

	Code of Conduct for Staff Members Policy & Procedures
Version No.	Version 6 2024
Authorisation	General Manager
Expiry Date	Policy to be reviewed Annually
Responsible Officer	Manager Evolve Early Learning & Kindergarten
Policy Owner	Evolve Early Learning & Kindergarten

Policy

Evolve Early Learning & Kindergarten is committed to:

- Considering the wellbeing of each child at the service as paramount maintaining a duty of care (refer to Definitions) towards all children at the service
- Providing a safe and secure environment for all at the service respecting the rights of the child providing an open, welcoming environment in which everyone's contribution is valued and respected encouraging parents/guardians, volunteers, students and community members to support and participate in the program and activities of the service

Purpose

Evolve Early Learning & Kindergarten is committed to:

- Establish a standard of behaviour for the Approved Provider (if an individual), Nominated Supervisor, educators and all staff at Evolve Early Learning & Kindergarten
- That reflects the philosophy, beliefs, objectives and values of the service promote desirable and appropriate behaviour ensure that all staff interaction at the service with both children and adults is respectful, honest, courteous, sensitive, tactful and considerate.

Scope

This policy applies to Evolve Early Learning & Kindergarten who is responsible for the direct education and care of children including offsite excursions and activities.

This policy applies to the Approved Provider, Nominated Supervisor, Educators, other staff, Students on placement and Volunteers, Parents/guardians, Children and others attending Evolve Early Learning & Kindergarten's programs and activities.

National Quality Standards (NQS)

Quality Area 6: Staffing Arrangements

4.1 Staffing arrangements - Staffing arrangements enhance children's learning and development.

4.1.2 Continuity of staff - Every effort is made for children to experience continuity of educators at the service.

4.2 Professionalism - Management, educators and staff are collaborative, respectful and ethical.

4.2.1 Professional collaboration - Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.

4.2.2 Professional standards - Professional standards guide practice, interactions and relationships.

Quality Area 7: Governance and Leadership

7.1.1 Service philosophy and purpose - A statement of philosophy guides all aspects of the service's operations.

7.1.3 Roles and responsibilities - Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.

BACKGROUND AND LEGISLATION

Background

- A Code of Conduct establishes a standard of behaviour to be followed by the Approved Provider, Nominated Supervisor, educators, staff, students on placement and volunteers at the service.
- The Code of Conduct defines how individuals should behave towards each other, towards the children in their care, and towards other organisations and individuals in the community.
- The Approved Provider and Nominated Supervisor have a duty of care to the children attending the service and must ensure "that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury" (National Law: Section 167).
- The National Quality Standard requires that "management, educators and staff are collaborative, respectful and ethical" and that "professional standards guide practice, interactions and relationships" (National Quality Standard: 4.2 and 4.2.1).
- Employers also have a legal responsibility to provide, as far as is practicable, a safe workplace that is free from discrimination, bullying and harassment.
- A Code of Conduct should be based on the service's philosophy, beliefs and values, and on ethical principles of mutual respect, equity and fairness.

- Consideration should be given to the service’s Code of Ethics or to Early Childhood Australia’s Code of Ethics in developing the Code of Conduct.
- While a Code of Ethics focuses on values and attitudes, or guiding principles, a Code of Conduct has a more specific focus on behaviour and action.
- The Code of Conduct puts the guiding principles into action by clarifying standards of behaviour expected of individuals in the performance of their duties or involvement at the service, and by giving guidance in areas where individuals are required to make professional, personal and ethical decisions.
- The Approved Provider must ensure that all educators, staff, students and volunteers at the service adhere to clear guidelines regarding appropriate interaction and communication with each another, with children at the service, and with 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) Children,
- Youth and Families Act 2005 (Vic), as amended 2011
- Child Wellbeing and Safety Act 2005 (Vic), as amended 2011
- Disability Discrimination Act 1992 (Cth)
- Education and Care Services National Law Act 2010: Sections 166, 167, 174
- Education and Care Services National Regulations 2011: Regulations 155, 156, 157, 175
- Equal Opportunity Act 2010 (Vic) Fair Work Act 2009 (Cth)
- Fair Work Regulations 2009 (Cth)
- National Quality Standard, Quality Area 4: Staffing Arrangements Standard 4.2: Educators, coordinators and staff members are respectful and ethical Element 4.2.1: Professional standards guide practice, interactions and relationships
- 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)

Education and Care National Regulations

- Education and care services must have policies and procedures (National Regulations 168)

Definitions

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the General Definitions section of this manual.

Word/Term	Definition
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Assault:	An incident where a person causes injury, pain, discomfort or damage to another person. It also includes insult or deprivation of liberty. Assault can be physical or verbal
Duty of care	A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury.
Ethical conduct	Always act in the best interests of children, their parents/guardians and families, and users of the service
Word/Term	Definition
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.
Notifiable complaint	A complaint that alleges a breach of the Act or Regulation, or alleges that the health, safety or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by the Approved Provider to the secretary of DEECD within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176). If the Approved Provider is unsure whether the matter is a notifiable complaint, it is good practice to contact DEECD for confirmation. Written reports to DEECD must include: details of the event or incident the name of the person who initially made the complaint if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant) contact details of a nominated member of the Grievances any other relevant information. Written notification of complaints must be submitted using the appropriate forms, which can be found on the ACECQA website: www.acecqa.gov.au Respect: Value the rights, religious beliefs and practices of individuals. Refrain from actions and behaviour that constitute harassment or discrimination.
Serious incident	An incident resulting in the death of a child, or an injury, trauma or illness for which the attention of a registered medical practitioner, emergency services or hospital is sought or should have been sought. This also includes an incident in which a child appears to be missing, cannot be accounted for, is removed from the service in contravention of the Regulations or is mistakenly locked in/out of the service premises (Regulation 12). A serious incident should be documented in an Incident, Injury, Trauma and Illness Record (sample form available on the ACECQA website) as soon as possible and within 24 hours of the incident. The Regulatory Authority (DEECD) must be notified within 24 hours of a serious incident occurring at the service (Regulation 176). Records are required to be retained for the periods specified in Regulation 183. Support: Work in a co-operative and positive manner.

The Approved Provider is responsible for:

- Developing professional standards for staff in collaboration with the Nominated Supervisor, educators, staff, parents/guardians and others involved with the service
- Ensuring that all educators, staff, volunteers, students, parents/guardians and visitors are provided with a copy of this policy on employment, enrolment or arrival at the service
- Ensuring that all staff complete and sign the Code of Conduct Acknowledgement (refer to Attachment 2) and that these are filed with individual staff records ensuring that the professional standards for staff (refer to Attachment 1) are adhered to at all times
- Ensuring that all children being educated and cared for at Evolve Early Learning & Kindergarten are protected from harm and any hazard likely to cause injury (National Law: Section 167)
- Activating the Complaints and Grievances Policy on notification of a breach of the Code of Conduct Policy notifying DEECD in writing within 24 hours of a serious incident (refer to Definitions) or of a notifiable complaint (refer to Definitions) at the service (National Law: Sections 174(2)(b) and 174(4),
- National Regulations: Regulations 175 and 176) referring notifiable complaints (refer to Definitions), grievances (refer to Definitions) or complaints that are unable to be resolved appropriately and in a timely manner to the Grievances (refer to Complaints and Grievances Policy)
- Taking appropriate disciplinary or legal action, or reviewing the terms of engagement in the event of misconduct or a serious breach of the Code of Conduct Policy contacting Police in an emergency situation where it is believed that there is an immediate risk (e.g. when violence has been threatened or perpetrated)
- Working with the Nominated Supervisor, educators, staff, students, volunteers, parents/guardians and others at the service to provide an environment that encourages positive interactions and supports constructive feedback
- Ensuring that parents/guardians of a child attending the service can enter the service premises at any time that the child is being educated and cared for, except where this may pose a risk to the safety of children or staff, or conflict with any duty of the Approved Provider, Nominated Supervisor or educators under the Law (Regulation 157)
- Ensuring that parents/guardians on duty, or other adults participating in the program, are not placed in a situation where they are left alone with a child respecting individual ability, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal.

The Nominated Supervisor is responsible for:

- Assisting the Approved Provider to develop professional standards for staff (refer to Attachment 1)
- Ensuring that all educators, staff, volunteers, students, parents/guardians and visitors are provided with a copy of this policy on employment, enrolment or arrival at the service ensuring that the children educated and cared for at Evolve Early Learning & Kindergarten are protected from harm and from any hazard likely to cause injury (National Law: Section 167)
- Completing and signing the Code of Conduct Acknowledgement (refer to Attachment 3)
- Adhering to the professional standards for staff (refer to Attachment 1) 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

- Contacting Police in an emergency situation where it is believed that there is an immediate risk (e.g. when violence has been threatened or perpetrated)
- Evolve Early Learning & Kindergarten will work with the Approved Provider, educators, staff, students, volunteers, parents/guardians and others at the service to provide an environment that encourages positive interactions and supports constructive feedback
- Ensuring that parents/guardians of a child attending the service can enter the service premises at any time that the child is being educated and cared for, except where this may pose a risk to the safety of children or staff, or where the parent is prohibited by a court order from having contact with a child (Regulation 157)
- Developing practices and procedures to ensure that parents/guardians on duty, or other adults participating in the program, are not placed in a situation where they are left alone with a child respecting individual ability, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal
- 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 engagement.

Educators and staff are responsible for:

- Assisting the Approved Provider to develop professional standards for staff (refer to Attachment 1)
- Completing and signing the Code of Conduct Acknowledgement (refer to Attachment 3)
- Adhering to the professional standards for staff (refer to Attachment 1) at all times
- Providing guidance to parents/guardians and volunteers through positive role modelling and, when appropriate, clear and respectful directions working with the Approved Provider, Nominated Supervisor, educators, staff, students, volunteers, parents/guardians and others at the service to provide an environment that encourages positive interactions and supports constructive feedback
- Ensuring that parents/guardians on duty, or other adults participating in the program, are not placed in a situation where they are left alone with a child
- Informing the Approved Provider in the event of a serious incident (refer to Definitions), of a notifiable complaint (refer to Definitions) or of a breach of the Code of Conduct Policy
- Contacting Police in an emergency situation where it is believed that there is an immediate risk (e.g. when violence has been threatened or perpetrated)
- Respecting individual abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal understanding and accepting that serious breaches of this code will be deemed misconduct and may lead to disciplinary or legal action, or a review of their engagement.

Parents/guardians are responsible for:

- Reading the Code of Conduct Policy
- Abiding by the law abiding by the standards of conduct, as set out in this policy, while at the service complying with all policies of the service.
- Volunteers and students, while at the service, are responsible for following this policy and its procedures.

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 notify parents/guardians at least 14 days before making any changes to this policy or its procedures.

CODE OF CONDUCT FOR STAFF MEMBERS PROCEDURE

Procedure

- All educators and staff at our Service will promote the highest standards in early childhood education and care.
- Educators, staff, volunteers, and students are required to sign a Code of Conduct form on their first day of employment.
- This form is then placed on the individual's staff file.

Educators agree to:

- Abide by all relevant legislation requirements including Education and Care Services National Regulations and Law
- Abide by the Early Childhood Australia's Code of Ethics 2006
- Actively support the Statement of Philosophy of the Service
- Understand and actively implement all policies and procedures of the Service
- Actively participate in the development of the service wherever possible, including policy and procedure development and review, continuous quality improvements, provide feedback constructively, and participate in staff meetings.
- Represent the Service in a positive way
- Only discuss confidential information or issues of the Service with the appropriate educators / centre manager, and not with any person outside the organization (unless required to by law)
- Not to smoke, take illegal drugs or consume alcohol immediately prior to or when on duty on the premises
- Treat children, families, educators or visitors to the Service with courtesy, respect and consideration at all times
- Respond positively to complaints within appropriate timeframes (see Complaints policy) and provide services to the best of their ability
- Strive to build a safe, harmonious, equitable and non-discriminatory workplace
- Create and maintain safe and healthy environments and spaces, which enhance children's learning, development, engagement, initiative, self-worth and dignity
- Act in the best interests of the children at all times

- Value, respect and support the abilities and knowledge of other educators, children and their families
- Wear clean, neat clothes professionally appropriate to the type of work to be undertaken.

Early Childhood Australia CODE OF ETHICS

- This Code of Ethics provides a framework for reflection about the ethical responsibilities of early childhood professionals.
- Following a national process of consultation, principles emerged which are indicative of the values we share as early childhood professionals in Australia.
- The Code is intended for use by all early childhood professionals who work with or on behalf of children and families in early childhood settings.

In relation to children, I will:

In their relationships with children, the Approved Provider, Nominated Supervisor, educators and all staff will demonstrate their commitment to high-quality education and care for children by:

- 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
- Respecting the rights of all children
- Contributing to a service environment that is free from discrimination, bullying and harassment
- Speaking to children in an encouraging and positive manner
- Listening actively to children and offering empathy and support
- Giving each child positive guidance and encouraging appropriate behaviour
- Regarding all children equally, and with respect and dignity having regard to the cultural values, age, physical and intellectual development, and abilities of each child at the service
- 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
- Informing children if physical contact is required for any purpose, and asking them if they are comfortable with this interaction ensuring all interactions with children are undertaken in full view of other adults
- Encouraging and assisting children to undertake activities of a personal nature for themselves e.g. toileting and changing clothes
- Respect the special relationship between children and their families and incorporate this perspective in all my interactions with children.
- Work to ensure children and families with additional needs can exercise their rights.
- Acknowledge the uniqueness and potential of all children, in recognition that enjoying their childhood without undue pressure is important.
- Acknowledge the holistic nature of children's learning and the significance of children's cultural and linguistic identities.
- Honour children's right to play, as both a process and context for learning.

In relation to families, I will:

- Being respectful of, and courteous towards, parents/guardians and families at all times
- 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
- Assist each family to develop a sense of belonging and inclusion.
- Develop positive relationships based on mutual trust and open communication.
- Develop partnerships with families and engage in shared decision making where appropriate.
- Acknowledge the rights of families to make decisions about their children.
- Respect the uniqueness of each family and strive to learn about their culture, structure, lifestyle, customs, language, beliefs and kinship systems.
- Responding to concerns expressed by parents/guardians and families in a timely and appropriate manner
- Develop shared planning, monitoring and assessment practices for children's learning and communicate this in ways that families understand.
- Acknowledge that each family is affected by the community contexts in which they engage.
- Be sensitive to the vulnerabilities of children and families and respond in ways that empower and maintain the dignity of all children and families.
- Maintain confidentiality and respect the right of the family to privacy.

In relation to colleagues, I will:

- Encourage my colleagues to adopt and act in accordance with this Code, and take action in the presence of unethical behaviours.
- Build collaborative relationships based on trust, respect and honesty.
- Acknowledge and support the personal strengths, professional experience and diversity which my colleagues bring to their work.
- Make every effort to use constructive methods to manage differences of opinion in the spirit of collegiality.
- Share and build knowledge, experiences and resources with my colleagues.
- Collaborate with my colleagues to generate a culture of continual reflection and renewal of high-quality practices in early childhood.

In relation to communities, I will:

- Learn about the communities that I work within and enact curriculum programs which are responsive to those contexts and community priorities.
- Connect with people, services and agencies within the communities that support children and families. • Promote shared aspirations amongst communities in order to enhance children's health and wellbeing.
- Advocate for the development and implementation of laws and policies that promote child friendly communities and work to change those that work against child and family wellbeing.
- Utilise knowledge and research to advocate for universal access to a range of highquality early childhood programs for all children.
- Work to promote community understanding of how children learn, in order that appropriate systems of assessment and reporting are used to benefit children. Code of Ethics

In relation to students, I will:

- Afford professional opportunities and resources for students to demonstrate their competencies.
- Acknowledge and support the personal strengths, professional knowledge, diversity and experience which students bring to the learning environment.
- Model high-quality professional practices. • Know the requirements of the students' individual institutions and communicate openly with the representatives of that institution.
- Provide ongoing constructive feedback and assessment that is fair and equitable.
- Implement strategies that will empower students to make positive contributions to the workplace.
- Maintain confidentiality in relation to students.

In relation to my employer, I will:

- Support workplace policies, standards and practices that are fair, non-discriminatory and are in the best interests of children and families.
- Promote and support ongoing professional development within my work team. Adhere to lawful policies and procedures and, when there is conflict, attempt to effect change through constructive action within the organisation or seek change through appropriate procedures.

In relation to myself as a professional, I will:

- Base my work on contemporary perspectives on research, theory, content knowledge, high-quality early childhood practices and my understandings of the children and families with whom I work.
- Regard myself as a learner who undertakes reflection, critical self-study, continuing professional development and engages with contemporary theory and practice.
- Seek and build collaborative professional relationships.
- Acknowledge the power dimensions within professional relationships.
- Act in ways that advance the interests and standing of my profession.
- Work within the limits of my professional role and avoid misrepresentation of my professional competence and qualifications.
- Mentor other early childhood professionals and students.
- Advocate in relation to issues that impact on my profession and on young children and their families.
- Encourage qualities and practices of leadership within the early childhood profession.

In relation to the conduct of research, I will:

- Recognise that research includes my routine documentation and investigations of children's learning and development, as well as more formal research projects undertaken with and by external bodies.
- Be responsive to children's participation in research, negotiating their involvement taking account of matters such as safety, fatigue, privacy and their interest.
- Support research to strengthen and expand the knowledge base of early childhood, and where possible, initiate, contribute to, facilitate and disseminate such research.

- Make every effort to understand the purpose and value of proposed research projects and make informed decisions as to the participation of myself, colleagues, children, families and communities.
- Ensure research in which I am involved meets standard ethical procedures including informed consent, opportunity to withdraw and confidentiality.
- Ensure that images of children and other data are only collected with informed consent and are stored and utilised according to legislative and policy requirements.
- Represent the findings of all research accurately.