Code of Conduct Policy

**Quality Area:** 4: Staff Arrangements
5: Relationships with children
6: Collaborative Partnership with families and communities
7: Leadership and Service Management

**Standard:**
4.1: Staffing arrangements enhance children’s learning and development and ensure their safety and wellbeing
4.2: Educators, co-ordinators and staff members are respectful and ethical

5.1: Respectful and equitable relationships are developed and maintained with each child
5.2: Each child is supported to build and maintain sensitive and responsive relationships with other children and adults

6.1: Respectful and supportive relationships with families are developed and maintained
6.2: Families are supported in their parenting role and their values and beliefs about child rearing are respected

7.1: Effective leadership promotes a positive organizational culture and builds a professional learning community

**Element:**
4.1.1: Educator to child ratios and qualification requirements are maintained at all times
4.2.1: Professional standards guide practice, interactions and relationships
4.2.2: Educators, coordinators and staff members work collaboratively and affirm, challenge, support and learn from each other to further develop their skills and to improve practice and relationships
4.2.3: Interactions convey mutual respect, equity and recognition of each other’s strengths and skills

5.1.1: Interactions with each child are warm and responsive and building trusting relationships
5.1.2: Every child is able to engage with educators in meaningful, open interactions that support the acquisition of skills for life and learning
5.1.3: Each child is supported to feel secure, confident and included
5.2.1: Each child is supported to work with, learn from and help others through collaborative learning opportunities
5.2.2: Each child is supported to manage their own behavior, respond appropriately to the behavior of others and communicate effectively to resolve conflicts
5.2.3: The dignity and rights of every child are maintained at all times

6.1.1: There is an effective enrolment and orientation process for families
6.1.2: Families have opportunities to be involved in the service and contribute to service decisions
6.1.3: Current information about the service is available to families
6.2.1: The expertise of families is recognized and they share in decision making about their child’s learning and wellbeing
7.1.1: Appropriate governance arrangements are in place to manage the service

Purpose

This policy will provide guidelines to:
- establish a standard of behaviour for Ellie V Pullin Pre School (if an individual), Nominated Supervisor, Certified Supervisor, educators and all staff at Ellie V Pullin Pre School that reflects the philosophy, beliefs, objectives and values of Ellie V Pullin Pre School
- promote desirable and appropriate behaviour
- ensure that all staff interaction at Ellie V Pullin Pre School with both children and adults is respectful, honest, courteous, sensitive, tactful and considerate.

Policy Statement

1. Values

Ellie V Pullin Pre-school is committed to:
- considering the wellbeing of each child at Ellie V Pullin Pre School as paramount
- maintaining a duty of care (refer to Definitions) towards all children at Ellie V Pullin Pre School
- providing a safe and secure environment for all at Ellie V Pullin Pre School
- 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 Ellie V Pullin Pre School.

2. Scope

This policy applies to Ellie V Pullin Pre School, Nominated Supervisor, Certified Supervisor, educators, staff, students on placement, volunteers, parents/guardians and all adults involved in the programs and activities of Ellie V Pullin Pre School.
3. Background and Legislation

**Background**
A Code of Conduct establishes a standard of behaviour to be followed by Ellie V Pullin Pre School, Nominated Supervisor, Certified Supervisor, educators, staff, students on placement and volunteers at Ellie V Pullin Pre School. 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.

Ellie V Pullin Pre School and Nominated Supervisor have a duty of care to the children attending Ellie V Pullin Pre School and must ensure “that every reasonable precaution is taken to protect children being educated and cared for by Ellie V Pullin Pre School from harm and from any hazard likely to cause injury” (National Law: Section 167).

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

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 Ellie V Pullin Pre School’s philosophy, beliefs and values, and on ethical principles of mutual respect, equity and fairness. Consideration should be given to Ellie V Pullin Pre School’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 Ellie V Pullin Pre School, and by giving guidance in areas where individuals are required to make professional, personal and ethical decisions.

Ellie V Pullin Pre School must ensure that all educators, staff, students and volunteers at Ellie V Pullin Pre School adhere to clear guidelines regarding appropriate interaction and communication with each another, with children at Ellie V Pullin Pre School, 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
- *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)
4. 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.

**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 Ellie V Pullin Pre School.

**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 Ellie V Pullin Pre School may have been compromised. Any complaint of this nature must be reported by Ellie V Pullin Pre School to the secretary of DET within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b)). If Ellie V Pullin Pre School is unsure whether the matter is a notifiable complaint, it is good practice to contact DET for confirmation. Written reports to DET 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 Subcommittee/investigator
- 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:** A serious incident is defined in regulation 12 as:
- The death of a child while being educated and cared for by Ellie V Pullin Preschool
- Any incident involving an injury or trauma, or the illness of a child that requires or ought to have required:
  - Attention of a registered medical practitioner, or
  - Attendance at a hospital
- Examples include whooping cough, broken limbs, anaphylaxis reaction
- Any incident requiring attendance by emergency services
- A circumstance where a child appears to be missing, is unaccounted for, has been removed from Ellie V Pullin Preschool contrary to the regulations, or has been locked in or out of Ellie V Pullin Preschool’s premises.

The Approved Provider must notify the Regulatory Authority (DET) in writing within 24 hours of a serious incident occurring at Ellie V Pullin Preschool (Regulation 176(2)(a)). The *Notification of Serious Incident* form (available on the ACECQA website) is to be completed and submitted online using the National Quality Agenda IT System (NQA ITS). Records are required to be retained for the periods specified in Regulation 183.

**Support:** Work in a co-operative and positive manner.

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**Ellie V Pullin Policy and Procedures**

**Ellie V Pullin Pre-School is responsible for:**

- developing professional standards for staff (refer to Attachment 1) in collaboration with the Nominated Supervisor, Certified Supervisor, educators, staff, parents/guardians and others involved with Ellie V Pullin Pre School
- 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 Ellie V Pullin Pre School
- 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 Ellie V Pullin Pre School 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 DET in writing within 24 hours of a serious incident (refer to *Definitions*) or of a notifiable complaint (refer to *Definitions*) at Ellie V Pullin Pre School (National
Law: Sections 174(2)(b) and 174(4), National Regulations: Regulations 175(2)(c) and 176(2)(b))

- 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 Subcommittee/investigator (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 Ellie V Pullin Pre School to provide an environment that encourages positive interactions and supports constructive feedback
- ensuring that parents/guardians of a child attending Ellie V Pullin Pre School can enter Ellie V Pullin Pre School 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 Ellie V Pullin Pre School, 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 abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal.

Nominated supervisor is responsible for:

- assisting Ellie V Pullin Pre School 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 Ellie V Pullin Pre School
- ensuring that the children educated and cared for at Ellie V Pullin Pre School 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 2)
- adhering to the professional standards for staff (refer to Attachment 1) at all times
- informing Ellie V Pullin Pre School 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)
- working with Ellie V Pullin Pre School, educators, staff, students, volunteers, parents/guardians and others at Ellie V Pullin Pre School to provide an environment that encourages positive interactions and supports constructive feedback
• ensuring that parents/guardians of a child attending Ellie V Pullin Pre School can enter Ellie V Pullin Pre School 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 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.

Certified supervisors, educators and other staff are responsible for:

• assisting Ellie V Pullin Pre School to develop professional standards for staff (refer to Attachment 1)
• completing and signing the Code of Conduct Acknowledgement (refer to Attachment 2)
• 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 Ellie V Pullin Pre School, Nominated Supervisor, educators, staff, students, volunteers, parents/guardians and others at Ellie V Pullin Pre School 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 Ellie V Pullin Pre School 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 Ellie V Pullin Pre School
• complying with all policies of Ellie V Pullin Pre School.
Volunteers and students, while at Ellie V Pullin Pre School, 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, Ellie V Pullin Pre School 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 Ellie V Pullin Pre School’s policy review cycle, or as required
- notify parents/guardians at least 14 days before making any changes to this policy or its procedures.

Sources and other related policies

Sources

- Early Childhood Australia, Code of Ethics: www.earlychildhoodaustralia.org.au
- Victoria Legal Aid: www.legalaid.vic.gov.au

Service policies

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

Attachments

Attachment 1: Professional standards for staff
Attachment 2: Code of Conduct Acknowledgement
Authorisation

This policy was approved and passed by the Ellie V Pullin Committee of Management and adopted by Ellie V Pullin Pre-School on:

21st July 2014

Authorised by: ____________________________ Nicole Williamson [President]

Authorised by: ____________________________ Betty Krober [Nominated Supervisor]

Witnessed by: _____________________________

Review Date: July 2017
Attachment 1

Professional standards for staff

Relationships with children

In their relationships with children, Ellie V Pullin Pre School (if an individual), Nominated Supervisor, Certified 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 Ellie V Pullin Pre School
- providing opportunities for children to interact and develop respectful and positive relationships with each other, and with other staff members and volunteers at Ellie V Pullin Pre School
- 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
- respecting the confidential nature of information gained about each child while participating in the program.

Relationships with parents/guardians and families
In their relationships with parents/guardians and families, Ellie V Pullin Pre School (if an individual), Nominated Supervisor, Certified Supervisor, educators and all staff will demonstrate their commitment to collaboration by:

- 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
- responding to concerns expressed by parents/guardians and families in a timely and appropriate manner
- respecting the cultural context of each child and their family
- working collaboratively with parents/guardians and families
- respecting the privacy of information provided by parents/guardians and families, and keeping this information confidential, as required under the Privacy and Confidentiality Policy.

Relationships with colleagues at Ellie V Pullin Pre School

In their relationships with colleagues, Ellie V Pullin Pre School (if an individual), Nominated Supervisor, Certified Supervisor, educators and all staff will demonstrate collegiality by:

- developing relationships based on mutual respect, equity and fairness
- working in partnership in a courteous, respectful and encouraging manner
- valuing the input of their peers
- 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.

Professional responsibilities

Ellie V Pullin Pre School (if an individual), Nominated Supervisor, Certified Supervisor, educators and all staff will demonstrate commitment to their professional responsibilities by:

- undertaking their duties in a competent, timely and responsible way
- ensuring their knowledge and expertise is up to date and relevant to their role
- understanding and complying with legal obligations in relation to:
  - discrimination, harassment and vilification
  - negligence
  - mandatory reporting
  - privacy and confidentiality
  - occupational health and safety
- raising any complaints or grievances in accordance with the Complaints and Grievances Policy.
Attachment 2

Code of Conduct Acknowledgement

I hereby acknowledge that on [Date], I received a copy of the Code of Conduct Policy for Ellie V Pullin Pre School. I have read this policy, I understand its contents and I agree to abide by the principles, practices and consequences set out within. I understand that Ellie V Pullin Pre School will address any breach of this policy, and that any serious breach could lead to legal or disciplinary action. I understand that a signed copy of this acknowledgement will be kept on my staff record while I am working at Ellie V Pullin Pre School, and will be disposed of when my employment has ceased.

Signature  Name (please print)  Date

Witness signature  Name (please print)  Date