

CODE OF CONDUCT

QUALITY AREA 4 | EEYS VERSION 3

Emerge Early Years Services (EEYS) are committed to the safety and wellbeing of all children, and this will be the primary focus of our education, care and decision-making. Our commitment will be enacted through the implementation and monitoring of the Child Safe Standards.

EEYS have zero tolerance to child abuse.

EEYS are committed to providing a child safe environment where children feel safe, secure and empowered and their voices are heard about decisions that affect their lives. Particular attention will be paid to the Cultural safety of Aboriginal Children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability.



PURPOSE

This policy provides a clear set of guidelines and procedures for EEYS 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 EEYS
- articulate desirable and appropriate behaviour
- promote interactions at the service and online which are respectful, honest, courteous, sensitive, tactful, and considerate.



POLICY STATEMENT

VALUES

EEYS:

- 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 each child 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 EEYS, 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
R indicates legislation requirement, and should not be deleted					
1. Ensuring that copies of the <i>Code of Conduct Policy</i> is readily accessible and available to all staff, volunteers and families	R	✓			
2. Providing a safe environment for everyone attending the programs and activities of EEYS	R	R	✓		
3. Acting in accordance with EEYS child safety and wellbeing policies and procedures at all times.	R	R	R		R
4. Behaving respectfully, courteously and ethically towards children and their families and towards other staff.	✓	✓	✓		✓
5. Promoting the human rights, safety and wellbeing of all children in EEYS	✓	✓	✓		✓
6. Ensuring appropriate physical contact with children (<i>refer to Definition</i>) is maintained at all times	✓	✓	✓		✓
7. Working with children in an open and transparent way	✓	✓	✓		✓
8. Demonstrating appropriate personal and professional boundaries <i>refer to Attachment 5</i>	✓	✓	✓		✓
9. Providing a workplace that is free from unlawful discrimination, harassment, victimisation and bullying where all persons attending are treated with dignity, courtesy and respect	R	✓	✓		

10. Ensuring racism within the service is identified, confronted and not tolerated.	R	✓	✓	✓	✓
11. Ensuring all early childhood teachers/educators/other staff, volunteers, students and parents/guardians are aware of behaviours that are considered concerning, misconduct, or criminal conduct within the service (refer to Attachment 5)	R	R	✓	✓	✓
12. Ensuring that the children educated and cared for at EEYS are protected from harm and from any hazard likely to cause injury (National Law: Section 167)	R	R	✓		
13. Identifying and mitigating risks to children's safety and wellbeing as required by EEYS risk assessment and management processes	R	R	✓		✓
14. Responding to any concerns or complaints of child harm or abuse promptly and in line with Compliments and Complaints policy, child protection and wellbeing policies and the reportable conduct policy	R	R	R		R
15. 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	R	✓	✓		
16. Developing, updating and reviewing Code of Conduct for EEYS in collaboration with all stakeholders within the service (refer to Attachments 1,3 and 8)	R	✓	✓	✓	
17. 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	R	✓			
18. Ensuring that the codes of conduct are regularly discussed at staff meetings to reinforce expectations	R	✓	✓		
19. Developing a culture of accountability within the service for complying with the code of conduct and responding when behavioural expectations are not adhered to (refer to Attachment 5)	R	✓	✓	✓	✓
20. Ensuring that all children being educated and cared for at EEYS are protected from harm and any hazard likely to cause injury (National Law: Section 167)	R	R	✓		✓
21. Providing an environment that encourages positive interactions, supports constructive	✓	✓	✓	✓	✓

feedback and holds one another to the codes of conduct					
22. Abiding by the <i>Interactions with Children policy</i> , ensuring all staff maintain appropriate, respectful, and safe relationships with children	R	✓	✓		✓
23. 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 (<i>Regulation 157</i>), 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 <i>National Law: Section 167 & 171</i>	R	R	✓		
24. 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	R	R	✓		
25. Ensuring all staff and volunteers receive relevant cultural training so they have an understanding of Aboriginal culture, and an appreciation for culturally sensitive issues	R	R			
26. 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	✓	✓	✓	✓	✓
27. Engaging in open, two-way communication with families and communities about the service's child safety approach and providing relevant and accessible information	✓	✓	✓		
28. Ensuring children are supported to express their culture and enjoy their cultural rights.	R	R	R		R
29. Listening and responding to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well.	✓	✓	✓		✓
30. Ensuring all staff, contractors, volunteers and students do not consume or are under the influence of alcohol or be affected by drugs (<i>refer to Tobacco, Alcohol and other Drugs Policy</i>)	R	R	✓		
31. Not consuming or being under the influence of alcohol or be affected by drugs (<i>refer to Tobacco, Alcohol and other Drugs Policy</i>)	R	R	R	✓	R
32. Notifying DE within 24 hours of a serious incident (<i>refer to Definitions</i>) or of a notifiable complaint being made (<i>refer to Definitions</i>) at the service (<i>National Law: Sections 174(2)(b) and 174(4)</i> ,	R	✓			

National Regulations: Regulations 175(2)(c) and 176(2)(b) via the NQAITS					
33. Referring notifiable complaints (<i>refer to Definitions</i>), grievances or complaints that are unable to be resolved appropriately and in a timely manner to the approved provider/ investigator. (<i>refer to Compliments and Complaints Polic, reportable conduct policy and child wellbeing and safety policies</i>)	R	✓	✓		
34. Notifying WorkSafe of any reportable incidences (<i>refer to Definitions</i>) that have occurred in the workplace	R	✓			
35. Activating the <i>Compliments and Complaints Policy</i> on notification of a breach of the <i>Code of Conduct Policy</i>	R	✓			
36. Taking appropriate disciplinary or legal action, or reviewing the terms of employment in the event of misconduct or a serious breach of the <i>Code of Conduct Policy</i>	R				
37. 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 <i>Child Safe Environment and Wellbeing Policy</i> .	R	R	R	✓	R
38. Reading the <i>Code of Conduct Policy</i> (<i>refer to Attachment 1</i>) and signing the Code of Conduct Acknowledgement for staff (<i>refer to Attachment 2</i>) and that these are filed with individual staff records upon engagement in the service		✓	✓		
39. Adhering to the Code of Conduct at all times	R	R	R	R	R
40. Informing the approved provider in the event of a serious incident (<i>refer to Definitions</i>), of a notifiable complaint (<i>refer to Definitions</i>) or of a breach of the <i>Code of Conduct Policy</i>		R	✓		
41. Providing an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct	✓	✓	✓		
42. Ensuring that parents/guardians, students and volunteers are aware of the Code of Conduct Acknowledgement (<i>refer to Attachment 4</i>)	✓	✓		✓	✓
43. Ensuring parents on the PAG committees sign the Code of conduct. (<i>refer to Attachment 11</i>)				✓	
44. Ensuring children can access abuse prevention programs and information	R	✓	✓		
45. 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					
46. Being attentive to signs of harm and facilitating child-friendly ways for children to communicate and raise their concerns	R	R	R		R
47. Reporting and acting on any concerns or observed breaches of this <i>Code of Conduct Policy</i> (refer to <i>Compliments and Complaints Policy</i>)		R	R	R	R
48. Ensuring duties are performed in a professional, safe and satisfactory manner at all times.	✓	✓	✓		✓
49. Reviewing and updating the <i>Code of Conduct</i> following any incidents, complaints, concerns or near misses	R	✓			
50. Abiding by the Safe Use of Digital Technologies and Online Environment Policy	R	R	R		R

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 Standards requires services to ensure the Code of Conduct provides guidelines for staff and volunteers on expected behavioural standards and responsibilities, and breaches to the Code of Conduct are acted upon and reported.

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 EEYS 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 2017
- 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 Policy Works 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.

Appropriate Physical Contact: Refers to physical interactions between an educator and a child that are respectful, nurturing, and developmentally suitable. Such contact supports the child's safety, wellbeing, learning, and emotional development. Where possible, the child consents to or initiates the contact.

It includes actions such as:

- comforting a distressed child,
- holding a child's hand for safety,
- providing assistance with personal care in a respectful and hygienic manner,
- giving first aid, and
- supporting children who have hurt themselves.

All physical contact **MUST** be observable by another staff member. It must always align with the service's policies, maintain professional boundaries, and uphold child safe standards. Where possible please seek permission from the child.

Examples of appropriate physical contact include:

- Placing a hand or gently patting a child on the back or shoulder to comfort or reassure them
- Holding a child's hand while crossing the yard, during group transitions and crossing a road/carpark
- Sitting a child on your lap if they are upset and seeking comfort; only when initiated by the child and in view of others, and until the child is no longer distressed
- Helping a child blow their nose, clean up, or change clothes when needed, using respectful hygiene practices
- Administering first aid with care and sensitivity when a child is injured

Offering a side hug or placing a supportive hand on a child's shoulder (if welcomed by the child), and reciprocating affection from the child in an appropriate and respectful manner.

Notifiable complaints: A complaint alleging that a serious incident has occurred while the child is educated and cared for or complaints alleging that the Law has been contravened (*National Law: Section 174(2)(b)*). Any complaint of this nature must be reported by the approved provider to DE within 24 hours of the complaint being made.

The approved provider to notify DE within the specified timeframes below (*National Law: Section 174(2) (b), National Regulation 176(2) (b)*)

- serious incidents in writing within 24 hours of the incident or the time the person becomes aware of the incident
- any circumstance arising at the service that poses a risk to the health, safety or wellbeing of a child or children attending the service - Within 7 days of the relevant event or within 7 days of the approved provider becoming aware of the relevant information
- any incident where the approved provider reasonably believes that physical and/or sexual abuse of a child has occurred or is occurring while the child is being educated and cared for by the service - Within 7 days of the relevant event or within 7 days of the approved provider becoming aware of the relevant information.
- any allegation that sexual or physical abuse of a child has occurred or is occurring while the child is being educated and cared for by the service.

In addition, approved providers must take reasonable steps to ensure that these incidents and complaints are adequately addressed.

Notifications should be made to the regulatory authority (DE) through the NQA IT System. If this is not practicable, the notification can be made initially in whatever way is best in the circumstances.

Respect: Demonstrating regard for the rights of individuals, for different values and points of views.

Serious incident: A serious incident is defined as (regulation 12):

- the death of a child -
 - while being cared for by an education and care service; or
 - following an incident while being educated and cared for by an education and care service
- any incident involving serious injury or trauma to, or illness of, a child while being educated and cared for by an education and care service -
 - which a reasonable person would consider required urgent medical attention from a registered medical practitioner (examples include broken limbs or anaphylaxis reaction) attention of a registered medical practitioner; or
 - for which the child attended, or ought reasonably to have attended a hospital.
- any incident where the attendance by emergency services at the education and care service premises was sought, or ought reasonably to have been sought
- any circumstances where a child being educated and cared for by an education and care service appears to be missing or cannot be accounted for;
 - appears to have been taken or removed from the education and care services premises in a manner that contravenes National Regulations;
 - is mistakenly locked in or locked out of the education and care service premises or any part of the premises.

The Regulatory Authority must be notified of a serious incident (section 174(2)(a)) in writing in the case of:

- the death of a child, as soon as practicable but within 24 hours of the death, or the time that the person becomes aware of the death
- any other serious incident, within 24 hours of the incident or the time that the person becomes aware of the incident

Written notification of serious incidents must be submitted via the ACECQA portal using the appropriate forms at <https://www.acecqa.gov.au/resources/applications>

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 and Wellbeing
- Compliments and Complaints
- Delivery and Collection of Children
- Inclusion and Equity
- Information Communication Technology
- Interactions with Children
- Occupational Health and Safety
- Privacy and Confidentiality
- Rest 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 (*Regulation 172 (2)*).



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
- Attachment 5: Defining concerning behaviour, misconduct and criminal conduct in a Code of Conduct
- Attachment 6: Dress Code
- Attachment 7: Footwear Wavier
- Attachment 8: Code of Conduct for Board Member of EEYS
- Attachment 9: Code of conduct acknowledgment for EEYS Board Members
- Attachment 10: Code of conduct for PAG
- Attachment 11: Code of conduct acknowledgment for PAG Memebers



AUTHORISATION

This policy was adopted by the approved provider of EEYS on [Date].

NEXT REVIEW DATE: [DAY]/[MONTH]/[YEAR]

VERSION	REVIEW DATE	DOCUMENT WRITER	REVISION DESCRIPTION	APPROVED BY
V1	June 2021	Policy Team	Endorsed	Pauline Butler
V2	Feburary 2023	`Policy Team	New layout added code of conduct for parents	Pauline Butler
V3				

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 EEYS 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 *Compliments and Complaints policy*
 - maintaining teacher registration and Working with Children checks as applicable.
 - Abiding by the National Model code and its recommendations
- raising any complaints or grievances in accordance with the *Compliments and Complaints policy*.
- being aware of the role of other professionals and agencies and working collaboratively and within the limits of our professional expertise
- Dressing and behaving in an appropriate professional manner when representing EEYS.

Relationships with children

The approved provider, persons with management and control, nominated supervisor and all staff at EEYS 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*.
- Respecting and being an advocate for the rights of all children in accordance with early childhood Code of Ethics and the Convention for the rights of the Children.

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 behaviors 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 APPROVED PROVIDER, PERSONS WITH MANAGEMENT AND CONTROL, NOMINATED SUPERVISOR, PERSON IN DAY-TO-DAY CHARGE AND ALL STAFF

I hereby acknowledge that on [Insert Date], I received a copy of the *Code of Conduct policy* for EEYS.

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 EEYS.

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 EEYS 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 EEYS 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 *Compliments and Complaints Policy*.

ATTACHMENT 4. CODE OF CONDUCT POLICY ACKNOWLEDGEMENT FOR PARENTS/GUARDIANS, STUDENTS, CONTRACTORS AND VOLUNTEERS

I hereby acknowledge that on [Insert Date][Date], I received a copy of the *Code of Conduct* policy for EEYS.

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 EEYS.

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 EEYS an open, safe, welcoming and friendly environment.

ATTACHMENT 5: DEFINING APPROPRIATE, CONCERNING/INAPPROPRIATE BEHAVIOUR, MISCONDUCT AND CRIMINAL CONDUCT IN A CODE OF CONDUCT

Appropriate behaviour includes, but is not limited to:

- Treating all children and young people with respect with regard to the dignity and rights of each child regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status
- Listening to and valuing children and young people's ideas and opinions
- Creating a positive, non-confrontational communication environment where the child feels safe and comfortable to interact.
- Putting in place clear professional boundaries so interactions with children cannot be misinterpreted
- Welcoming all children and their families and carers by being inclusive
- Actively promoting cultural safety and inclusion
- Listening to children and responding to them appropriately
- Welcoming parents and carers to participate in decisions about their child's training schedule and any other matters about their safety
- Reporting any conflicts of interest (such as an outside relationship with a child)
- Adhering to all relevant Australian and Victorian legislation and our child safe policies and procedures
- Working within a team to ensure that the needs of the child (and their family) remain the paramount focus
- Participating in all compulsory training
- Raising concerns with management if risks to child safety are identified, including cultural, environmental and operational risks
- Reporting and acting on any concerns or observed breaches of this Code of Conduct
- Taking all reasonable steps to protect children from abuse
- Respecting the privacy of children and their families by keeping all information about child protection concerns confidential
- Informing parents and carers if there are situations that need to be safely managed but are outside the boundaries of this Code of Conduct
- Taking a child seriously if they disclose harm or abuse
- Ensuring breaches of this Code are reported immediately
- Upholding the rights of the child and always prioritise their needs.

Concerning/inappropriate behaviours includes, but is not limited to:

- disciplining or correcting a child or young person in an unreasonable manner
- making excessive and/or degrading demands of a child or young person
- taking photos of a child or young person who is in the care of the organisation outside of official duties
- creating situations to be alone with a child or young person
- repeatedly visiting a child/young person and/or their family at their home for no professional reason
- providing gifts or favours to a child/young person or their family
- wearing inappropriate clothing around children or young people (for example, clothing with sexually explicit images or messages or clothes that expose or accentuate the genitals or breasts)
- ignoring or disregarding concerns, suspicions or disclosures of child abuse, harm and family violence
- ignoring or disregard an adult's overly familiar behaviour, that is not justified by an educational or professional context, towards a child or young person
- disregarding or failing to consider the views of children, especially about their physical and emotional safety, cultural safety, or issues or decisions that are important to them
- initiating unnecessary physical contact with a child, or do things of a personal nature for them that they can do themselves.

Misconduct that may be, but is not limited to:

- condoning or participating in illegal, unsafe, abusive or harmful behaviour towards children
- using sexual language or gestures
- making written or verbal sexual advances
- sharing sexual photos or videos or other photos of the child or young person
- sharing details of one's own sexual experiences with a child or young person
- taking a child or young person to one's house to be alone with them
- sharing phone numbers with a child or young person except as allowed by the organisation's policies and procedures
- engaging with a child or young person via social media except as provided by the organisation's policies and procedures
- asking children or young people to keep a relationship secret
- showering or dressing or undressing with the door open (for example, on excursions and in residential situations)
- not respecting the privacy of children/young people when they are using the bathroom or changing (for example, on excursions and in residential situations).

Examples of conduct, which if proven, would be criminal includes, but is not limited to:

- intentionally or recklessly applying physical force against a child or young person
- obscene exposure
- having, attempting to have or facilitating any kind of sexual contact with a child or young person
- possessing, creating or exposing children to pornography
- giving goods, money, attention or affection in exchange for sexual activities or images
- sexting
- grooming offences (as defined by law in most jurisdictions)
- trafficking, possession, supply, or use of a prohibited drug
- manufacture or cultivation of a prohibited drug.

ATTACHMENT 6. DRESS CODE FOR THE APPROVED PROVIDER, PERSONS WITH MANAGEMENT AND CONTROL, NOMINATED SUPERVISOR, PERSON IN DAY-TO-DAY CHARGE AND ALL STAFF

Emerge Early Years Services requires educators/staff to be dressed in a manner that:

- ensures the safety, health and hygiene of children and educators/staff.
- is comfortable to wear and allows the educator/staff member to safely perform their duties.
- maintains a friendly, yet professional early years image.
- provides a positive role model to the children, and
- is sensitive to and respectful of differing backgrounds, cultures and individual needs.
- Is clean and tidy and is suitably loose to give freedom of movement, particularly when involved in early years activities, and meets the following minimum requirements:
 - clothing worn must not hinder the delivery of the supervision and care of the children;
 - are sufficient to maintain a professional manner at all times, ie. no short shorts or plunging necklines, bellies and bottoms should be covered;
 - takes into consideration the EEYS Sun Protection policy.
 - are not to wear items of clothing that contain offensive languages and/or graphics.
 - Leggings to be worn with long top that cover the thighs.

Uniform

Upon the successful conclusion of their probationary period educators/ staff have the option to access uniform to wear daily. The uniform will have the EEYS service's logo and staff are encouraged to wear it in the course of their employment on a frequent basis.

Staff will have an initial uniform allowance as follows: **Please note that the uniform allowance is still under review**

- staff working equal to or more than 20 hours per week- allowance of \$250 with an ongoing annual allowance of \$50 as needed.
- Staff working less than 20 hours per week – allowance of \$100 and an ongoing annual allowance of \$50 as needed.
- Uniform allowance can be accessed at the start of each calendar year and cannot be carried over.
- Probationary Staff will receive a limited amount and will return uniform if employment is discontinued.
- Staff wishing to order items in excess of the allowances must pay for this directly to the approved supplier at the time of ordering. Please keep your receipt to qualify for tax deductibility.
- The uniform can be worn across multiple services. Wearing of the EEYS uniform is optional however if a staff member elects to take advantage of the uniform, it is expected that they wear the uniform on a regular basis whilst on work duty and it must only be worn whilst on official duty, including travel to and from work.
- Staff must wear and maintain the uniform in a clean and presentable condition. Cleaning and repair of the uniform is the responsibility of the individual employee. The cost of cleaning work uniforms is an allowable tax deduction.
- Second-hand uniform items are made available to all staff at no cost as they become available.
- All uniform items remain the property of EEYS and must be returned clean to the EEYS upon resignation/termination of employment.

Footwear:

- Footwear must be safe, practical and appropriate for the wide range of work-related activities that may occur throughout a working day;

- Footwear should be comfortable and practical that allows you to move quickly in, should you be required to protect children from harm or hazard;
- **No spiked heels, thongs, open-toed or strapless shoes are to be worn.**

Hair:

- In the interests of health and hygiene educators/staff must ensure their hair is clean and tidy, and that long hair is tied back.
- Staff who work in a kitchen at any time must wear a cap or disposable hairnet. Disposable hairnets are provided by the Service.

Jewellery, Body Piercing, Body Art (Tattoos) and Make-up:

- It is considered that the wearing of excessive jewellery, body piercing or body art, and make-up by educators/staff presents an unprofessional image and may pose an occupational safety and health hazard to both educators/staff and children. Therefore, the following limits are to be adhered to in regard to jewellery, body piercing or body art, and make-up worn by educators/staff at the service:
 - earrings or other jewellery that dangles, is sharp or pointy, or may be grabbed or pulled by a child are not to be worn;
 - no perfume to be worn as children with allergies may react to it;
 - any visible inappropriate body art (tattoos) should be covered where possible.

- Watches can be worn during work duties however any device that can take images or videos of children should not be worn when directly educating and caring for children. This includes smart watches or any other electronic device with **the capability** to take images or videos of children. Not all smart watches have this capability

ATTACHMENT 7. FOOTWEAR WAIVER FOR THE APPROVED PROVIDER, PERSONS WITH MANAGEMENT AND CONTROL, NOMINATED SUPERVISOR, PERSON IN DAY-TO-DAY CHARGE AND ALL STAFF

Staff wearing open toe shoes while working in an early childhood setting will be in breach of this policy. After signing this waiver the staff are able to wear open toe shoes in their workplace if they choose to do so.

I hereby acknowledge that on _____ (date) I received a copy of the *Code of Conduct Policy* for Emerge Early Years Services.

I have read this policy, and I understand my responsibilities in regard to wearing open toe shoes when performing my duties. I understand by doing so I relinquish my employer Emerge Early Years Services from any responsibilities in regard to any medical or other costs associated with injuries resulted from wearing open toe shoes.

I also understand that by wearing open toe shoes will be in breach of this policy and will take full responsibility for my actions.

I understand that a signed copy of this acknowledgement will be kept on my staff record while I am working at the service and will be archived after ceasing employment for a duration that is deemed legally necessary to do so where afterwards it will be destroyed accordingly

_____/_____/_____
Employee/contractor signature Name (please print) Date

_____/_____/_____
Witness signature Name (please print) Date

Sign and return this page only to EEYS

ATTACHMENT 8. CODE OF CONDUCT FOR THE EEYS BOARD MEMBERS

EEYS Board of Directors guide the strategic direction of the organisation and provide oversight to the organisations management team. They hold a critical responsibility in shaping the strategic direction and maintaining the integrity, accountability, and effectiveness of the organisation. This Code of Conduct outlines the professional standards and ethical expectations of all Board Members in their role overseeing high-quality Early Childhood Education and Care across the Wimmera region.

The Board Members for EEYS are responsible for promoting the safety and wellbeing of children and their families by:

- Encouraging a culture that is welcoming to 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

As Board members of EEYS we demonstrate commitment to professional responsibilities by:

- undertaking duties in a competent, timely and responsible way
- acting in best interests of EEYS services by exercising care, skill and diligence in decision making and governance
- Guiding the strategic direction of EEYS by ensuring it aligns with the organization's philosophy, values, mission and all **Early childhood laws and regulations.**
- Working closely with and providing oversight and direction to the EEYS management team.
- 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 *Compliments and Complaints policy*
 - maintaining Working with Children and policy check
 - **undertaking mandatory reporting training**
- **raising any complaints or grievances in accordance with the *Compliments and Complaints policy*.**
- **Upholding Board decisions even if personal views differ from the majority.**

Relationships with parents/guardians and families

In our relationships with parents/guardians and families, the we the Board Member's demonstrate our commitment to collaboration by:

- maintain professional and ethical relationships with families attending the EEYS Services
- considering the perspective of parents/guardians and families when making decisions that impact on the education and care of their child within the services.
- Upholding the dignity of all families, acknowledging the diversity and unique cultural, linguistic and social backgrounds of the Wimmera region.
- Support the organisation and management team in fostering open, respectful and responsive communication with families.
- Keeping appropriate boundaries by avoiding interfering with operational matters or individual cases involving families unless authorised as part of a governance process.

Relationships with Management Team and all staff of EEYS

In relationships with Management Team and all staff we the Board Members demonstrate collegiality by:

- encouraging others to act in accordance with this *Code of Conduct* and taking action when they observe behaviors which are outside of the *Code of Conduct*
- developing and maintaining a professional and respectful relationship with the CEO, management Team and staff by recognizing the distinction of roles and responsibilities.
- Provide strategic guidance and support to the management team while upholding them accountable for achieving the outcomes aligned with EEYS mission.
- working in partnership in a courteous, respectful and encouraging manner
- Engaging constructively with stakeholders including local governments and service providers and community organizations to strengthen service delivery.
- 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.
- Refrain from directing or influencing operational decisions or staffing matters unless within the scope of Board authority.

Relationships with the Community

In relation to our community, we the board members demonstrate our commitment to the EEYS Services by:

- being ambassadors for EEYS by promoting its values and reputation across the Wimmera region.
- Being committed to reducing barriers early childhood education and championing the rights of every child to thrive in a supportive and safe learning environment.
- Supporting the organisation to adapt to the evolving needs of the local community.

ATTACHMENT 9. CODE OF CONDUCT POLICY ACKNOWLEDGEMENT FOR THE EEYS BOARD

I hereby acknowledge that on [Insert Date], I received a copy of the *Code of Conduct policy* for EEYS.

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 on the Board for EEYS.

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 EEYS an open, safe, welcoming, and friendly environment.

ATTACHMENT 10. CODE OF CONDUCT FOR PARENT ADVISORY GROUPS

The Parent Advisory Group (PAG) is an important forum for parents and guardians to support the kindergarten community, contribute ideas, and help enhance the experience of children and families. There are both Incorporated and De-incorporated PAG's at EEYS. Not all EEYS services have a PAG. Members of the PAG are volunteers and not employees of EEYS.

This Code of Conduct outlines the expectations for all PAG members to ensure a respectful, inclusive, and collaborative environment.

I commit to contributing to creating an environment at EEYS 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 *Compliments and Complaints Policy*.
- Understanding the PAG's responsibilities and role. I will not make decisions about staffing, curriculum, or operational matters.
- Supporting staff in promoting a positive, respectful culture and work collaboratively when planning or running PAG initiatives.
- Following guidance and decisions made by the EEYS management team

Relationships with members of the PAG

In my relationship with the other PAG members I commit to:

- Attending meetings when possible and contribute to discussions in respectful and productive ways.
- Take part in PAG initiatives, support agreed upon actions and follow through on commitments
- Be open to new ideas and differing perspectives
- Treating all members and staff with respect
- Being professional in conversation and abiding by the code of conduct and privacy and confidentiality policies.

ATTACHMENT 11. CODE OF CONDUCT POLICY ACKNOWLEDGEMENT FOR PARENTS FOR PAG

I hereby acknowledge that on [Insert Date][Date], I received a copy of the *Code of Conduct* policy for EEYS.

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 being part of the EEYSPAG.

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 my participation within the PAG.

_____	_____	_____
Signature	Name (please print)	Date

_____	_____	_____
Witness signature	Name (please print)	Date

Thank you for your contribution to making EEYS an open, safe, welcoming and friendly enviro