Working in partnership with Cancer Council Victoria, ELAA has aligned this policy to the key policies and guidelines of the Healthy Early Childhood Services Achievement Program

PURPOSE

This policy provides a clear set of guidelines and procedures for WCCC to:

- establish the expected standards of behaviour for the approved provider, nominated supervisor, early childhood teachers, educators, other staff, contractors, volunteers, students on placement, parents/guardians and visitors
- create and maintain a child safe environment that reflects the philosophy, beliefs, objectives, and values of WCCC
- articulate desirable and appropriate behaviour
- promote interactions at the service and online which are respectful, honest, courteous, sensitive, tactful, and considerate.

POLICY STATEMENT

VALUES

Windsor Community Children's Centre:

- respects the rights of the child and values diversity
- values the contribution of Aboriginal children, children from a culturally and linguistically diverse background and children with a disability
- has zero tolerance of discrimination
- maintains a duty of care *(refer to Definitions)* towards all children at the service
- is committed to the safety and wellbeing of all staff and the members of our service's community
- is committed to supporting staff to act cohesively and ethically as a team and provide an environment that is conducive to children's learning and development
- provides a safe and secure environment for all at the service
- provides an open, welcoming environment in which everyone's contribution is valued and respected
- is committed to communicating openly and honestly
- is committed to continually learning how to be inclusive and respectful of cultural needs
- encourages relationships that are based on the principles of mutual respect, equity and fairness.
- encourages both adults and children to identify and raise concerns through the appropriate channels to maintain a culture of reporting and pro-actively responding to concerns
- encourages volunteers, students, parents/guardians and visitors to support and participate in the program and activities of the service.

SCOPE

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, other staff, students, volunteers, parents/guardians, children and others attending the programs and activities of WCCC, including during offsite excursions and activities.

RESPONSIBILITIES	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teachers, educators and all other staff	Parents/guardians	Contractors, volunteers and students
Providing a safe environment for everyone attending the programs and activities of WCCC	√	√	√		
Providing a workplace that is free from unlawful discrimination, harassment, victimisation and bullying where all persons attending are treated with dignity, courtesy and respect	√	√	√		
Ensuring that the children educated and cared for at [Service Name] are protected from harm and from any hazard likely to cause injury *(National Law: Section 167)*	√	√	√		
Providing guidance through leadership and by being a positive role model; putting children first, prioritising training and education and having a culture of continuous improvement	√	√			
Developing, updating and reviewing Code of Conduct for [Service Name] in collaboration with all stakeholders within the service *(refer to Attachments 1 and 3)*	√	√	√	√	
Ensuring that early childhood teachers/educators/other staff, volunteers, students and parents/guardians are provided with a copy of this policy on employment, engagement or enrolment at the service and that the current codes of conduct are publicly displayed and promoted to everyone including contractors and visitors	√	√			
Ensuring that the codes of conduct are regularly discussed at staff meetings to reinforce expectations	√	√			
Developing a culture of accountability within the service for complying with the code of conduct and responding when behavioural expectations are not adhered to	√	√	√	√	√

Ensuring that all children being educated and cared for at [Service Name] are protected from harm and any hazard likely to cause injury *(National Law: Section 167)*	√	√	√		√
Providing an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct	√	√	√	√	√
Ensuring that parents/guardians of a child attending the service can enter the service premises at any time that the child is being educated and cared for *(Regulation 157)*, except where this may pose a risk to the safety of children or staff, or conflict with any duty of care of the approved provider, nominated supervisor or early childhood teachers and educators under the *National Law: Section 167 & 171*	√	√			
Ensuring that contractors, volunteers, parent/guardians, students or visitors at the service are not placed in a situation where they are left alone with a child	√	√	√		
Respecting individual abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal. Paying particular attention to the needs of Aboriginal and Torres strait Islander children, children with disability and children from CALD backgrounds	√	√	√	√	√
Engaging in open, two-way communication with families and communities about the service's child safety approach and providing relevant and accessible information	√	√	√		
Ensuring all staff, contractors, volunteers and students do not consume or are under the influence of alcohol or be affected by drugs *(refer to Tobacco, Alcohol and other Drugs Policy)*	√	√			
Not consuming or being under the influence of alcohol or be affected by drugs *(refer to Tobacco, Alcohol and other Drugs Policy)*	√	√	√	√	√
Notifying DET within 24 hours of a serious incident *(refer to Definitions)* or of a notifiable complaint being made *(refer to Definitions)* at the service *(National Law: Sections 174(2)(b) and 174(4), National Regulations: Regulations 175(2)(c) and 176(2)(b))* via the NQAITS	√	√			
Referring notifiable complaints *(refer to Definitions)*, grievances or complaints that are unable to be resolved appropriately and in a timely manner to the Grievances Subcommittee/investigator *(refer to Complaints and Grievances Policy)*	√	√			
Notifying Worksafe of any reportable incidences *(refer to Definitions)* that have occurred in the workplace	√	√			
Activating the *Complaints and Grievances Policy* on notification of a breach of the *Code of Conduct Policy*	√	√			
Taking appropriate disciplinary or legal action, or reviewing the terms of employment in the event of misconduct or a serious breach of the *Code of Conduct Policy*	√				
Contacting police in an emergency situation where it is believed that there is an immediate risk, such as when violence has been threatened or perpetrated or where sexual abuse or grooming is suspected as outlined in the *Child Safe Environment Policy*.	√	√	√	√	√
Reading the *Code of Conduct Policy (refer to Attachment 1)* and signing the Code of Conduct Acknowledgement for staff *(refer to Attachment 2)* and that these are filed with individual staff records upon engagement in the service		√	√		

Adhering to the Code of Conduct at all times	√	√	√	√	√
Informing the approved provider in the event of a serious incident *(refer to Definitions)*, of a notifiable complaint *(refer to Definitions)* or of a breach of the *Code of Conduct Policy*		√	√		
Providing an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct	√	√	√		
Ensuring that parents/guardians, students and volunteers sign the Code of Conduct Acknowledgement *(refer to Attachment 4)*	√	√		√	√
Ensuring children can access abuse prevention programs and information	√	√	√		
Understanding and accepting that serious breaches of this code will be deemed misconduct and may lead to disciplinary or legal action, or a review of their employment		√	√	√	√
Being attentive to signs of harm and facilitating child-friendly ways for children to communicate and raise their concerns	√	√	√		√
Reporting and acting on any concerns or observed breaches of this *Code of Conduct Policy*		√	√	√	√
Ensuring duties are performed in a professional, safe and satisfactory manner at all times.	√	√	√		√
BOLD tick √ indicates legislation requirement					

Background and Legislation

Background

Codes of conduct establish standards of behaviour to be followed and define how individuals are expected to behave towards each other, towards the children in their care, and towards other organisations and individuals in the community.

The approved provider, nominated supervisor, early childhood teachers, educators and all other staff have a duty of care to the children attending the service and must ensure 'that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury' *(National Law: Section 167).*

The *National Quality Standard* requires that all staff be respectful and ethical and that 'professional standards guide practice, interactions and relationships' *(National Quality Standard: 4.2 and 4.2.2)*.

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

Child Safe Standard 3 requires services to develop and review codes of conduct that establish clear expectations for appropriate behaviour with children including:

- how to respond to risks adults may pose to children or that children may pose to each other
- how to ensure the cultural safety of Aboriginal children and culturally and linguistically diverse children
- how to be inclusive of all children, including children with a disability.

A Code of Conduct should be informed by the service's philosophy, beliefs and values, and based on ethical principles of mutual respect, equity and fairness. Consideration should be given to the Victorian Teaching Profession *Code of Conduct and the Code of Ethics* and to the Early Childhood Australia's *Code of Ethics* in developing the code of conduct.

The approved provider must ensure that the nominated supervisor, early childhood teachers, educators, other staff, contractors, volunteers, students on placement, parents/guardians, children and others attending the programs and activities of WCCC adhere to the expectations outlined in the Code of Conduct when communicating to and interacting with:

- children at the service and their parents and family members
- each other
- others in the community.

Legislation and Standards

Relevant legislation and standards include but are not limited to:

- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Child Safe Standards (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)
- Disability Discrimination Act 1992 (Cth)
- Early Childhood Australia's Code of Ethics (2016)
- Education and Care Services National Law Act 2010: Sections 166, 167, 173, 174
- Education and Care Services National Regulations 2011: Regulations 83, 155, 156, 157, 168, 170, 171, 174, 175, 176
- Equal Opportunity Act 2010 (Vic)
- Fair Work Act 2009 (Cth)
- Fair Work Regulations 2009 (Cth)
- National Quality Standard, Quality Area 4: Staffing Arrangements
- Occupational Health and Safety Act 2004
- Occupational Health and Safety Regulations 2007
- Racial Discrimination Act 1975
- Racial and Religious Tolerance Act 2001 (Vic)
- Sex Discrimination Act 1984 (Cth)
- Victorian Institute of Teaching the Victorian Teaching Profession Code of Conduct
- Victorian Institute of Teaching the Victorian Teaching Profession Code of Ethics

The most current amendments to listed legislation can be found at:

Victorian Legislation – Victorian Law Today: www.legislation.vic.gov.au

Commonwealth Legislation – Federal Register of Legislation: www.legislation.gov.au

Definitions

The terms defined in this section relate specifically to this policy. For regularly used terms e.g. Approved provider, Nominated supervisor, Notifiable Complaints, Serious Incidents, Duty of Care, etc. refer to the Definitions file of the PolicyWorks catalogue.

Behaviour: the way in which one acts or conducts oneself, especially towards others.
Bullying: Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.
Ethical conduct: Behaviour which reflects values or a code of conduct.
Harassment: When someone is demeaning, derogatory or intimidating towards another person. Harassment includes:

- racial taunts
- taunts about sexual orientation or gender identity
- sexual harassment: unwelcome physical, verbal or written behaviour of a sexual nature
- repeated insulting remarks.

Investigator: A person/staff member assigned or organisation engaged with the responsibility of investigating suspected breaches of the Code of Conduct by the Approved provider
Physical attack: the direct or indirect application of force by a person to the body of, or to clothing or equipment worn by another person, where that application creates a risk to health and safety.
Respect: Demonstrating regard for the rights of individuals, for different values and points of views.
Sexual harassment: includes offensive gestures, leering, staring or suggestive comments about a person's physical appearance, inappropriate physical contact, unwanted invitations of a sexual manner, sexually orientated jokes, sending of obscene letters, notes, telephone texts or emails.
Support: Work in a co-operative and positive manner.
Threat: a statement or behaviour that causes a person to believe they are in danger of being physically attacked.
Unreasonable behaviour: includes actions of individuals or a group and may involve using a system of work as a means of victimising, humiliating, undermining, or threatening.
Verbal harassment: includes name-calling, offensive language, putting people down.

Sources and Related Policies

Sources

- Early Childhood Australia, *Code of Ethics*: www.earlychildhoodaustralia.org.au/our-publications/eca-code-ethics/
- United Nations, *The Universal Declaration of Human Rights*: www.un.org/en/universal-declaration-human-rights/
- United Nations, *Convention on The Rights of the Child*: www.unicef.org/crc/
- Victoria Legal Aid: www.legalaid.vic.gov.au
- Victorian Institute of Teaching – *The Victorian Teaching Profession Code of Conduct and Code of Ethics*: www.vit.vic.edu.au
- Commission for Children and Young People: www.ccyp.vic.gov.au

Related Policies

- Child Safe Environment
- Complaints and Grievances
- Delivery and Collection of Children
- Inclusion and Equity
- Information Communication Technology
- Interactions with Children
- Occupational Health and Safety
- Privacy and Confidentiality
- Relaxation and Sleep
- Staffing
- Tobacco, Alcohol and other Drugs

Evaluation

In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy

- assess whether a satisfactory resolution has been achieved in relation to issues arising from this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk.

ATTACHMENTS

- Attachment 1: Code of Conduct for approved provider, nominated supervisor and all staff
- Attachment 2: Code of Conduct Acknowledgement for staff
- Attachment 3: Code of Conduct for parents/guardians, students, contractors and volunteers
- Attachment 4: Code of Conduct Acknowledgement for parents/guardians, students, contractors and volunteers

AUTHORISATION

This policy was adopted by the approved provider of WCCC on 08 December 2021.
NEXT REVIEW DATE: MAY 2024

Attachment 1. Code of conduct for the Approved provider, Persons with Management and Control, Nominated supervisor, Person in Day-to-Day Charge and all staff

This attachment was informed by the Victorian Institute of Teaching's *the Victorian Teaching Profession Code of Conduct* and *A Guide for Creating A Child Safe Organisation*, available from the Commission for Children and Young People *(refer to Sources)*.
The approved provider, persons with management and control, nominated supervisor and all staff at WCCC are responsible for promoting the safety and wellbeing of children and their families by:

- welcoming all children and their families and being inclusive
- treating everyone with respect, including listening to and valuing their ideas and opinions
- contributing to a culture of child safety
- adhering to the *Child Safe Environment policy* and all other policies
- taking all reasonable steps to protect children from abuse
- respecting the privacy of children and their families, and only disclosing information to people who have a need to know as required under the *Privacy and Confidentiality policy*
- reporting and acting on any breaches of this *Code of Conduct*, complaints or concerns.
- acknowledging the vulnerability of Aboriginal children, children from a culturally and linguistically diverse background and children with a disability and having zero tolerance of discrimination

Professional responsibilities

The approved provider, persons with management and control, nominated supervisor and all staff demonstrate our commitment to our professional responsibilities by:

- undertaking duties in a competent, timely and responsible way
- ensuring our knowledge and expertise is up to date and relevant to our roles
- being aware of the role of other professionals and agencies and working collaboratively and within the limits of our professional expertise
- understanding and complying with legal obligations in relation to:
    - discrimination, harassment and vilification
    - negligence
    - grooming
    - disclosure of child sexual abuse
    - protection of a child from child sexual abuse
    - mandatory reporting
    - privacy and confidentiality
    - occupational health and safety, including emergency evaluation procedures
    - raising any complaints or grievances in accordance with the *Complaints and Grievances policy*
    - maintaining teacher registration and Working with Children checks as applicable.
- raising any complaints or grievances in accordance with the *Complaints and Grievances policy.*

Relationships with children

The approved provider, persons with management and control, nominated supervisor and all staff at WCCC demonstrate our commitment to high-quality education and care for children by:

- encouraging children to express themselves and their opinions
- allowing children to undertake experiences that develop self-reliance and self-esteem
- maintaining a safe environment for children
- being a positive role model at all times
- speaking to children in an encouraging and positive manner
- giving each child positive guidance and encouraging appropriate behaviour
- providing opportunities for children to interact and develop respectful and positive relationships with each other, and with other staff members and volunteers at the service
- regarding all children equally, and with respect and dignity

- having regard to their cultural values and supporting them to express their culture
- respecting individual difference including age, physical and intellectual development, and catering for the abilities of each child at the service
- working with children in an open and transparent way by informing other staff about the work being done with children
- encouraging and assisting children to undertake activities of a personal nature for themselves e.g. toileting and changing clothes
- informing children if physical contact is required for any purpose, asking them if they are comfortable with this interaction and complying with the *Interactions with Children policy*.

Relationships with parents/guardians and families

In our relationships with parents/guardians and families, the approved provider, nominated supervisor and all staff demonstrate our commitment to collaboration by:

- maintain professional and ethical relationships with families attending the service
- respecting the role of parents/guardians as the child's first educator
- working collaboratively with parents/guardians and families
- considering the perspective of parents/guardians and families when making decisions that impact on the education and care of their child
- communicating with parents/guardians and families in a timely and sensitive manner
- responding to concerns expressed by parents/guardians and families in a timely and appropriate manner.

Relationships with employer and between colleagues

In relationships with the approved provider, persons with management and control, nominated supervisor and staff and between colleagues demonstrate collegiality by:

- encouraging others to act in accordance with this *Code of Conduct* and taking action when they observe behaviours which are outside of the *Code of Conduct*
- developing relationships based on mutual respect, equity and fairness
- working in partnership in a courteous, respectful and encouraging manner
- valuing the input of others
- sharing expertise and knowledge in appropriate forums, and in a considered manner
- respecting the rights of others as individuals
- giving encouraging and constructive feedback, and respecting the value of different professional approaches
- being prepared to have difficult conversations and use constructive processes to address differences of opinion.

Attachment 2. Code of Conduct Policy Acknowledgement for staff

I hereby acknowledge that on , I received a copy of the *Code of Conduct policy* for WCCC.

I have read the policy and I understand its contents.

I commit to abiding by the *Code of Conduct* and fulfilling my responsibilities as outlined in this policy whilst working at WCCC.

I understand that the approved provider will address any breach of this policy, and that any serious breach could lead to disciplinary or legal action.

Signature	Name (please print)	Date

Witness signature	Name (please print)	Date

Thank you for your contribution to making WCCC an open, safe, welcoming, and friendly environment.

Attachment 3. Code of conduct for parents/guardians, students, volunteers, contractors and visitors

I commit to contributing to creating an environment at WCCC that:

- respects the rights of the child and values diversity
- acknowledges the vulnerability of Aboriginal children, children from a culturally and linguistically diverse background and children with a disability and has zero tolerance of discrimination
- maintains a duty of care *(refer to Definitions)* towards all children at the service
- is committed to the safety and wellbeing of each child at the service
- is committed to the safety and wellbeing of all staff at the service
- provides a safe and secure environment for all at the service
- provides an open, welcoming environment in which everyone's contribution is valued and respected
- is committed to communicating openly and honestly
- is committed to continually learning how to be inclusive and respectful of cultural needs
- encourages parents/guardians, volunteers, students and community members to support and participate in the program and activities of the service.

Relationships with children

In my relationships with children, I commit to:

- being a positive role model at all times
- encouraging children to express themselves and their opinions
- allowing children to undertake experiences that develop self-reliance and self-esteem
- maintaining a safe environment for children
- speaking to children in an encouraging and positive manner
- giving each child positive guidance and encouraging appropriate behaviour
- regarding all children equally, and with respect and dignity
- having regard to each child's cultural values
- respecting individual difference including age, physical and intellectual development, and catering for the abilities of each child at the service.

Relationships with the approved provider, persons with management and control, nominated supervisor, staff and others

In my relationships with the approved provider, nominated supervisor, staff, other parents/guardians, volunteers and visitors I commit to:

- reading and abiding by the *Code of Conduct policy*
- developing relationships based on mutual respect
- working in partnership in a courteous, respectful and encouraging manner
- valuing the input of others
- sharing our expertise and knowledge in a considered manner
- respecting the rights of others as individuals
- giving encouraging and constructive feedback, and respecting the value of different professional approaches
- respecting the privacy of children and their families and only disclosing information to people who have a need to know as required under the *Privacy and Confidentiality policy*
- following the directions of staff at all times
- treating the early childhood environment with respect
- raising any concerns, including concerns about safety, as soon as possible with staff to ensure that they can be resolved efficiently
- raising any complaints or grievances in accordance with the *Complaints and Grievances Policy*.

Attachment 4. Code of Conduct Policy Acknowledgement for parents/guardians, students, contractors and volunteers

I hereby acknowledge that on, I received a copy of the *Code of Conduct policy* for WCCC.

I have read this policy and understand its contents. I commit to abiding by the *Code of Conduct* and fulfilling my responsibilities as outlined in this policy whilst my child is attending WCCC.

I agree to abide by the values, principles and practices set out within.

I understand that a breach of the *Code of Conduct* may lead to limitations being placed on my attendance at the service.

Signature	Name (please print)	Date

Witness signature	Name (please print)	Date

Thank you for your contribution to making WCCC an open, safe, welcoming and friendly environment.