practicable. Dangling earrings are not permitted for safety reasons.

- Offensive tattoos must be covered up.

- Sun smart hats and sun protective clothing must be worn outdoors when the UV is 3 or above.

- Sunglasses are permitted outdoors but must be removed when speaking to families and children.

UNIFORMS

- Staff are required to look neat and tidy at all times, presenting a professional image to the public and to advocate that the service provides valuable education for young children.

- Staff must wear the approved uniform consisting of a shirt and a jacket, cardigan or vest with black pants, long shorts or long skirts. A black or white plain t-shirt may be worn underneath the shirt.

- Black practical pants, leggings, long skirts and knee-length dress shorts are all considered to be appropriate. Jeans, board shorts, short shorts, short skirts, or tracksuit pants are not acceptable.

- Appropriate and comfortable enclosed shoes are the required footwear.

- Uniforms are to be worn for work purposes only. If worn outside of the service, staff are required to maintain a professional image and represent the service respectfully.
- Cooks, kitchen staff, and other support staff are required to wear a uniform.
- Clothes must be clean and neatly pressed.
- Uniforms are to be replaced when they begin to look old and tatty.
- It is each staff members' responsibility to wash their uniform shirts between each wear and maintain uniforms to a professional standard.
- If staff are unable to wash their uniforms between shifts at home, it is their responsibility to organise with the nominated supervisor or responsible persons to wash their uniform at work before it is required to be worn again.

PERSONAL HYGIENE

- Staff must be aware of their own personal hygiene, ensuring they have clean bodies, hands, hair and fingernails before arrival at work.
- Long hair must be neatly tied back at all times, ensuring hair doesn't hang over the eyes.
- Makeup is to be respectful.
- Fingernails are to be clean and well groomed. Nail polish (if worn) cannot be chipped.
- Staff are expected to follow appropriate and frequent oral hygiene practices.
- An appropriate deodorant and/or antiperspirant must be worn.
- Strong perfumes are discouraged as they may cause allergic reactions in children.

ANNUAL LEAVE

- Permanent-part time staff are entitled to paid annual leave as per the relevant award.
- The nominated supervisor or responsible persons may ask staff to take annual leave or leave without pay during low periods. Staff are encouraged to take leave during these times.
- In the interests of maintaining continuity of care and reduced stress levels, staff are to take annual leave within that year.
- The planning of annual leave needs to be done in consultation with the nominated supervisor or responsible persons and with approval granted. It is recommended that a minimum of 1 months' notice in advance of leave be provided.
- Staff are required to provide written notice via email to request annual leave. The email should state what the first day of leave will be and what will be the date of return. Annual leave is only accepted if the service can manage it. It is not guaranteed. Any days of leave that were not approved in advance will be classified as leave without pay (LWOP).

PERSONAL / CARER'S LEAVE

- Personal leave / carer's leave allocations are as per the relevant award.

- A medical certificate is required for every sick day in order to receive personal leave.
- Staff are encouraged to find a replacement staff member to cover them when they are going to be away on sick leave or require a day off.
- When staff fall ill unexpectedly, they must call the service at 7:00am. This enables relief staff to be organised.
- SMS, email or Facebook contact is not acceptable.
- Staff need to make the nature of their condition clear and indicate if they require more than 1 day of personal leave. Staff are required to phone the service before 3pm on the day before they are due to return to work, to confirm their return or extend their personal leave.

COMPASSIONATE / BEREAVEMENT LEAVE

- Staff are entitled to up to two days compassionate / bereavement leave on any occasion where:
  - a member of their immediate family or household dies, or contracts or develops a life-threatening illness or injury.
  - a baby in their immediate family or household is stillborn.
  - they have a miscarriage.
  - their current spouse or de facto partner has a miscarriage.
- This leave is NOT applicable if it coincides with any other period of leave.
- It can be taken as a continuous 2-day period OR 2 periods of 1 day each.
- Casual staff receive unpaid compassionate leave and permanent staff receive paid compassionate leave.
- Immediate family is considered a spouse or former spouse, de facto partner or former de facto partner, child, parent, grandparent, grandchild, sibling, step-child, step-parent, adopted relatives, or a child, parent, grandparent, grandchild or sibling of your spouse or de facto partner. It also covers relatives that live in the home, *e.g. cousins, aunts, uncles.*

PARENTAL LEAVE

- No later than 10 weeks before the birth of the child, staff need to provide the nominated supervisor or responsible persons with a notice in writing that states the date that the staff member intends to commence parental leave and the date that they will return to work.
- If the date that a staff member wishes to commence parental leave is less than 6 weeks before the estimated date of birth of the child, the staff member must provide a certificate from their health practitioner that states they are fit to carry out their duties during that 6-week period before the birth of their child without restriction. If no such certificate is provided or the health practitioner does not report that they are fit to carry out their full duties, they will be sent on parental leave immediately.
- In the event that a staff member does not provide a date for their return to work in writing at least 4 weeks prior to the date of birth of their child, their absence will default to the full 52-week period available to them under the *National Employment Standards*.
- A staff member on parental leave is required to contact the nominated supervisor or responsible persons 4 weeks prior to the intended return date, to confirm their return.

- Staff wishing to apply for parental leave will be given a *Parental Leave Kit* and *a Parental Leave Notification Form* which will need to be filled out and returned to the nominated supervisor or responsible persons at least 10 weeks before starting leave.
- Staff must have completed 12 months continuous service within the organisation at the date of birth of their child in order to be eligible for parental leave.
- Staff must provide notice from a medical practitioner identifying the likely date of birth of their child.
- Staff must specify, in writing, the date in which the leave will commence and the date they intend to return to work.
- Under the *National Employment Standards*, a staff member must provide at least four weeks' written notice if they wish to extend their leave.
- A staff member can resign while on parental leave but they must give the required notice of resignation according to the relevant award.
- A staff member's request for flexible work arrangements based on parental and carer responsibilities will be considered. Staff should put such a request in writing at least 4 weeks before their return to work.
- Staff may be allowed to use personal leave to attend antenatal appointments. Appointment times and the availability of leave should be discussed with the nominated supervisor or responsible persons prior to booking appointments.
- If a staff member is ill during their pregnancy, they may access ordinary sick leave entitlements, including any accrued leave.
- Staff who have qualified for and taken parental leave, don't have to work for another 12 months before they can take another period of parental leave if they become pregnant with another child or wish to adopt.

LONG SERVICE LEAVE

- Any entitlement to long service leave is in accordance with the provisions of legislation applicable in Victoria, as amended or replaced from time to time.
- Staff must obtain authorisation to take long service leave by submitting an application no less than 8 weeks prior to the dates that the leave is proposed to be taken.
- Applications for long service leave will not be unreasonably refused, having regard to the service's operational needs.

ILLNESS OR INJURY

- To minimise the risk of spreading an illness, like children, staff are unable to attend the service whilst they are ill.
- Replacement staff from the emergency casual list will be called in to relieve the shift. The replacement staff member must hold the same qualifications as the staff member they are covering. This will maintain regulations and also offer a continuity of care by using the same relief staff when needed.

- A doctor's certificate is to be produced when a staff member is sick and unavailable to work.

- If an injury occurs at work, a report is written and filed in the employee's individual file. If further action is required, the incident will be reported to *WorkSafe Victoria*.

- All staff have access to workplace safety policies and procedures, and will be guided in the correct way to lift children and equipment, whilst on the job. Staff must abide by the service's OH&S policies, and will listen to instructions given by the nominated supervisor and responsible persons.

TOBACCO, ALCOHOL, DRUGS AND ILLICIT SUBSTANCES

- The service is a tobacco, e-cigarette, alcohol, drug and illicit substance-free environment.

- Staff and volunteers must not consume or be affected by alcohol, drugs or illicit substances, including prescription medications that may impair their capacity to provide education and care.

- The consumption of tobacco, e-cigarettes, alcohol, drugs and illicit substances is prohibited in all areas of the service including:
    - Inside.
    - Outside in the playgrounds.
    - Outside in any car-park.
    - Within ten (10) metres of any entrance to the service, service boundary, fence line or outdoor space.

- The consumption of tobacco, e-cigarettes, alcohol, drugs and illicit substances is also prohibited:
    - On incursions or excursions, at any point during the event.
    - While travelling with a child.
    - At staff meetings.
    - Any events, including excursions, fetes or celebrations.
    - At any social activity, whether in work hours or not, where children and staff are involved.
    - At the organisation's Christmas party.
    - On the service's property at any time, including after hours.

- Under no circumstances will any person attend the service if they are affected by alcohol or drugs, including prescription medication, if the consumption of these items puts the children, staff or families in any danger. Breaching this policy may result in the implementation of disciplinary procedures.

- Staff will guide age-appropriate, sensitive discussions about health issues relating to tobacco, e-cigarettes, alcohol and other drug use as opportunities arise*, e.g., if a child pretends to smoke.*

- Staff and volunteers are asked not to smoke or vape whilst attending the service. The organisation has a professional and ethical responsibility to minimise the risk of children inhaling any residual environmental smoke from a cigarette or vape.

- If staff do smoke/vape, they must:
    - Stay more than ten (10) metres away from any entrance to the service, service boundary, fence line or outdoor space.
    - Keep out of sight of children, families and the community.
    - Wash their hands thoroughly upon return.
    - Change their clothes, prior to having a cigarette or vaping, to avoid retaining the smell of tobacco on their clothing.
    - Use mints and body spray upon return.
    - Dispose of cigarette butts thoughtfully.

- Any staff or volunteers who smoke or vape are encouraged to take appropriate hygiene measures, such as thoroughly washing their hands, after smoking or vaping, so that children are not exposed to second-hand smoke or e-cigarette aerosol.

- Staff represent the organisation in the community and, as such, must not use tobacco, vapes, alcohol, drugs or illicit substances while wearing organisation's uniform.

- Under no circumstances can a staff member bring any illicit substance or illicit paraphernalia into the service or onto the service's grounds, including the carparks, footpaths, or roads surrounding the service boundary

- If a staff member is suspected to be under the influence, their employment will be suspended whilst an investigation takes place.

- If a staff member suspects another staff member to be affected by drugs or alcohol, they must inform the nominated supervisor or responsible persons immediately.

- All issues pertaining to tobacco, e-cigarette, alcohol, drug and illicit substances must be kept strictly confidential. A breach of this policy may initiate the performance management process including the termination of employment.

COMMUNICATION WITH CHILDREN

- Staff create an environment for children in which they are treated with dignity and respect. Children feel safe physically, emotionally and psychologically, their basic needs are met at all times and they are given opportunities to develop intellectual, social, physical and creative abilities to the fullest potential.

- Staff have a commitment to meeting the needs of the individual child in the context of their family and culture and acknowledge the influences the family has on the child.

- Interactions between staff and children are positive, warm and friendly. Staff listen to children and get down to their level when engaging in discussion. Staff move to the children when guiding behaviour and speak in a calm and respectful manner. Staff do not spend time talking amongst themselves, but instead are aware of the children and encouraging the development of their communication skills.

- Staff use open-ended questions wherever possible and ensure that all directions are given in a positive manner. Staff communicate with children through many avenues, including discussion, song and stories. They respect differences between children, and understand that all children come from different homes, backgrounds and nationalities. No defamatory remarks are made at any time regarding children.

COMMUNICATION WITH FAMILIES

- Staff recognise the rights of parents and guardians to have their child's needs met and to participate in reciprocal decision making about the care and wellbeing of their child and the management of the service.

- Staff provide guidance to families and volunteers through positive role modelling and, when appropriate, clear and respectful directions.

- Staff provide general feedback to families on their child's development and progress, handle all complaints effectively and resolve conflict quickly without bias or discrimination.

- Staff ensure that that parents, guardians or volunteers participating in the program, are not placed in a situation where they are left alone with a child.

- Staff work together with families, sharing information about the child and supporting one another. When staff and families work together, it benefits the children by providing them with consistency and security. Staff talk to families daily about their child in a positive manner and try to make them feel welcome and at ease in the service.

- Staff communicate about each child's day, including experiences provided and routines. Families are informed about upcoming events, verbally, electronically and in written form. Families are provided with a calendar of events at the beginning of the year and upon enrolment. All communication with families is respectful and positive, and feedback is encouraged.

- The service is responsible for:
  - Ensuring family information is provided at the main entrance, in foyers and in rooms.
  - Sending emails regarding important updates for families.
  - Providing newsletters informing families of service events, policy changes, program reflections, and other important information.
  - Providing access to interpreters, translated materials and other resources.
  - Involving families in the policy review process.
  - Ensuring families are informed of staff changes, new students & volunteers.
  - Providing families with an information pack during their first visit.
  - Greeting and farewelling families and welcoming the child into the program.
  - Ensuring the current program is displayed in the relevant room and that families are informed of its location during orientation.
  - Providing daily opportunities for direct contact with families.
  - Using communication mediums to correspond with families and other staff.
  - Encouraging families to contribute their suggestions regarding the program.
  - Supplying families with a library of resources.
  - Utilising daily information mediums to inform families about their child's sleeping, feeding and toileting routines.
  - Conducting regular staff and management meetings.
  - Hosting professional development on a regular basis for families and staff.

COMMUNICATION WITH STAFF

- Positive communication between staff is vital to the smooth running of the service as well as to the benefit of the children in the service's care.

- Staff are expected to treat all other staff members with respect, accept their differences and share ideas. All staff are part of a team, working together to ensure that children and families view each day as a positive experience for the children.

- Staff are required to demonstrate mutual respect towards each other and value the contributions made by each staff member.

- Staff are expected to model appropriate behaviours and language for the children to learn from.

- Appropriate staff communication includes ensuring messages are passed on to each other.

- Staff are encouraged to approach each other with concerns and discuss issues in a calm and respectful manner. If an agreement cannot be reached, the matter needs to be brought to the attention of the nominated supervisor or responsible persons.

- To maintain professionalism at all times, staff will:

- engage in professional communication in order to create an effective work environment and to build a positive relationship with staff, children and families.
- champion a child-safe culture through their attitudes, behaviours and actions.
- collaborate together as a team sharing room roles and responsibilities through the use of a roster where necessary.
- be respectful when listening to each other's point of view and ideas.
- maintain effective communication to ensure that teamwork occurs.
- use team meetings to communicate their professional reflections and ideas for continuous improvement as a team.
- attend professional development training to update and refresh and add to individual skills and knowledge.
- keep up to date with current legislation to child protection including mandatory reporting requirements.
- recognise each other's strengths and value the contribution each person makes to different work roles.
- work collaboratively to reach decisions which will enhance the quality of the education and care offered at the service.
- welcome diverse views and perspectives.
- work together as a team and engage in open and honest communication at all times.
- respect each other's positions and opinions
- develop and share networks and links with other agencies.
- resolve differences promptly and positively and use the experience to develop more effective methods of working together.

- To enhance communication and teamwork, staff will:
  - maintain privacy and confidentiality.
  - be respectful, caring and inclusive of all staff.
  - be sensitive to the feelings and needs of other staff.
  - support staff during difficult situations.
  - provide constructive feedback to each other.
  - trust each other.
  - value the role and contribution of staff.
  - appreciate and utilise skills, strengths and interests of other staff regardless of qualifications and experience.
  - provide support and assistance to each other.
  - share responsibilities.
  - have a flexible and positive can-do attitude towards team roles and responsibilities.
  - greet each other by name.
  - show genuine interest in the other person by using active and reflective listening.
  - communicate ideas and opinions clearly and professionally.
  - use communication methods to pass on messages and record relevant information.
  - use appropriate conflict resolution techniques to solve problems.
  - engage in opportunities for professional development.

COMMUNICATION FROM MANAGEMENT

- To enhance communication & teamwork, the nominated supervisor and responsible persons will:
  - provide new staff with relevant information about the service and program through a staff handbook, induction program, and daily communication.
  - treat staff with respect.
  - be sensitive to the feelings and needs of staff.
  - provide constructive feedback to staff as part of their professional learning plan support.
  - value the role and contribution of each staff member.
  - demonstrate commitment to ongoing collaboration and engagement to support staff wellness and mental health.
  - provide opportunities for all staff to have input into the program development and evaluation.

- appreciate and utilise staff skills and interests.
- provide support, assistance and mentoring to staff.
- hold regular meetings to encourage and support professional growth & reflective practice.
- use appropriate conflict resolution techniques to solve problems.
- ensure policies and procedures are up to date regarding communication, expected behaviour and grievances.
- provide opportunities for professional development.

TEAM MEETINGS

- Whole team meetings are held on a regular basis as required. These meetings are held outside work hours due to supervision requirements during the day.

- It is expected that all staff attend these meetings and have an input into decision making within the service. Having a forum for discussing important matters helps staff to voice concerns and gain knowledge through information and workshops that may be presented at meetings.

- The presence and contributions of all staff at team meetings are valued, welcomed and supported. Meetings are paid so staff are encouraged to attend. However, attendance is voluntary unless the meeting has been deemed as compulsory.

- Staff are encouraged to discuss any ideas or issues with the whole team and are given opportunities to provide feedback on anything happening at the service.

- Occasionally, a guest speaker is invited to attend a team meeting. These guest speakers provide staff with greater knowledge on certain topics and promote teamwork and team spirit.

- Staff also have the opportunity to come together with members of the other services operated by Trident Early Learning. This provides the chance to be familiarised with different routines and operations of other services. It is also a great way to obtain new ideas and valuable information.

REFLECTIVE PRACTICE

- Reflective practice allows staff to develop a critical understanding of their own practice, and continually improve the necessary skills, knowledge and approaches to achieve the best outcomes for children.
- By engaging in reflective practice, staff are more likely to see evidence of an increase in knowledge and skill development, be more open to different ways to think about and understand things, and be more flexible and adaptable in their approaches.

- When the entire team is involved in the process of reflection, it is more likely to result in an exchange of ideas, shared decision-making and positive partnerships. It also means staff are more likely to learn, develop and strengthen their capacity as a team. This in turn leads to better outcomes for children, families and community.

PROFESSIONAL PRACTICE

- Professional practice refers to the manner in which a staff member carries out their duties. It is imperative that staff conduct themselves in a professional manner at all times to support the marketing of the service every time a family, prospective family or visitor attends the service.

- It is expected that staff address families by name and look them in the eye when they speak with them. When a family enters the room, they should be acknowledged immediately and depending on what the staff member is doing at the time, they should get up to speak with them.

- Staff should cease any personal conversations when families are present and ensure that the family receives the attention they deserve.

- Staff are to conduct themselves in a professional manner, using the correct language, evaluating one's own performance, attending workshops and seminars to increase their knowledge base, as well as creating an aesthetically pleasing and professional environment for the children.

PROFESSIONAL DEVELOPMENT

- Regular team meetings are held in which all staff and management are encouraged to attend and discuss openly any problems or points of interest. This is a valuable way for staff to increase their knowledge and understanding of children, while at the same time expanding their own skills of reflection and analysis.

- Professional readings are supplied for staff and they are encouraged to stay up to date with current trends and views. Staff are also encouraged to access relevant websites, videos, journal articles, social media accounts, and other professional publications and resources.

- A number of social gatherings are held throughout the year to enhance the level of team spirit required to have all staff working in a relaxed, harmonious and professional atmosphere.

- Staff are actively encouraged to upskill their qualifications or attend professional development training when they arise which are relevant to their personal goals and enhance children's education and programs.

- Staff are expected to regularly update their first aid, CPR, asthma and anaphylaxis knowledge through classes from recognised authorities.

- The organisation makes information available regarding appropriate training workshops, professional development opportunities and conferences. Staff are encouraged to present any ideas they have for training to the nominated supervisor or responsible persons. It should be motivational and provide fresh ideas to experiment with.

- Staff who attended additional professional development training are encouraged to share their new knowledge with the team so that all staff will benefit.

PERFORMANCE APPRAISALS

- Professional appraisals are completed at least annually. These give staff the opportunity to reflect on their performance, and identify the strengths and areas of need of the service.

- The nominated supervisor conducting the appraisal evaluates the performance of each individual staff member, identifying their strengths and areas of need, and providing constructive feedback.

- This is a time for the nominated supervisor and each staff member to review their performance, discuss goals and plan for the future. The service will provide resources and professional development opportunities for staff to achieve their goals.

SOCIAL MEDIA

- As a child safe organisation, the service has the responsibility to ensure children and staff are protected from harm when they engage with digital technology, including social media.

- Social networking sites are for personal use only and should not be accessed while staff are at work, excluding breaks. This includes the use of social media on devices or computers. Social networking sites should also not be accessed whilst staff are engaged in work required for programming, training or study.

- Staff are prohibited from photographing or recording a child or young person from their own personal device.

- Photos, videos or images of enrolled children are not to be taken, recorded, saved, removed from the service, or used for any purpose without written permission from parents or guardians of the children depicted. This includes images and recordings taken on cameras, mobile phones, tablets, computers, or any other devices.

- Staff are prohibited from uploading images or videos of children, or discussing information about any children who attend the organisation, on their own social media accounts. This includes, but is not limited to, photos, videos or posts being uploaded on Facebook, Instagram, Snapchat, Twitter, YouTube, Tumblr, TikTok or any apps for Apple or Android.

- Staff are prohibited from sharing private information about the service, families or staff on social networking sites. Should this occur, the person will face an enquiry into the situation which will be dealt with accordingly as per the organisation's disciplinary procedures.

- Staff are to refrain from adding families on social media accounts. If a family requests a staff member to become friends, that is ok, as long as the relationship remains professional, and the family made the initial request.

- Staff must refrain from posting anything on the internet or social networking sites, *e.g., Facebook,* that can be construed to have any impact on the organisation's reputation or that would offend staff or families at the service. This includes on any Facebook community noticeboards, *e.g., Monash Noticeboard* or on personal accounts, pages or groups.

- Staff are encouraged to report any serious breaches on any of the organisation's social networking accounts for further investigation.

SMARTPHONES, SMART WATCHES, AND SMART DEVICES

- Smartphones and devices are for personal use only and are strictly prohibited from being accessed in any areas that children are located.

- Smartphones and smart devices must stay in a locker or personal bag in the staff room and accessed only during breaks.

- At no time should children be given access to staff mobile phones or smart devices.

- Smart watches, fitness trackers and other wearable devices capable of taking, storing or transmitting images or video are treated as personal electronic devices. They must not be worn or used while working directly with children and must be stored in a locker or personal bag in the staff room, unless an exception has been authorised in writing under the Safe Use of Digital Technologies and Online Environments policy (e.g., health monitoring).

- Smartphones and devices should also not be accessed whilst staff are engaged in work required for their job or study, *e.g. programming*.

- If a staff member is found wearing or using a smart watch or other personal device while working directly with children without written authorisation, they will be asked to place it in their locker immediately, and the matter will be managed in line with the Safe Use of Digital Technologies and Online Environments policy.

- Staff are only permitted to receive personal phone calls in case of an emergency. If a staff member receives a call other than an emergency, a message will be taken and they can return the call in their own time.

- As they are a privilege and not required to perform position duties, the organisation will take no responsibility for any devices being broken or stolen.

- If a staff member suspects another staff member to be using their personal device to take images or videos of children, they must inform the nominated supervisor or responsible persons immediately.

- All issues pertaining to smart device usage must be kept strictly confidential. A breach of this policy may initiate the performance management process including the termination of employment.

ETHICAL PRACTICE

- Our organisation acknowledges the traditional custodians of the land on which we live, play, learn and work – the Wurundjeri and Bunurong people of the Kulin Nation, and we pay our respects to their Elders past, present and emerging. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of this land.

- Our organisation is an inclusive organisation. We welcome all children, families, educators, staff and visitors into our services. We embrace the wonderful diversity that makes up our community and our world.

- Our organisation is an equal opportunity employer. We encourage all applicants to apply for positions within our organisation regardless of gender, race, age, culture, orientation, abilities, background, appearance, behaviour, qualifications, years of experience or professional barriers. Our aim is to create a workforce that reflects the community where we live, work, learn and play.

- Our organisation is a child-safe organisation. We want children to be safe, happy & empowered. We support and respect all children. We are committed to the safety, participation and empowerment of all children. As a child-safe organisation, all of our employees must have or obtain a valid working with children check. The *Child Safe Standards* are embedded in all of our programs and practices, to minimise the risk of child abuse or harm to children.

- Our organisation will not discriminate against any child, family, staff member or stakeholder based on gender, sex, identity, race, impairment, age, culture, qualifications, knowledge, religious beliefs, religious practices, marital status, abilities, background, appearance, behaviour, parental status, health status, relationship status, parental preferences, political beliefs, sexuality, orientation, family responsibilities, experience, personal or professional barriers, and/or any other determinant.

CODE OF CONDUCT

- It is mandatory that the approved provider, nominated supervisors, responsible persons, staff, students, volunteers, and visitors abide by the following appropriate standards of behaviour:
    - Treat all children, families, staff and visitors with courtesy, respect and consideration.
    - Respect cultural differences of children, families, staff and visitors.
    - Use positive reinforcement and praise to promote good behaviour.
    - Maintain a safe, hygienic and relaxed environment.
    - Respect each child's right to privacy.
    - Raise concerns with the approved provider, nominated supervisor or responsible persons if any circumstances arise that may pose a risk to a child's health, safety and wellbeing are identified, including cultural, environmental and operational risks.

- Report and act on any concerns or observed breaches of the code of conduct.
- Take all reasonable steps to protect children from abuse.
- Take a child seriously if they disclose harm or abuse.
- Record and act on allegations and suspicions of abuse.
- Be punctual for work, aware of rostered shift times and complete time sheets adequately.
- Inform the service within the appropriate time frames when sick, on leave, or providing written resignation.
- Become fully involved in the assessment & rating process and programming cycle to ensure interesting, aesthetically pleasing, and educational experiences are provided for children.
- Act positively on complaints and provide services to the best of their ability.
- Understand and actively implement all practices, policies and procedures including those determined by the organisation and detailed in the *Staff Handbook*.
- Act professionally within the whole service and outdoor spaces by ensuring that language and topics of conversation are appropriate.
- Refrain from bringing any food or drinks (excluding water), smart devices or cameras into the rooms or outdoor spaces.
- Represent the organisation in a positive way.
- Respect the service's environment.
- Be a positive role model for all children and staff.
- Abide by the relevant legislation including the *Education & Care Services National Regulations, Education & Care Services National Law Act* and *Child Wellbeing & Safety Act.*
- Strive to build a safe, harmonious, equitable and non-discriminatory workplace.
- Generate a diverse, unbiased and non-stereotypical environment and approach to learning.
- Only discuss confidential information or issues with appropriate people within the service, but not any person outside the organisation, unless required by law.
- Develop positive relationships based on trust, open communication, respect & honesty.
- Abide by *ECA's Code of Ethics* and actively support the philosophy of the service.
- Adhere to child/educator ratios and qualification requirements as per regulations.
- Maintain complete confidentiality regarding any information or events that occur within the service and ensure these topics are not discussed inside or outside of the service.
- Acknowledge children as competent and involved learners.
- Honour children's right to play, as both a process and context for learning.
- Attend to all children's physical care and emotional wellbeing by responding to and comforting children who are distressed or unwell.
- Actively supervise children at all times, both indoors and outdoors, and keep the lines of communication open.
- Ensure all children have access to materials and equipment and are provided with many opportunities to learn and explore.
- Participate in regular team meetings, reflective practice and professional development to further develop skills and learning for all staff.
- Actively participate in, contribute to and integrate all learning into practice from team meetings and professional development.
- Commit and contribute to reflective practice and continuous improvement.
- Follow the service's grievances procedure when raising concerns or issues.
- Maintain a neat and tidy appearance at all times and follow dress codes.
- Work together as a team to gain knowledge and ideas.
- Make valuable contributions to the planning cycle.
- Communicate effectively with families on children's development, behaviour & learning.
- Value, respect and support the abilities and knowledge of other staff, children and families.
- Refrain from impolite, abusive, racist or offensive behaviour & language towards or around children, families, staff and visitors.
- Be aware of emergency evacuation procedures.
- Practice safe driving on the roads outside the service and in the carparks, including the use of entry and exit points in their correct manner.
- Promote children's agency and enable them to make choices and decisions.

- Act as a positive role model for sun smart practices by promoting positive attitudes to sun safe practices, including wearing a sun safe hat when UV levels are 3 and above.
- Not be adversely affected by alcohol, drugs or illicit substances.
- Not smoke tobacco, e-cigarettes or other substances on or near, the service & its carparks.
- Refrain from posting anything on the internet or social networking sites, e.g., *Facebook*, that can be construed to have any impact on the organisation's reputation or that would offend staff or families at the service. This includes on any *Facebook* community noticeboards, *e.g., Monash Noticeboard* or on personal accounts, pages or groups.
- Respect and interact with all children, families, staff and visitors regardless of gender, sex, identity, race, impairment, age, culture, qualifications, knowledge, religious beliefs, religious practices, marital status, abilities, background, appearance, behaviour, parental status, health status, relationship status, parental preferences, political beliefs, sexuality, orientation, family responsibilities, experience, personal or professional barriers, and/or any other determinant.
- Accept and respect the decisions made by the approved provider, nominated supervisor, responsible persons or staff within the organisation.
- Refrain from bringing any ingredients, foods, meals, or products containing nuts or nut oils into the service.
- Ensure that photos, videos and images of children at the service are not taken, recorded, saved, removed from the service, or used for any purpose without written permission from the parents or guardians of those depicted.

- The approved provider, nominated supervisors, responsible persons, staff, students, volunteers, and visitors agree that they will not engage in the following abusive acts:
  - Using any form of corporal punishment or physical discipline. This includes spanking, slapping, pinching, hitting, tapping, shaking, poking, smacking or any other physical force as retaliation or correction.
  - Touching the groin, genital area, buttocks, breasts or any other part of another person's body that may cause distress or embarrassment.
  - Initiating, permitting or requesting contact with others including kissing, massage, hand holding, tickling or tickling games, and rough, physical games.
  - Developing a 'special' relationship with a specific child or young person for their own needs.
  - Emotionally abusing another person including name calling, humiliation, ostracism, shaming, degrading, intimidation, oppression, belittling, making derogatory comments, or using threatening, humiliating or frightening language.
  - Inappropriately physically restraining a person (including, but not limited to):
    - force applied to the head or neck
    - grabbing a person by, or pulling them around by, their arms.
    - restrictions to breathing.
    - punching or kicking.
    - holding by the hair or ear.
    - confining them in a locked room or limited space.
  - Being alone with a person unnecessarily, particularly a child or younger person.
  - Engaging in any activity with a person that is likely to physically or emotionally harm them.
  - Initiating unnecessary physical contact with a person, or do things of a personal nature for them that they can do for themselves, *e.g. toileting.*
  - Punishment of any form with regards to toileting habits, or lack thereof.
  - Showing favouritism through the provision of gifts or inappropriate attention.
  - Photographing or recording a child or young person without the consent of the child and their family.
  - Entering the service while under the influence of alcohol or drugs.
  - Engaging in open discussions of a mature or adult nature in the presence of children.
  - Using inappropriate language in the presence of children.
  - Unlawfully discriminating against any person on the basis of gender, sex, identity, race, impairment, age, culture, qualifications, knowledge, religious beliefs, religious practices,

marital status, abilities, background, appearance, behaviour, parental status, health status, relationship status, parental preferences, political beliefs, sexuality, orientation, family responsibilities, experience, personal or professional barriers, and/or any other determinant.

- The approved provider, nominated supervisors, responsible persons, staff, families, students, volunteers and visitors abide by the following appropriate standards of behaviour by adults towards children. These standards aim to protect children and reduce any opportunities for abuse or harm to occur. It also guides staff on how to best support children and how to avoid or manage difficult situations.
  - Adhere to the *Providing a Child-Safe Environment* policy
  - Take all reasonable steps to protect children from abuse.
  - Treat everyone with respect and dignity, including listening to and valuing the ideas and opinions of others.
  - Be inclusive and welcoming towards all children and their families.
  - Respect cultural, religious and political differences.
  - Act in a culturally sensitive way.
  - Have a zero tolerance of racism and act on incident of racism at the service.
  - Support children to express their culture and enjoy their cultural rights.
  - Model appropriate adult behaviour.
  - Promote the cultural safety, participation and empowerment of all children.
  - Listen to children and respond appropriately.
  - Report and act on any breaches of this policy, complaints or concerns.
  - Notify the approved provider and the regulatory authority within 24 hours of any serious incident or complaint.
  - Comply with guidelines on physical contact with children.
  - Never discriminate against any child because of culture, race, ethnicity or ability.
  - Work with children in an open and transparent way.
  - Respect the privacy of children and their families, and only disclose information to people who are required to know.
  - Provide adequate supervision of children at all times.
  - Ensure the service is free from the use of tobacco, alcohol, drugs and illicit substances.

BREACHES OF THE CODE OF CONDUCT

- Staff must report or escalate a concern, complaint, grievance or breach of the code of conduct to the approved provider, nominated supervisor or responsible persons as soon as practicable.

- As mandatory reporters, staff must report possible risk of harm to children or young persons to child protection.

- Misconduct may lead to disciplinary, and severe misconduct may lead to immediate dismissal or criminal proceedings. Inappropriate conduct towards a child is an offence under the National Law for the approved provider, nominated supervisor and all staff and volunteers. Allegations of inappropriate conduct will be assessed against the organisation's notification obligations to VECRA in addition to any internal disciplinary process.

- In the circumstance of a reportable allegation in regards to a staff member, the organisation will conduct an investigation and follow the Reportable Conduct Scheme procedures. The staff member will be stood down whilst waiting for the outcome of the investigation.

- Racism will not be tolerated within the organisation. Claims of racism will be investigated by the nominated supervisor or responsible persons and acted upon. This may include suspension of attendance or employment while claims are being investigated, action plans, performance management processes, and/or additional training.

CODE OF CONDUCT ADDITIONS DURING A PANDEMIC PERIOD

- To prevent the spread of a serious infection or reduce the potential for an illness to spread, all staff, families and volunteers must comply with guidance issued by government agencies, including directions on attendance, quarantine, self-isolation and social distancing, including:
  - compliance with isolation requirements.
  - staying home if unwell.
  - seeking medical attention if symptoms develop.
  - advising the service if unwell.
  - practicing social distancing.
  - complying with any isolation or exclusion periods.
  - minimising the risk of cross contamination.
  - refraining from making determinations of risk based on race or country of origin.
  - maintaining confidentiality regarding staff and families confirmed to be unwell.
  - compliance with immunisation requirements.
  - compliance with work permit requirements.

- During a pandemic period, non-essential visitors are not allowed into the service. In this circumstance, all student placements or volunteer arrangements would be suspended or cancelled until the pandemic is declared as over.

VOLUNTEERS

- The role that volunteers play varies & can include working with groups of children, preparing materials, assisting with administrative tasks or working one-on-one with individual children.

- The service is responsible for ensuring that volunteers are suitable to work with children, and that children's health, safety and wellbeing is protected at all times.

- Volunteers should only be engaged to complement, not replace, the work of paid staff. Accordingly, volunteers are not engaged to fill the place of a staff member who is ill or on leave, or to fill a vacant position.

- Volunteers must not be asked to perform tasks:
  - that they are untrained, unqualified or too inexperienced to undertake.
  - that put the children or themselves in a vulnerable or potentially unsafe situation.
  - where there is a conflict of interest.

PARTICIPATION OF STUDENTS AND VOLUNTEERS ON PRACTICUM PLACEMENTS

- From time to time, the service has students and volunteers attending that are currently studying in the field of early childhood education. They will be observing and learning about the care and education of children and the operation of the service.

- Students will be engaged at the service following correspondence from their university or TAFE organisation. They are given an orientation pack which details all the information they will need to know when attending the service.

- Student and volunteer placements are limited so how many places offered is at the discretion of the nominated supervisor or responsible persons.

- Students and volunteers are screened before participating in daily activities and must adhere to the service's philosophy, practices, policies and procedures whilst in attendance at the service.

- All students and volunteers require a current and valid working with children check or VIT registration before commencement and must fill out detailed documentation. They will also be required to complete online child protection training before their first day of attendance.
- The nominated supervisor or responsible persons must ensure that all students and volunteers fill out a student and volunteer record and provide adequate information regarding their placement.
- The student and volunteer record must include their full name, address, date of birth, and date and hours of participation at the service.
- The service utilises a placement diary to ensure that only one student or volunteer is allocated to each room at a time.
- Students and volunteers are required to sign in and out of the service daily.
- All students and volunteers will be directly supervised by senior staff. At no stage, will a student or volunteer be left in charge of a group of children. However, they will interact with the children, giving help and attention as needed.
- Students and volunteers are not permitted to serve food or drinks to the children unless being clearly supervised by a staff member who is regularly based in that room.
- As part of their studies in early childhood education, students need to be involved in observations and planning of experiences. Permission will be sought from parents or guardians prior to this and confidentiality of children's files will be maintained.
- All students and volunteers are given a copy of the orientation checklist. A senior staff member will conduct a walk-through of the service with the student or volunteer and tick off sections of the checklist once they have been shown. All new students and volunteers will be given their own copy of the student and volunteer handbook.
- Evaluation of students will be done in conjunction with the room leader and visiting teacher, as appropriate. Students and volunteers must ensure that the service is kept informed on their progress but must understand that staff are not responsible for completing their study requirements.
- It is very important that students interact with the children rather than standing back and observing them. Teachers will want to observe this occurring when visiting students to evaluate their practical placements.
- Due to a conflict of interest, children of students or volunteers cannot be enrolled at the service. If the child already attends the service, the service will not be able to provide placement for the student. This is to ensure the student is not getting distracted whilst at placement, and the child is not distressed.
- Students and volunteers do not make up part of the educator to child ratio and cannot be used to fill the place of a staff member.
- The nominated supervisor, responsible persons and/or visiting teacher can cancel any student or volunteer placements if policies, procedures and/or placement requirements are not being adhered to. The service reserves the right to terminate a placement for any reason.
- Termination of a student or volunteer's placement will occur if the student or volunteer:
  - Harms or is at risk of harming a child in their care.
  - Is under the influence of drugs or alcohol.

- Fails to notify the service that they will not be attending.
- Is observed using repeated inappropriate behaviour at the service.
- Does not comply with the service's philosophy, practices, policies and procedures.
- Does not keep up to date with their work placement tasks.

- Students and volunteers must ensure that they:
  - Provide a current and valid Working with Children Check or VIT registration before commencement.
  - Complete the required online child protection training before commencement.
  - Keep the service well informed on their progress but understand that staff are not responsible for completing their study requirements.
  - Complete their required placement attendance hours and document only the hours spent with the children, unless planning was pre-organised.
  - Document their attended hours on the time sheet honestly.
  - Attend the service at the times discussed upon commencement.
  - Notify the service if they are going to be absent.
  - Complete all tasks required to pass their placement.
  - Interact and engage with the children continuously throughout their placement.
  - Sign in and out each day.
  - Follow any reasonable instructions from staff, including the preparation and clean-up of routines and activities.
  - Notify the service or training organisation if they have difficulties with placement.

CONFIDENTIALITY

- If there is a problem or concern of any nature, staff should speak with the approved provider, nominated supervisor or responsible persons.

- Staff must refrain from sharing concerns with families or others outside the service as this will not be tolerated.

- Confidential information is not to be made public. Personal details, *e.g., addresses and telephone numbers,* are not to be given out unless prior permission has been granted from that person.

- Unless authorised to do so by legislation, staff must not disclose or use any confidential information without appropriate approval

EQUAL OPPORTUNITY

- The organisation is an equal opportunity employer and will not discriminate against any child, family, staff member or stakeholder based on gender, sex, identity, race, impairment, age, culture, qualifications, knowledge, religious beliefs, religious practices, marital status, abilities, background, appearance, behaviour, parental status, health status, relationship status, parental preferences, political beliefs, sexuality, orientation, family responsibilities, experience, personal or professional barriers, and/or any other determinant.
- Prospective employees and present staff are evaluated solely on ability, experiences, qualifications, and the requirements of the position.

- The organisation is committed to:
  - Ensuring that all current and prospective staff have equal access to the opportunities that are available at work.
  - Ensuring that decisions relating to employment and people management processes are based on merit and have clear, predetermined, job related criteria allowing all staff equal opportunity in the workplace.

- Promoting appropriate standards of workplace behaviour and conduct at all times, ensuring that the workplace is free from unlawful discrimination, harassment, sexual harassment, bullying and employee violence.
- Implementing training and awareness raising strategies to ensure that all staff know their rights and responsibilities in relation to workplace behaviours that demonstrate respect and dignity.
- Providing effective informal and formal complaints resolution procedures based on the principles of procedural fairness.

- Reasonable adjustments can be made for anyone offered employment or any current staff with an impairment, to enable them to participate in their employment.

- In determining whether an adjustment is reasonable, all relevant facts and circumstances must be considered. The organisation may not be required to make reasonable adjustments where the employee could not perform the genuine and reasonable requirements of the job, even after the adjustments are made.

DISCRIMINATION

- Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic such as gender identity, sexual orientation, age, race or disability.

- It is unlawful to discriminate against an employee on the basis of any of the following attributes or personal characteristics:
  - age
  - breastfeeding
  - employment activity
  - family responsibilities such as being a parent or carer
  - sex, gender identity, transgender status, gender history, or transsexuality
  - impairment
  - physical or mental disability
  - irrelevant criminal history
  - industrial activity
  - lawful sexual activity
  - marital status or de facto status
  - status as a parent or carer
  - physical features
  - political belief or activity
  - pregnancy or potential pregnancy
  - race, including colour, national or ethnic origin or immigrant status
  - social origin
  - religious belief or activity
  - sexual orientation
  - experiencing family or domestic violence
  - personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes

UNLAWFUL DISCRIMINATION

- Unlawful discrimination occurs when a person or group is treated unfairly or less favourable than another person or group in a similar situation because of an actual or assumed attribute or characteristic. It can occur directly or indirectly.

- Direct discrimination is treating a person with an attribute or personal characteristic unfavourably, because of that protected attribute, *e.g. refusing someone a promotion because they are a union member.*

- Indirect discrimination is the imposition of a condition, requirement or practice that disadvantages a person or group with a protected attribute, and is unreasonable, *e.g., a policy that entitles employees with 5 years continuous service to a pay rise thereby potentially discriminating against women who interrupt their career to have children.*

- It is unlawful for an employer to unreasonably refuse to accommodate a staff member's parental or carer responsibilities, in relation to their work arrangements either when offering employment or during the course of employment.

EXPECTATIONS OF STAFF

- At all times, staff must:
  - follow and carry out all reasonable and lawful directions provided by the approved provider, nominated supervisor and responsible persons.
  - treat every child and adult fairly, courteously, impartially and with respect.
  - comply with all practices, policies and procedures of the service.
  - respect the confidential nature of information gained, or behaviour observed, whilst working at the service, in relation to children and adults.
  - always act in the best interests of children, their families and users of the service.
  - work in a cooperative and positive manner.
  - acknowledge (without discrimination) and respect the cultural and linguistic diversity, cultural practices and beliefs that other staff, families, children and visitors bring to the service.
  - provide safe care and a friendly environment, while fostering quality relationships, which enhance children's development within a caring community.
  - support families, while protecting and respecting their rights to care for and make decisions about their children.
  - refrain from actions and behaviour that constitute discrimination, harassment, sexual harassment, bullying and victimisation.
  - comply with all legislative obligations.
  - ensure their work is carried out proficiently, harmoniously, and effectively.
  - act in a professional and respectful manner at all times whilst at work, giving their full attention to their responsibilities.
  - 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.
  - uphold the rights of children and always prioritise their needs.
  - promote the wellbeing and safety of children and take all reasonable steps to protect children from abuse.
  - provide adequate supervision of children at all times.
  - understand their legislative responsibility as mandatory reporters to report directly to Child Protection when they form a reasonable belief that a child has suffered, or is likely to suffer, significant harm from physical injury or sexual abuse (and to contact Victoria Police on 000 if a child is in immediate danger), and to also inform the approved provider, nominated supervisor or responsible persons. Telling a manager does not replace a staff member's own report.
  - understand their legislative responsibility to report any inappropriate action of any other staff member that involves children or young people to the approved provider, nominated supervisor or responsible persons as part of the reportable conduct scheme.
  - participate in all mandatory training.
  - report any instances of suspected corrupt conduct, mismanagement of government funds or other serious allegation to the appropriate agency.
  - work collaboratively with colleagues 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.

- engage in critical reflection to inform individual and collective decision making and ensure continual improvement.

- At all times, staff are prohibited from:
  - condoning or participating in illegal, unsafe or abusive behaviour towards children, including physical, sexual or psychological abuse, ill-treatment, neglect or grooming.
  - exaggerating or trivialising child abuse issues.
  - failing to report information if they know a child has been abused.
  - engaging in unwarranted and inappropriate touching involving a child.
  - persistently criticising and/or denigrating a child.
  - verbally assaulting a child or creating a climate of fear.
  - encouraging a child to communicate with them in a private setting.
  - sharing details of sexual experiences with a child.
  - using sexual language or gestures in the presence of children.
  - discriminating against any child, because of culture, race, ethnicity or disability.
  - exposing children to inappropriate language or material.
  - engaging in unlawful activity at work.
  - engaging in intimidatory behaviour.
  - treating any child or adult in a frightening, threatening or demeaning manner.
  - engaging in physical abuse of any child or adult, or corporal punishment.
  - Deliberately or carelessly doing anything that results in providing poor quality care.

EXPECTATIONS OF MANAGEMENT AND LEADERS

- In addition to all of the above expectations, the approved provider, nominated supervisor, and responsible persons are also expected to:
  - promote a collaborative workplace by developing a positive working environment where all staff can contribute to the ongoing continuous improvement of the service.
  - promote leadership by working with staff and providing opportunities for professional development and growth.
  - provide flexible opportunities to ensure all staff can participate in meetings and professional development.
  - provide ongoing support and feedback to staff.
  - keep staff informed about essential information and any relevant changes and make all documents readily accessible to them.
  - model professional behaviour at all times whilst at the service.
  - implement supportive and effective communication systems, consulting staff in appropriate decision making.
  - take appropriate action if a breach of the code of conduct occurs.
  - share skills and knowledge with staff.
  - give encouragement and constructive feedback to staff, respecting the value of different professional approaches.

POLICY BREACHES

- The organisation does not tolerate any circumstances of unlawful discrimination, harassment, sexual harassment, bullying, employee violence, or victimisation.

- All complaints are treated in a sensitive, fair, timely and confidential manner.

- Allegations will be investigated in accordance with this policy and informal and formal complaints resolution procedures based on the principles of procedural fairness.
- Any breach of this policy may result in disciplinary action, including termination of employment.

- Disciplinary action shall be determined in accordance with the nature and severity of the offence, and may include a range of outcomes, including but not limited to, an apology, training or education, transfer, warnings or termination of employment.

PROPERTY OWNED BY THE ORGANISATION

- Staff are responsible for protecting any property owned by the organisation that is provided to them. Staff should ensure that they safeguard organisation property from loss, theft or damage

- Staff are not allowed to misuse organisation property nor should they use it inappropriately.

FRAUD AND THEFT

- Fraudulent activities, including dishonest actions that cause actual or potential financial loss or an unjust advantage are prohibited. This includes, but is not limited to:
  - Theft of money or property owned by the organisation.
  - Deliberately falsifying, concealing or destroying documents.
  - Acts of bribery.

CONFLICT AND GRIEVANCES

- Conflict is dealt with in a mature and professional manner to achieve a satisfactory outcome for all parties involved. All concerns will be dealt with as quickly as possible.

- Continued conflict can be very destructive to general staff morale and family confidence in staff. It also provides a poor model of human interaction and problem solving for young children.

- Gossip, backstabbing, innuendo, rudeness and victimisation in response to a perceived (but substantiated) conflict may result in disciplinary action being taken.

- The service encourages open and constructive communications between staff. If conflict occurs, staff are encouraged to talk to the person concerned and aim to work out a solution to the conflict.

- If a staff member has a grievance or is experiencing conflict, it needs to be reported to the approved provider, nominated supervisor or responsible persons.

- In the event of a major grievance, staff are reminded that professionalism is to be maintained at all times, and that issues need to be set aside whilst at the service.

- The steps for dealing with grievances are as follows:
  - Problem identification
  - Solution finding
  - Evaluation and decision making
  - Implementation
  - Follow up

- The above steps will only be successful if both parties agree there is a problem and are willing to work it out.

- The steps to take in conflict resolution include are as follows:
  - Think through the situation and keep it in context. It is usually best not to act on impulse or the spur of the moment.
  - Decide on how it's going to be dealt with.

- If the staff member decides to deal with it themselves, the following methods can be used:
  - Use "I" statements when talking it through, e.*g., "I feel like I'm not getting enough time to spend with the children".*

- Start with a positive, *e.g., "I really like the way you spend time helping the children, but it is really important not to do it for them because they need to learn to become independent".*
- Give the other person a chance to respond and really listen to what they have to say.
- It is important to differentiate the issue from the person, so it does not become a personal attack. Identify the issue and talk about it.
- Remember to compromise and reach a mutually agreeable decision, if appropriate.

- Some phrases to start a conversation can be:
  - I've got some concerns about what's been happening
  - We need to discuss…….and I'm sure we can work something out.
  - I want to understand why.

- No dispute or argument should ever be had in front of the children, other staff, families, visitors or any other member of the service community.

BEHAVIOUR AND LANGUAGE

- Staff must ensure that all discussions outside work related matters are done away from children and during their own time. Staff should not yell or argue in front of children or families.

- Staff are expected to model appropriate behaviour and language whilst at the service and are to encourage families to do the same. Correct grammar is to be used and swearing is prohibited.

- Staff should use courteous and acceptable verbal and non-verbal language.

- Staff must refrain from the use of profane, insulting, harassing, aggressive, abusive, threatening or otherwise offensive language.

BULLYING

- Bullying is repeated and unreasonable behaviour directed towards an employee or group that creates a risk to health or safety, *e.g., verbal abuse, excluding or isolating employees, intimidation, assigning meaningless tasks unfairly, giving employees impossible assignments, deliberately changing work rosters to inconvenience particular employees.*

- Repeated behaviour refers to the persistent nature of behaviour and can involve a range of behaviours over time.

- Unreasonable behaviour means behaviour that a reasonable person, having considered the circumstances, would see the behaviour as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

- Examples of bullying, whether intentional or unintentional, that may be considered as workplace bullying include, but are not limited to:
  - aggressive or intimidating conduct.
  - abusive, insulting, humiliating or offensive language or comments.
  - threats in person, via email, message, or the internet.
  - deliberately excluding someone from workplace activities and work-related events.
  - denying access to information, supervision, consultation or resources to the detriment of the employee.
  - spreading misinformation or malicious rumours.
  - teasing, practical jokes or 'initiation ceremonies'.
  - constant, intrusive surveillance or monitoring.

- Bullying is not:

- Genuine and reasonable disciplinary procedures.
- Constructively delivered feedback or counselling that is intended to assist an employee to improve their work performance or the standard of their behaviour.
- Fair and appropriate rostering and allocation of shifts.
- Setting performance goals, standards and deadlines.
- Deciding not to select an employee for a promotion.
- Informing an employee about unsatisfactory work performance.
- Informing an employee about inappropriate behaviour.
- Implementing organisational changes.

VICTIMISATION

- Victimisation is subjecting or treating someone detrimentally because they make a complaint, or are a witness to a complaint, *e.g., placing an employee on a performance management plan when they make a complaint about bullying.*

- A person must not 'victimise' someone because they have made a complaint or are a witness in a complaint.

HARASSMENT

- Harassment is any form of behaviour that is uninvited, unwelcomed and which humiliates, offends or intimidates another person, or makes the workplace uncomfortable and unpleasant.

- It is important to understand that a one-off incident can constitute harassment.

- Harassment in the workplace can take many forms (verbal, written, visual or physical) and can be obvious, subtle, direct or indirect.

- Examples of harassment include, but are not limited to:
  - telling insulting jokes about particular racial groups.
  - sending explicit or sexually suggestive emails or messages.
  - displaying offensive or pornographic posters or screensavers.
  - making derogatory comments or taunts about a person's disability.
  - asking intrusive questions about someone's personal life.
  - making sexual or suggestive remarks, references and propositions.
  - persistent and unwelcome requests to go out.
  - spreading rumours.
  - mimicking or making fun of someone.
  - name calling, threats or insults.
  - unwelcome practical jokes.
  - following someone to and from work.
  - offensive hand or body gestures or wolf whistling.
  - unnecessary physical contact, *e.g., pinching, patting, touching, hugging against a person's will, kissing, pushing, shoving or jostling.*

SEXUAL HARASSMENT

- Sexual harassment refers to unwanted, unwelcomed behaviour, which is offensive, embarrassing, intimidating or humiliating, such as:
  - unwelcome sexual advances.
  - unwelcome requests for sexual favours.
  - other unwelcome conduct of a sexual nature, *e.g., physical intimacy, remarks with a sexual connotation, gestures, images, actions, messages or comments.*

- Sexual harassment is not behaviour that is based on mutual attraction or friendship and where the conduct is invited, consensual, reciprocated and lawful.

- Sexual harassment can be physical, visual, verbal or non-verbal.

- It may be a one-off or a series of incidents. It includes any behaviour in connection with work, *e.g., at a work party outside of work hours.*

PROCEDURAL FAIRNESS

- The principles of procedural fairness apply during any formal disciplinary action. The principles require the organisation to:
  - Fully inform a person of any allegation/s made against them in writing.
  - Allow the person the opportunity to bring with them a support person or representative.
  - Give the person an opportunity to state their case, provide an explanation or put forward a defence.
  - Ensure that a proper investigation of any allegation occurs, that all parties are heard and relevant submissions considered.
  - Ensure that decision makers act fairly and without bias.

- The organisation will:
  - remain objective and impartial when managing conflict in the workplace.
  - be responsive and address a possible breach of the code of conduct by any person as soon as they aware of the breach.
  - investigate all allegations which may result in remedial action, or disciplinary action ranging from a caution to dismissal.
  - consider all relevant facts and make decisions or take actions fairly, ethically, consistently, and with transparency.
  - If they are uncertain about the appropriateness of a decision or action they will consider:
    - whether the decision or conduct is lawful.
    - whether the decision or conduct is consistent with service policies and objective.
    - 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.

INFORMAL COUNSELLING

- Informal counselling and/or face-to-face feedback will normally occur when, in the nominated supervisor or responsible person's opinion, formal disciplinary action is not appropriate.

- Where it is established during the informal discussion that the behaviour expectations have not been met, feedback given should be constructive and delivered to encourage the staff member to achieve and maintain expected behaviour and/or performance standards.

- After the informal counselling session, the nominated supervisor or responsible person will keep a file note of the discussion and where appropriate, plan a subsequent discussion with the staff member to review the behaviour or performance.

FORMAL COUNSELLING

- When a situation is identified that requires a counselling intervention to discuss issues relating to performance or conduct, actions should be taken immediately to address the situation.

- The initial action should be to ensure the nominated supervisor or responsible person has all the relevant information and they shall maintain the staff member's dignity at all times with the stated goal of attempting to change the employee's behaviour and performance.

- The staff member shall be given adequate time, training and guidance to alter their behaviour and performance.

- If the staff member's behaviour or performance has not improved or changed, the nominated supervisor or responsible person may undertake the formal disciplinary process.

- After the formal counselling session, the nominated supervisor or responsible person will keep a file note of the discussion and will plan a subsequent discussion with the staff member to review the behaviour or performance.

DISCIPLINARY ACTION

- All staff are made fully aware that continued abuse of the following might result in disciplinary action. These include, but are not limited to:
  - Unauthorised absence
  - Having personal visitors whilst on shift
  - Continued personal phone calls
  - Use of smart devices in the children's rooms and outdoor spaces
  - Unauthorised solicitation or distribution of money or materials
  - Poor work standards
  - Carelessness
  - Low level of enthusiasm
  - Lack of personal cleanliness
  - Taking excessive breaks, or breaks longer than allocated
  - Failure to report health, fire or safety hazards
  - Repeated tardiness
  - Sleeping in a room where children are present
  - Lack of supervision
  - Intended or unintended harm to a child

DISCIPLINARY PROCEDURES

- All incidents reported to the approved provider, nominated supervisor or responsible persons are recorded and kept on file.

- If a staff member fails to follow practices, policies and procedures and abide by the philosophy, they may receive counselling. This is given in written form and is used as a tool to help staff improve their performance and professionalism.

- Staff are encouraged to have input during the counselling session.

- If behaviours deemed to be unprofessional or inappropriate continue, the staff member may receive an official warning, or if the offence is severe the staff member may be dismissed.

UNSATISFACTORY CONDUCT

- Disciplinary actions may occur if any staff member is found to have:
  - breached the code of conduct.
  - persistent absenteeism and/or lateness.
  - unsatisfactory standards or output of work.
  - unsatisfactory treatment or care of a child or children.
  - failed to devote their time, attention and abilities to the service and/or the children during normal working hours.
  - failed to carry out all reasonable instructions or follow practices, policies, procedures, and the philosophy.
  - rudeness towards families, children, visitors, members of the public and/or other staff.
  - objectionable or insulting behaviour, harassment, bullying or bad language.
  - unauthorised use or negligent damage or loss of the organisation's property.
  - failed to report immediately any damage to property or premises caused by the staff member.

SERIOUS MISCONDUCT

- Occurrences of serious misconduct are significant because the penalty may be termination without notice, even without any previous warning being issued.

- Examples of serious and willful misconduct include, but are not limited to:
  - theft or fraud.
  - physical violence or bullying.
  - deliberate damage to property.
  - child endangerment.
  - deliberate acts of unlawful discrimination or harassment.
  - possession, or being under the influence, of illegal drugs or alcohol at work.

DISMISSAL AND TERMINATION OF EMPLOYMENT

- Dismissal of a staff member is not considered lightly. Should it become necessary to dismiss the staff member, the appropriate processes required by industrial law will be applied.

- Significant breeches that may lead to termination of employment include, but are not limited to:
  - 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.
  - Inappropriate use of service equipment.
  - Refusing to work as directed.
  - Possessing a dangerous weapon while at the service.
  - Bringing disrepute to the organisation.
  - Bringing disrepute to the relationship between a family and the organisation.
  - Disclosure of confidential information.
  - Falsifying documentation.
  - Taking, abusing or destroying service property.
  - Interfering with work schedules, falsification of reports, documents or wages information.
  - Failure to report for work.
  - Walking off the job.
  - Failure to follow practices, policies, procedures and the philosophy.
  - Vulgarity or disrespectful conduct to children, families, staff, or visitors.
  - Making or publishing false, vicious or malicious statements about any child, family, staff member, visitor, the service, the organisation or its services.

ROLES AND RESPONSIBILITIES

Approved Provider	• Ensure a nominated supervisor or responsible person is present at the service in the absence of the approved provider at all times. • Notify the regulatory authority in writing about a new nominated supervisor or if the details of the nominated supervisor change. • Ensure nominated supervisor and responsible persons are appropriately skilled, qualified and have a clear understanding of their roles. • Ensure the name and position of the nominated supervisor is displayed and easily visible from the main entrance of the service. • Ensure educator-to-child ratios are maintained at all times. • Appoint an appropriately-qualified and experienced staff member to be the educational leader. • Ensure the employment process is fair and transparent for all employees. • Implement employment procedures that are safe, equitable, and follow child-safe procedures. • Employ the relevant number of appropriately-qualified staff.

	• Comply with relevant industrial agreements and current legislation relating to the employment of staff. • Employ additional staff, as required, to assist in the provision of a quality early childhood education and care program. • Ensure early childhood teachers are working with the service for the required period of time specified in the national regulations. • Maintain a record of staff working directly with children. • Ensure staff are provided with a current position description that relates to their role at the service. • Ensure there is at least one staff member with current approved first aid qualifications, anaphylaxis management training and emergency asthma management training in attendance and immediately available at all times. • Ensure performance reviews of the nominated supervisor, responsible persons and staff are undertaken. • Ensure staff have opportunities to undertake professional development relevant to their role. • Ensure the nominated supervisor, responsible persons and staff are advised and aware of current child protection laws and any obligations they may have under these laws. • Develop and maintain a list of casual and relief staff to ensure consistency. • Provide ongoing support and training to all staff. • Collaborate with staff to develop a code of conduct. • Implement disciplinary procedures which have procedural fairness and ensure respect, equity and confidentiality. • Notify regulatory authority when certain incidents & circumstances occur. • Be a point of contact for families and staff. • Ensure communication with children, families, staff and visitors is respectful and professional. • Act with integrity, leadership, respect, selflessness, objectivity, accountability, openness and honesty at all times. • Treat all children, families, staff and visitors with respect. • Listen to, trust and value the ideas and opinions of children, families, staff and visitors. • Respect each child's right to privacy. • Provide a welcoming, inclusive and safe environment for all people associated with the service. • Actively promote cultural safety and inclusion. • Strive to build a safe, harmonious, equitable and non-discriminatory workplace, that engages respectfully and collaboratively within the team. • Abide by and promote the appropriate standards of behaviour listed in the code of conduct and expectations of staff and management. • Refrain from unlawful discrimination, harassment, sexual harassment, bullying, or victimisation, and report any circumstances of the above to the approved provider, nominated supervisor or responsible persons. • Ensure information collected from families, staff and the community is maintained in a private and confidential manner at all times. • Ensure confidential information is not divulged or communicated (directly or indirectly) to another person other than as appropriate in the regulations. • Report & act on any concerns or observed breaches of the code of conduct. • Take all reasonable steps to protect children from abuse. • Ensure students and volunteers are adequately supervised at all times. • Ensure students and volunteers are not left with sole supervision of individual children or groups of children.

	• Ensure the environment is free from the use of tobacco, illicit drugs and alcohol, and staff, volunteers and visitors are not affected by alcohol or drugs (including prescription medication). • Actively support, and contribute to the review of, the service philosophy. • Read, understand, follow and enforce the organisation's policies and procedures.
Nominated Supervisor and Responsible Persons	• Ensure a responsible person is present at the service in the absence of the approved provider and nominated supervisor at all times. • Ensure responsible persons are appropriately skilled, qualified and have a clear understanding of their roles. • Ensure the name and position of the nominated supervisor is displayed and easily visible from the main entrance of the service. • Ensure educator-to-child ratios are maintained at all times. • Appoint an appropriately-qualified and experienced staff member to be the educational leader. • Ensure the employment process is fair and transparent for all employees. • Implement employment procedures that are safe, equitable, and follow child-safe procedures. • Comply with relevant industrial agreements and current legislation relating to the employment of staff. • Employ the relevant number of appropriately-qualified staff. • Employ additional staff, as required, to assist in the provision of a quality early childhood education and care program. • Ensure early childhood teachers are working with the service for the required period of time specified in the national regulations. • Maintain a record of staff working directly with children. • Ensure staff are provided with a current position description that relates to their role at the service. • Ensure there is at least one staff member with current approved first aid qualifications, anaphylaxis management training and emergency asthma management training in attendance and immediately available at all times. • Manage the service in accordance with law, regulations, practices, policies, procedures and the philosophy. • Manage and supervise staff by providing reasonable direction to implement practices, policies, procedures and the philosophy. • Ensure performance reviews of responsible persons & staff are undertaken. • Be an active participant in the performance review process. • Ensure staff have opportunities to undertake professional development relevant to their role. • Participate in all compulsory training. • Ensure responsible persons and staff are advised and aware of current child protection laws and any obligations they may have under these laws. • Develop rosters in consultation with the approved provider in accordance with the availability of responsible persons, staff qualifications, hours of operation and the attendance patterns of children. • Develop and maintain a list of casual and relief staff to ensure consistency. • Provide ongoing support and training to all staff. • Collaborate with staff to develop a code of conduct. • Implement disciplinary procedures which have procedural fairness and ensure respect, equity and confidentiality. • Notify regulatory authority when certain incidents & circumstances occur.

	• Be the primary point of contact for families and staff. • Ensure communication with children, families, staff and visitors is respectful and professional. • Act with integrity, leadership, respect, selflessness, objectivity, accountability, openness and honesty at all times. • Treat all children, families, staff and visitors with respect. • Listen to, trust and value the ideas and opinions of children, families, staff and visitors. • Respect each child's right to privacy. • Provide a welcoming, inclusive and safe environment for all people associated with the service. • Actively promote cultural safety and inclusion. • Strive to build a safe, harmonious, equitable and non-discriminatory workplace, that engages respectfully and collaboratively within the team. • Abide by and promote the appropriate standards of behaviour listed in the code of conduct and expectations of staff and management. • Refrain from unlawful discrimination, harassment, sexual harassment, bullying, or victimisation, and report any circumstances of the above to the approved provider, nominated supervisor or responsible persons. • Ensure information collected from families, staff and the community is maintained in a private and confidential manner at all times. • Ensure confidential information is not divulged or communicated (directly or indirectly) to another person other than as appropriate in the regulations. • Report & act on any concerns or observed breaches of the code of conduct. • Take all reasonable steps to protect children from abuse. • Ensure staff and visitors only commence at the service with a current and valid working with children check or VIT registration. • Facilitate the participation of students and volunteers in the service. • Ensure students and volunteers are adequately supervised at all times. • Ensure students and volunteers are not left with sole supervision of individual children or groups of children. • Ensure the environment is free from the use of tobacco, illicit drugs and alcohol, and staff, volunteers and visitors are not affected by alcohol or drugs (including prescription medication). • Act as a positive role model for sun smart practices by promoting positive attitudes to sun safe practices, including wearing a sun safe hat when UV levels are 3 and above. • Actively support, and contribute to the review of, the service philosophy. • Read, understand, follow and enforce the organisation's policies and procedures.
Educators and Staff Members	• Ensure educator-to-child ratios are maintained at all times. • Provide reasonable direction to implement practices, policies, procedures and the philosophy. • Be an active participant in the performance review process. • Show respect and understanding, and maintain confidentiality when dealing with conflict, grievances, misconduct, and/or disciplinary procedures. • Undertake professional development relevant to role. • Participate in all compulsory training. • Be aware of current child protection laws and any obligations they may have under these laws.

	• Undertake child protection training, including information on mandatory reporting requirements and obligations. • Provide ongoing support and training to all staff. • Notify the approved provider, nominated supervisor or responsible persons when certain incidents and circumstances occur. • Be a point of contact for families and staff. • Respect the individual needs, cultural practices and beliefs of parents, guardians and families in all interactions. • Provide guidance to staff, families and visitors through positive role modelling and, when appropriate, clear and respectful directions. • Ensure communication with children, families, staff and visitors is respectful and professional. • Act with integrity, leadership, respect, selflessness, objectivity, accountability, openness and honesty at all times. • Treat all children, families, staff and visitors with respect. • Listen to, trust and value the ideas and opinions of children, families, staff and visitors. • Respect each child's right to privacy. • Provide a welcoming, inclusive and safe environment for all people associated with the service. • Actively promote cultural safety and inclusion. • Strive to build a safe, harmonious, equitable and non-discriminatory workplace, that engages respectfully and collaboratively within the team. • Abide by and promote the appropriate standards of behaviour listed in the code of conduct and expectations of staff. • Refrain from unlawful discrimination, harassment, sexual harassment, bullying, or victimisation, and report any circumstances of the above to the approved provider, nominated supervisor or responsible persons. • Ensure information collected from families, staff and the community is maintained in a private and confidential manner at all times. • Ensure confidential information is not divulged or communicated (directly or indirectly) to another person other than as appropriate in the regulations. • Report & act on any concerns or observed breaches of the code of conduct. • Take all reasonable steps to protect children from abuse. • Ensure students and volunteers are adequately supervised at all times. • Ensure students and volunteers are not left with sole supervision of individual children or groups of children. • Seek written consent from parents or guardians before a student or volunteer begins taking observations of children. • Provide students and volunteers with opportunities to learn and participate in a positive, encouraging and supportive environment. • Ensure the environment is free from the use of tobacco, illicit drugs and alcohol, and staff, volunteers and visitors are not affected by alcohol or drugs (including prescription medication). • Act as a positive role model for sun smart practices by promoting positive attitudes to sun safe practices, including wearing a sun safe hat when UV levels are 3 and above. • Meet requirements relating to qualifications, first aid training, working with children checks and/or VIT registration. • Actively support, and contribute to the review of, the service philosophy. • Actively participate in, contribute to, and integrate all learning into practice from, team meetings and professional development.

	• Read, understand, follow and enforce the organisation's policies and procedures.
Students and Volunteers	• Meet requirements relating to working with children checks and/or VIT registration. • Complete and submit requested student and volunteer documents prior to commencement at the service. • Provide the service with all relevant paperwork that is provided by the school or training organisation. • Sign in and out of the service daily. • Follow the directions of staff at the service at all times. • Seek assistance from staff when needed. • Immediately let staff know of any health or safety concerns. • Provide ongoing support to staff. • Show respect and understanding, and maintain confidentiality when dealing with conflict, grievances, misconduct, and/or disciplinary procedures. • Participate in all compulsory training. • Be aware of current child protection laws and any obligations they may have under these laws. • Undertake child protection training, including information on mandatory reporting requirements and obligations. • Notify the approved provider, nominated supervisor or responsible persons when certain incidents and circumstances occur. • Respect the individual needs, cultural practices and beliefs of parents, guardians and families in all interactions. • Ensure communication with children, families, staff and visitors is respectful and professional. • Act with integrity, leadership, respect, selflessness, objectivity, accountability, openness and honesty at all times. • Treat all children, families, staff and visitors with respect. • Listen to, trust and value the ideas and opinions of children, families, staff and visitors. • Respect each child's right to privacy. • Provide a welcoming, inclusive and safe environment for all people associated with the service. • Actively promote cultural safety and inclusion. • Strive to build a safe, harmonious, equitable and non-discriminatory workplace, that engages respectfully and collaboratively within the team. • Abide by and promote the appropriate standards of behaviour listed in the code of conduct and expectations of staff. • Refrain from unlawful discrimination, harassment, sexual harassment, bullying, or victimisation, and report any circumstances of the above to the approved provider, nominated supervisor or responsible persons. • Ensure information collected from families, staff and the community is maintained in a private and confidential manner at all times. • Ensure confidential information is not divulged or communicated (directly or indirectly) to another person other than the ways outlined as appropriate in the regulations. • Report & act on any concerns or observed breaches of the code of conduct. • Take all reasonable steps to protect children from abuse. • Maintain appropriate physical, emotional, and behavioural boundaries when interacting with children.

	• Seek written consent from parents or guardians before taking observations of children. • Refrain from taking images of children or making sound recordings of children's voices unless prior written authorisation has been obtained from the child's parents or guardians. • Ensure the environment is free from the use of tobacco, illicit drugs and alcohol, and staff, volunteers and visitors are not affected by alcohol or drugs (including prescription medication). • Act as a positive role model for sun smart practices by promoting positive attitudes to sun safe practices, including wearing a sun safe hat when UV levels are 3 and above. • Refrain from administering medication or first aid to children. • Refrain from bringing unsafe items into the service. • Read, understand, follow and enforce the organisation's policies and procedures.
Parents, Guardians and Families	• Abide by the *Code of Conduct for Families* including refraining from engaging in abusive acts. • Respect and interact with any person at the service. • Be familiar with the code of conduct and report any concerns to the approved provider, nominated supervisor or responsible persons. • Abide by all standards of conduct as set out in this policy. • Follow the directions of staff at the service to ensure the health, safety and wellbeing of children. • Read, understand and follow the organisation's policies and procedures.

SOURCES

- ACECQA – *Inappropriate Discipline* – July 2023
- ACECQA – *Nominated Supervisors Information Sheet*
- ACECQA – *Providing a Child Safe Environment* – July 2023
- ACECQA – *Qualifications for Centre-Based Services with Children Preschool Age or Under*
- ACECQA – *Staffing Policy Guidelines* – August 2021
- ACECQA – *The Role of the Educational Leader* – April 2018
- Australian Children's Education and Care Quality Authority
- CCYP – *A Guide for Creating a Child Safe Organisation* – April 2023
- CCYP – *Practical Guide to Choosing, Supervising and Developing Suitable Staff & Volunteers*
- CCYP – *Steps to Develop or Update Your Code of Conduct*
- Children, Youth and Families Act 2005 – September 2023
- Social Services Regulator
- Early Childhood Australia Code of Ethics 2016
- Education and Care Services National Law Act 2010 – July 2023
- Education and Care Services National Regulations 2011 – July 2023
- Equal Opportunity Act 2010
- Fair Work Act 2009
- Guide to the National Quality Framework 2018 – July 2023
- Victorian Government – *About Child Safe Standards* – July 2023
- Victorian Government – *Child Protection in Early Childhood (PROTECT)* – April 2023
- Victorian Government – *Staffing Requirements for Early Childhood Services* – April 2023
- Victorian Government – *The Child Safe Standards in Early Childhood Services* – July 2023