



# BOURKE AND DISTRICT CHILDREN'S SERVICES

## QUALITY AREA 4: STAFFING ARRANGEMENTS

### POLICY NAME: CODE OF CONDUCT

#### POLICY STATEMENT

The quality of care for children, good relationships among staff, the confidence of parents and the reputation of Bourke and District Children's Services all depend on the professional attitude and behaviour of all staff members. This policy aims to provide clear guidance about the work place standards and ethics that is expected of all BDCS employees.

We aim to ensure positive working relationships are formed between all staff members, promoting dignity and respect by avoiding behaviour, which is or may be perceived as harassing, bullying, or intimidating. Staff members will at all times conduct themselves in an ethical manner and strive to ensure that all interactions are positive and respectful and are in accordance with Bourke and District Children's Services philosophy.

We are committed to the safety and wellbeing of children and young people. We recognise the importance of and responsibility for, ensuring our Service provides a safe and supportive environment which respects and fosters the rights and wellbeing of children in our care. We are dedicated in promoting cultural safety for Aboriginal children, cultural safety for children from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children with a disability.

#### BACKGROUND

We believe in maintaining an inclusive and welcoming environment and workplace that motivates and facilitates personal growth and development for all staff members. The values that underpin our work ethic include equality, respect, integrity, and responsibility. Our Service is committed to adhere to the ECA Code of Ethics (2016) which is based on the principles of the United Nations Convention on the Rights of the Child (1991) and provides a framework for the reflection about the ethical responsibilities of early childhood professionals.

Our service is committed to creating and maintaining an environment that promotes the safety and diversity of all children and embeds the National Principles for Child Safe Organisations into our daily practice. All staff members and volunteers are responsible for promoting a culture of safety and wellbeing to minimise the risk of child abuse or harm to children whilst promoting children's sense of security and belonging.

#### OVERALL STRATEGIES / HOW WILL IT BE DONE?

- This Code of Conduct policy applies to the Approved Provider, Nominated Supervisors, all staff members, students, volunteers, families, children and visitors (including contractors) of the service.
- The Approved Provider, Nominated Supervisors, all staff members, students and volunteers will adhere to the Early Childhood Australian Code of Ethics, Education and Care Services National Regulations and National Quality Standard, Child Safe Standards and Service philosophy, policies and procedures at all times, to promote positive interactions both within the service and the local community.
- The obligations of the Code apply at all times, even when a staff member is not at the workplace or is not performing work duties. It also includes times when a staff member is on leave. While the Code focuses primarily on how all staff perform their work duties, it is important to note that the 'Early Childhood Code of Ethics' applies also to conduct in a private capacity that reflects adversely on the reputation of the organisation, and all employees in this profession.

#### BREACH OF THE CODE OF CONDUCT

- All staff members working in the Early Childhood sector hold special positions of trust, especially regarding children in our community, and must always be accountable for their actions. If the Approved Provider or Nominated Supervisor considers that the Code has been breached, disciplinary action may be taken which may lead to termination of employment.

#### REPORTING A BREACH OF THE CODE OF CONDUCT

- Our service aims to foster a culture of transparency and accountability while supporting employees to report any reasonable suspicion of reportable matters of improper, illegal or misconduct within the service to their Nominated Supervisor or Approved Provider.



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- Our service will implement protective practices to ensure employees identity is not compromised or disclosed, where applicable, following a report of a reportable matter including storage of documents in a secure and confidential manner and ensuring access to confidential documents is restricted to authorised personnel only. Once a report has been made the matter may be investigated through a formal investigation.
- If an employee becomes aware of a serious crime committed by another employee or they have any concerns about inappropriate actions of any other employee that involves children, they are required to report it to their Nominated Supervisor or Approved Provider as per the Reportable Conduct Scheme.
- As mandatory reporters, all employees, students and volunteers must report possible risk of harm to children or young persons to their Nominated Supervisor or Approved Provider and/or Child Protection authority.
- The Nominated Supervisor or Approved Provider will report any allegations or child related misconduct as per their legislative requirements - this may include reporting the matter to the Police, Department of Communities and Justice and the Office of the Children's Guardian (more information in Child Protection Policy).

#### ROLES AND RESPONSIBILITIES

##### EXPECTATIONS

##### APPROVED PROVIDER AND NOMINATED SUPERVISORS WILL:

- Develop policies and procedures that ensure educators, staff members, students, visitors and families are aware of the standards of behaviour that is expected within the service.
- Promote a collaborative and interconnected workplace by developing a positive working environment where all staff members can contribute to the ongoing continuous improvement of the service.
- Implement supportive and effective communication systems, consulting employees in appropriate decision making.
- Promote leadership by working with employees and providing opportunities for professional development and growth.
- Provide ongoing support and encouragement to staff members as well as providing constructive feedback while also respecting the value of different professional approaches.
- Keep staff members informed about essential information and any relevant changes and make all documents readily accessible to them (including: ECA Code of Ethics, Child Safe Standards and all policies and procedures).
- Model professional behaviour at all times whilst at the Service and share their skills and knowledge with other staff members.
- Ensure during the induction process that all staff members have a thorough understanding of their obligations and role responsibilities combined with best practice and collaborative decision making.
- Ensure ethical conduct and decision-making will occur with reference to legislation and statutory documents and through a process of critical reflection. Decision-making processes will be clear, demonstrate how those decisions were made.
- Take appropriate action if a breach of the code of conduct occurs.

##### ALL STAFF MEMBERS WILL:

- Have a sound understanding of, and adhere to:
  - All policies and procedures.
  - Education and Care Services National Law and National Regulations.
  - The National Quality Standard.
  - Child Safe Standards.
  - The ECA Code of Ethics.

If uncertain about any of this content, staff members must seek clarification from their Nominated Supervisor or Approved Provider.
- Ensure commitment to the Service philosophy and values, inclusive of best practice in early childhood education.
- Give full attention to their responsibilities and ensure their work is carried out proficiently, harmoniously and effectively.
- Act in a professional and respectful manner and always with BDCS's best interests.
- Act honestly and exercise attentiveness in all service operations.



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- Perform all duties to the best of their ability. If having trouble performing these duties to the required standard, they must ask for help from their Nominated Supervisor or Approved Provider.
- Advise their Nominated Supervisor or Approved Provider as soon as practical, if there is any reason that may impede their ability to fulfil duties and obligations including health or other issues.
- Value and promote the safety, health, and wellbeing of employees, volunteers, children, and families by acting which do not endanger anyone and encourage healthy and safe behaviour in the children by setting a good example.
- Commit to an Equal Opportunity workplace and culture which values the knowledge, experience, and professionalism of all staff members, students and volunteers and the diverse heritage of our families and children.
- Work in the best interests of the children and families and act in a manner that will enhance the standing of the Early Childhood sector.
- Build positive partnerships and maintain good working relationships with other staff members by treating each other with courtesy, honesty and respect. Any conflicts will be resolved in private and assistance should be requested from the Nominated Supervisor or Approved Provider if these conflicts are unable to be resolved.
- Work collaboratively and support other staff members to maintain high quality care and high standards of professionalism
- Be sensitive to the rights and feelings of other children and adults.
- Carry out all lawful directions, retaining the right to question any direction which they consider to be unethical. If uncertain they can seek advice from their Nominated Supervisor, Approved Provider, or the Ombudsman.
- Uphold the rights of children and always prioritise their needs.
- Participate in all mandatory training.
- Report any instances of suspected corrupt conduct, mismanagement of government funds or other serious allegation to the appropriate agency ([tipoffline@dese.gov.au](mailto:tipoffline@dese.gov.au) or [tipoffline@education.gov.au](mailto:tipoffline@education.gov.au)).
- Attend work and return from breaks on time and ensure that the Sign In/Out sheet is accurately filled in on arrival and departure.
- Advise their Nominated Supervisor or Approved Provider as soon as possible before the start of their shift, if they are required to take unplanned leave due to sickness or personal reasons.
- Advise their Nominated Supervisor or Approved Provider as soon as possible if they are going to be late for the start of their shift or returning from a break
- Understand that repeated lateness and unauthorised absences may result in disciplinary action.
- Be courteous and responsive when dealing with colleagues, management, students, visitors, children, and families.
- Work collaboratively and respectfully with other staff members, families and members of the community and recognise and value diversity.
- Be positive role models for children at all times.
- Use appropriate language which will not offend other staff members, children or parents.
- Use suitable conversation when at work and refrain from discussing other matters when working with or around children.
- Never raise their voice excessively in anger or frustration while at work.
- Understand that inappropriate behaviour, including bullying, sexual harassment, discrimination and harassment will not be tolerated.
- Treat colleagues, children, and families fairly and with respect.
- Report any incidents or bullying, discrimination or harassment, including sexual harassment they have experienced or witnessed.
- Promote the cultural safety, participation, and empowerment of Aboriginal and Torres Strait Islander children to express their culture and enjoy their cultural rights.
- Promote the safety, participation, and empowerment of children with culturally and/or linguistically diverse backgrounds to support children to express their culture and enjoy their cultural rights.
- Promote the safety, participation, and empowerment of children with a disability.
- Treat children equally and as individuals regardless of gender, race, family background, culture, religion or beliefs



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- Engage in critical reflection to inform individual and collective decision making and ensure continual improvement, including a review of Child Safe policies and procedures.

#### ALL STAFF MEMBERS WILL NOT:

- Use abusive, derogatory, or offensive language.
- Engage in conduct that is detrimental to the professional standing of our service, is improper or unethical, is an abuse of power, or harasses, discriminates against, victimises, humiliates, intimidates, or threatens other educators, staff members, volunteers, or visitors at the service, either directly or indirectly via information technology such as email, text, or social media. Additionally, they will not support those who do this.
- Act in conflict with BDCS best interests.
- Discriminate against any child, because of culture, race, ethnicity, or disability.
- Bully or use insulting behaviour, including verbal and non-verbal aggression, abusive, threatening, or derogatory language or intimidation towards other employees, children, visitors, or families.
- Show preferential behaviour towards any child.
- Accept an offer of money, regardless of the amount.
- Seek or accept a bribe.
- Acquire personal profit or advantage because of their position (e.g., through the use of Service information).
- Exchange any property of the service for own use unless properly authorised.
- Approach other staff members or visitors directly on individual matters that are irrelevant to them.
- Engage in or support any action in breach of service policies and/or procedures.

#### CHILD PROTECTION

##### THE APPROVED PROVIDER AND NOMINATED SUPERVISORS WILL:

- Ensure our Child Safe policies including Promoting a Child Safe Environment Policy and Child Protection Policy are adhered to at all times
- Follow recruitment policies and procedures to ensure all potential candidates undergo appropriate background checks, including Working with Children Checks.
- Conduct a comprehensive probation and induction orientation program for all new employees, volunteers, and students to include a thorough understanding of their roles and responsibilities in relation to Child Safe practices and Child Protection reporting obligations.

##### ALL STAFF MEMBERS WILL:

- Understand that child safety is everyone's responsibility, promote the wellbeing and safety of children and take reasonable steps to protect children from abuse and harm (more information in Child Protection Policy).
- Provide adequate supervision of children at all times.
- Understand their legislative responsibility as mandatory reporters to report any allegation of child abuse, neglect or possible risk of harm to their Nominated Supervisor, Approved Provider and/or Child Protection Authority.
- Understand their legislative responsibility to report any inappropriate action of any other employee that involves children or young people to their Nominated Supervisor or Approved Provider as part of the Reportable Conduct Scheme.
- Respect the privacy of children and their families by keeping all information about child protection concerns confidential and only share information to promote child wellbeing or safety and /or manage risk of family violence with other Information Sharing Entities (IES) as per NSW legislation.
- Listen and respond to the views and concerns of children particularly if they are telling you that they or another child has been abused or they are worried about their safety or the safety of another.



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#### ALL STAFF MEMBERS WILL NOT:

- Condone or participate in illegal, unsafe, or abusive behaviour towards children, including physical, sexual, or psychological abuse, ill-treatment, neglect or grooming.
- Exaggerate or trivialise child abuse issues.
- Fail to report information to their Nominated Supervisor or Approved Provider if they know a child has been abused.
- Engage in unwarranted and inappropriate touching involving a child.
- Persistently criticise and/or denigrate a child.
- Verbally assault a child or create a climate of fear.
- Encourage a child to communicate in a private setting.
- Share details of sexual experiences with a child.
- Use sexual language or gestures in the presence of children.
- Put children at risk of abuse- refusing food/play, making threats, exposing children to inappropriate language or material (movies, internet, photos).

#### MANAGING CONFLICT IN THE WORKPLACE

##### THE APPROVED PROVIDER AND NOMINATED SUPERVISORS WILL:

- Adhere to the Complaints Handling Policy.
- Remain objective and impartial when managing conflict in the workplace
- Be responsive and address a possible breach of the Code of Conduct by any employee as soon as they become aware of the breach.
- Investigate all allegations which may result in remedial action, or disciplinary action ranging from a caution to dismissal.
- Consider all relevant facts and make decisions or take actions fairly, ethically, consistently, and with transparency. If they are uncertain about the appropriateness of a decision or action they will consider:
  - Whether the decision or conduct is lawful.
  - Whether the decision or conduct is consistent with service policies.
  - Whether there will be an actual, potential, or perceived conflict of interest involving obligations that could influence the business relationship or conflict with business duties.

#### RECORD KEEPING

##### THE APPROVED PROVIDER AND NOMINATED SUPERVISORS WILL:

- Ensure records are retained and stored securely as specified in the 'Record Keeping and Retention Policy'.

##### ALL STAFF MEMBERS WILL:

- Maintain full, accurate, and honest records as required by the Education and Care Services National regulations
- Not destroy records unless permission is given from their Nominated Supervisor/Approved Provider.

#### ADHERING TO SERVICE CONFIDENTIALITY

##### ALL STAFF MEMBERS WILL:

- Unless authorised to do so by legislation, employees will not disclose or use any confidential information without appropriate approval. This includes, not discussing any child or parent with any other parent or visitor, within or outside the Service.
- In any situation where a staff member is not sure if information is confidential or not, they should check with their Nominated Supervisor/Approved Provider.
- Lawful sharing of information with other parties must be to promote the wellbeing or safety of children and adhere to guidelines under Child and Family Information Sharing Schemes.
- All employees are to ensure that confidential information is not accessed by unauthorised people.
- Respect the confidential nature of information gained about each child enrolled in our service.
- More information available in 'Privacy and Confidentiality Policy'.

#### PERSONAL PHONE CALLS/MOBILE PHONES/SMART WATCHES

It is imperative that all staff members of the Service provide children with their full attention, ensuring supervision is maintained and remains on the children at all times.



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#### THE APPROVED PROVIDER AND NOMINATED SUPERVISORS WILL:

- Ask an employee to leave their Smart watch at home or place in a secure location until the end of their shift, If it becomes apparent that an employee is using it for any other reason than to view the time.

#### ALL STAFF MEMBERS WILL:

- Not use the Service's phones for personal reasons unless in the case of an emergency or with permission from their Nominated Supervisor/Approved Provider.
- Ensure that their personal mobile phones are not to be used, checked or brought on the floor during working hours unless permission is given from the Nominated Supervisor/Approved Provider.
- Keep their mobile phones inside of their bag which will be placed in a designated, secure location for safe keeping.
- Only use Smart watches for viewing the time during working hours.
- Only use their personal mobile phones and Smart watches (other than for viewing the time) during shift breaks when employees are free from work and supervision duties. They are not to be used in general sight of children, unless a situation arises where there is an emergency.
- Children are at no time to be given access to staff members mobile phones or smart watches.
- If, for personal reasons an employee needs to remain contactable from someone outside the service they should ensure that the situation is explained to their Nominated Supervisor/Approved Provider and that the service's primary contact details are passed on to the persons/family outside the service.

#### APPROPRIATE USE OF ELECTRONIC COMMUNICATION AND SOCIAL NETWORKING SITES/SOCIAL MEDIA

As a Child Safe Organisation, our service has the responsibility to ensure children and educators are protected from harm when they engage in with digital technology including social media. The service offers its current enrolled families and staff members a Facebook page as a communication tool.

#### THE APPROVED PROVIDER AND NOMINATED SUPERVISORS WILL:

- Provide administrative access to employees who understand that anything that they post is required to be relevant and respectful of the service, the children, the staff, families, and greater community.

#### ALL STAFF MEMBERS WILL:

- Ensure that they do not post any negative comments relating to the service, children, colleagues, or families, to their personal Social Media accounts.
- Use their own personal discretion when adding a family of the service as a 'friend' on Facebook or allowing access to one of their Social Media accounts. The service does not recommend staff members to allow families of the service to access their Social Media accounts as they will be seen still as a representative of the service and held to the service's Code of Conduct on all posts on their private account if families have access.

#### SERVICE EMAIL

#### THE APPROVED PROVIDER AND NOMINATED SUPERVISORS WILL:

- Have the right to access service email accounts at any time.
- Take fair and reasonable steps to ensure the passwords and other forms of access are held safe.

#### ALL STAFF MEMBERS WILL:

- Ensure service email addresses are only used for work purposes and not for private communications.
- Ensure any passwords and access privileges are kept strictly confidential only used only by the staff member issued with that access, or persons delegated to know and use that access in the normal course of operation.

#### USE OF ALCOHOL, DRUGS AND TOBACCO

#### ALL STAFF MEMBERS WILL:

- Inform their Nominated Supervisor/Approved Provider immediately they suspect a colleague to be affected by drugs or alcohol (no employee will be allowed to work under the influence of drugs or alcohol).
- Inform their Nominated Supervisor/Approved Provider if they are undergoing prescribed medical treatment with a controlled substance that may affect the safe performance of their duties. The Nominated Supervisor/Approved Provider will give consideration as to whether the particular medication affects the employees capacity to provide education and care to children.

#### ALL STAFF MEMBERS WILL NOT:

- Consume alcohol nor be under the influence of alcohol while working.





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- Use or possess illegal drugs at any workplace.
- Drive a vehicle, having consumed alcohol or suffering from the effects of illegal substances.
- Bring alcohol or any illegal drugs onto the premises.
- Smoke or vape is in or on surrounding areas of the service and not within view of the service (more information available in 'Smoke Free Environment Policy').

#### BABYSITTING (BDCS does not provide babysitting services outside normal operating hours)

##### ALL STAFF MEMBERS WILL:

- Ensure that if they undertake private babysitting arrangements with families, they understand that BDCS takes no responsibility for any private arrangements between staff members and the family. However, staff members are expected to inform their Nominated Supervisor if they are babysitting or caring for a child that attends the service. Provided approval is given from the Nominated Supervisor/Approved Provider, the employee and the family are required to complete an 'Out of Hours Babysitting Agreement Waiver'.
- More information available in 'Out of Hours Babysitting Policy'.

#### DRESS CODE

##### ALL STAFF MEMBERS WILL:

- Adhere to our uniform/dress code supplied during induction.
- Ensure enclosed shoes are worn at all times when working directly with children or performing maintenance tasks (strictly no high heels, thongs, or wedges).
- Ensure clothes are suitable for free movement, active play, and messy play.
- Ensure no offensive logos or political statements are to be displayed on clothing.
- Wear SunSmart clothing and hats when outdoors (more information in Sun Safety Policy).

#### PERSONAL HYGIENE

##### ALL STAFF MEMBERS WILL:

- Ensure they follow appropriate hygiene practices and their clothing is clean.
- Ensure long hair tied back when preparing and serving food.
- Not wear strong scents (perfumes etc.) as they may cause allergic reactions in children.

#### DUTY OF CARE (This relates to both physical and psychological wellbeing of individuals)

##### ALL STAFF MEMBERS WILL:

- Take reasonable care for the health and safety of themselves and others at the workplace to enable compliance with work health and safety legislation.
- Provide adequate supervision of children at all times and ensure the health, safety and welfare of children and young people in their care. This includes taking all reasonable action to protect children and young people from risk of harm that can be reasonably predicted.

#### CONTINUOUS IMPROVEMENT/REFLECTION

Our Code of Conduct Policy will be reviewed on an annual basis in consultation with children, families, staff, educators, and management.

#### CHILD SAFE STANDARDS

Standard 1	Child safety is embedded in organisational leadership, governance, and culture
Standard 3	Families and communities are informed and involved
Standard 4	Equity is upheld and diverse needs are taken into account
Standard 5	People working with children are suitable and supported
Standard 6	Processes to respond to complaints of child abuse are child focused.
Standard 7	Staff are equipped with the knowledge, skills, and awareness to keep children safe through continual education and training
Standard 8	Physical and online environments minimise the opportunity for abuse to occur
Standard 10	Policies and procedures document how the organisation is child safe.

#### NATIONAL QUALITY STANDARD (NQS)

##### QUALITY AREA 4: STAFFING ARRANGEMENTS

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



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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.

### EDUCATION AND CARE SERVICES NATIONAL REGULATIONS AND NATIONAL LAW

82	Tobacco, drug and alcohol-free environment
84	Awareness of child protection law
155	Interactions with children
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be available
172	Notification of change to policies or procedures

### STATUTORY LEGISLATION & CONSIDERATIONS

- [Education and Care Services National Law Act 2010 \(Amended 2023\)](#)
- [Education and Care Services National Regulations \(Amended 2023\)](#)
- [Fair Work Act 2009](#)
- [Privacy and Personal Information Protection Act 1998](#)
- [Smoke Free Environment Act 2000](#)
- [Work Health and Safety Act 2011](#)
- [Workplace Relations Act 1996](#)

### SOURCES

Acknowledgement to Community Early Learning Australia and Childcare Centre Desktop.

Anti-Discrimination Act: See <https://raisingchildren.net.au/disability/disability-rights-the-law/law/anti-discrimination-laws>

Australian Children's Education & Care Quality Authority (ACECQA). (2014).

Australian Children's Education & Care Quality Authority (ACECQA). (2023). [Guide to the National Quality Framework](#).

Australian Children's Education & Care Quality Authority (ACECQA). (Date). [Name. Policy Guidelines](#).

Australian Government Department of Education. (2022). [Belonging, Being and Becoming: The Early Years Learning Framework for Australia](#). V2.0, 2022.

Australian Human Rights Commission <https://www.humanrights.gov.au/our-work/childrens-rights>

Early Childhood Australia Code of Ethics. (2016).

Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017). (Amended 2023).

Guide to the National Quality Framework. (2017). (Amended 2023).

National Principles for Child Safe Organisations

NSW Government Office of the Children's Guardian Code of Conduct- a guide to developing child safe Codes of Conduct. (2020).

Revised National Quality Standard. (Amended 2023).

### RELATED POLICIES

- Child Protection Policy
- Complaints Handling Policy
- Determining a Responsible Person Policy Interactions with Children Policy
- Out of Hours Babysitting Policy
- Privacy and Confidentiality Policy
- Probation, Induction and orientation Policy
- Providing a Child Safe Environment Policy
- Record Keeping and Retention Policy
- Smoke Free Environment Policy

### RELATED DOCUMENTS





# BOURKE AND DISTRICT CHILDREN'S SERVICES

Code of Conduct – Staff Acknowledgement Form

POLICY AUTHORISED BY	Prue Ritchie	POLICY REVIEWED	August 2024
NEXT REVIEW DATE	August 2025		
MODIFICATIONS	<ul style="list-style-type: none"> <li>• New policy format</li> <li>• Child Safe Standards added</li> <li>• Regulation amendments incorporated</li> <li>• Major edit to include further details and address additional topics</li> </ul>		
PREVIOUS REVIEW			
POLICY AUTHORISED BY	Prue Ritchie	DATE	January 2021