

CODE OF CONDUCT

QUALITY AREA 4 | ELAA version 1.5



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



PURPOSE

This policy provides a clear set of guidelines and procedures for Epping Views Kindergarten to:

Our Child Safety Code of Conduct sets out the expected behaviour of adults with children and young people in our kindergarten.

All Epping Views Kindergarten staff, volunteers, contractors, service providers, school council members and any other adult involved in child-connected work must follow the Child Safety Code of Conduct.

This policy provides guidelines to enable Epping Views Kindergarten 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 Epping Views Kindergarten
- articulate desirable and appropriate behaviour
- promote interactions at the service and online which are respectful, honest, courteous, sensitive, tactful, and considerate.
- create a safe working environment that is free from discrimination, bullying and harassment
- promote respect for our Educators, respect for the children and respect for the families



POLICY STATEMENT

VALUES

Epping Views Kindergarten:

- 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 Epping Views Kindergarten, 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 Epping Views Kindergarten	R	R	√		
3. Acting in accordance with Epping Views Kindergarten child safety and wellbeing policies and procedures at all times.	R	R	R		R
4. Abiding by the <i>Safe Use of Digital Technologies and Online Environment Policy</i>	R	R	R		R
5. Behaving respectfully, courteously and ethically towards children and their families and towards other staff.	√	√	√		√
6. Promoting the human rights, safety and wellbeing of all children in Epping Views Kindergarten	√	√	√		√
7. Ensuring appropriate physical contact with children (<i>refer to Definition</i>) is maintained at all times	√	√	√		√
8. Working with children in an open and transparent way	√	√	√		√



9. Demonstrating appropriate personal and professional boundaries <i>refer to Attachment 5</i>	√	√	√		√
10. 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	√	√		
11. Ensuring racism within the service is identified, confronted and not tolerated.	R	√	√	√	√
12. 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 (<i>refer to Attachment 5</i>)	R	R	√	√	√
13. Ensuring that the children educated and cared for at [Service Name] are protected from harm and from any hazard likely to cause injury (<i>National Law: Section 167</i>)	R	R	√		
14. Identifying and mitigating risks to children's safety and wellbeing as required by Epping Views Kindergarten risk assessment and management processes	R	R	√		√
15. Responding to any concerns or complaints of child harm or abuse promptly and in line with <i>Compliments and Complaints policy</i>	R	R	R		R
16. 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	√			
17. Developing, updating and reviewing Code of Conduct for Epping Views Kindergarten in collaboration with all stakeholders within the service (<i>refer to Attachments 1 and 3</i>)	R	√	√	√	
18. 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	√			
19. Ensuring that the codes of conduct are regularly discussed at staff meetings to reinforce expectations	R	√			
20. Developing a culture of accountability within the service for complying with the code of conduct and responding when behavioural expectations are not adhered to (<i>refer to Attachment 5</i>)	R	√	√	√	√
21. Ensuring that all children being educated and cared for at Epping Views Kindergarten are protected from harm and any hazard likely to cause injury (<i>National Law: Section 167</i>)	R	R	√		√
22. Providing an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct	√	√	√	√	√
23. Abiding by the <i>Interactions with Children policy</i> , ensuring all staff maintain appropriate, respectful, and safe relationships with children	R	√	√		√



24. 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			
25. 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	√		
26. 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			
27. 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	√	√	√	√	√
28. Engaging in open, two-way communication with families and communities about the service's child safety approach and providing relevant and accessible information	√	√	√		
29. Ensuring children are supported to express their culture and enjoy their cultural rights.	R	R	R		R
30. 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.	√	√	√		√
31. 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			
32. 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
33. 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), National Regulations: Regulations 175(2)(c) and 176(2)(b)</i>) via the NQAITs	R	√			
34. 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 Grievances Subcommittee/investigator (<i>refer to Compliments and Complaints Policy</i>)	R	√			
35. Notifying WorkSafe of any reportable incidences (<i>refer to Definitions</i>) that have occurred in the workplace	R	√			
36. Activating the <i>Compliments and Complaints Policy</i> on notification of a breach of the <i>Code of Conduct Policy</i>	R	√			



37. 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				
38. 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
39. Reading the <i>Code of Conduct Policy (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		√	√		
40. Adhering to the Code of Conduct at all times	R	R	R	R	R
41. 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	√		
42. Providing an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct	√	√	√		
43. Ensuring that parents/guardians, students and volunteers sign the Code of Conduct Acknowledgement (<i>refer to Attachment 4</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 (refer to 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	√			

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RESPONSIBILITIES

Mobile Phones, Electronic Devices & Staff Use

To uphold the highest standards of professionalism and ensure the safety and wellbeing of all children in our care, the use of personal mobile phones and electronic devices during teaching sessions is strictly prohibited.

Staff must not have mobile phones turned on or accessible for personal use, including calls, messages, or browsing, while supervising or engaging with children. This includes times when staff are in charge of a group or actively participating in educational activities. All device must safely stored in your locker or office.

Any use of electronic devices must be for approved work-related purposes only and must be done away from children, during scheduled breaks or non-contact time, and in line with our Child Safe Standards and Code of Conduct.

Non-compliance may result in disciplinary action.

The Approved Provider or Persons with Management and Control are responsible for:

- providing a safe environment for staff, contractors, volunteers, students on placement, parents/guardians, children and others attending the programs and activities of Epping Views Kindergarten
- providing guidance through leadership and by being a positive role model
- developing and updating/ reviewing codes of conduct for Epping Views Kindergarten in collaboration with the Nominated Supervisor, staff, parents/guardians, children and others involved with the service (refer to Attachments 2 and 4)
- ensuring that staff, volunteers, students and parents/guardians are provided with a copy of this policy on employment, engagement or enrolment at the service and that the current codes of conduct are publicly displayed and promoted to everyone including contractors and visitors
- ensuring that staff complete and sign the *Code of Conduct and Zero Tolerance on the Abuse of Staff Acknowledgement* (refer to Attachment 3) and that these are filed with individual staff records upon engagement in the service
- ensuring that the codes of conduct are regularly discussed at staff meetings to reinforce expectations
- developing a culture of accountability within the service for complying with the code of conduct and being prepared to respond when behavioural expectations are not adhered to
- ensuring that all children being educated and cared for at Epping Views Kindergarten are protected from harm and any hazard likely to cause injury (National Law: Section 167) and that the children know who to speak to about any concerns and that their concerns are followed-up
- working with the Nominated Supervisor, staff, students, volunteers, parents/guardians and others at the service to provide an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct
- ensuring that parents/guardians of a child attending the service can enter the service premises at any time that the child is being educated and cared for, 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 educators under the Law (Regulation 157)
- ensuring that contractors, volunteers, parent/guardians, students or visitors at the service are not placed in a situation where they are left alone with a child



- respecting individual abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal
- notifying DET in writing within 24 hours of a serious incident (refer to *Definitions*) or of a notifiable complaint (refer to *Definitions*) at the service (National Law: Sections 174(2)(b) and 174(4), National Regulations: Regulations 175(2)(c) and 176(2)(b)) via the NQAITS
- referring notifiable complaints (refer to *Definitions*), grievances or complaints that are unable to be resolved appropriately and in a timely manner to the Grievances Subcommittee/investigator (refer to *Complaints and Grievances Policy*)
- activating the *Complaints and Grievances Policy* on notification of a breach of the *Code of Conduct and Zero Tolerance on the Abuse of Staff Policy*
- taking appropriate disciplinary or legal action, or reviewing the terms of employment in the event of misconduct or a serious breach of the *Code of Conduct and Zero Tolerance on the Abuse of Staff policy*
- contacting Police in an emergency situation where it is believed that there is an immediate risk, such as when violence has been threatened or perpetrated or where sexual abuse or grooming is suspected as outlined in the *Child Safe Policy*.

The Nominated Supervisor and Persons in Day to Day Charge are responsible for:

- ensuring that the children educated and cared for at Epping Views Kindergarten are protected from harm and from any hazard likely to cause injury (National Law: Section 167)
- providing guidance through their leadership and by being a positive role model
- assisting the Approved Provider to develop codes of conduct for staff and parents/guardians, students, contractors, volunteers and visitors (refer to Attachments 2 and 4 for samples)
- completing and signing the *Code of Conduct and Zero Tolerance on the Abuse of Staff Acknowledgement* for staff (refer to Attachment 3)
- adhering to the *Code of Conduct and Zero Tolerance on the Abuse of Staff* at all times
- informing the Approved Provider in the event of a serious incident (refer to *Definitions*), of a notifiable complaint (refer to *Definitions*) or of a breach of the *Code of Conduct and Zero Tolerance on the Abuse of Staff Policy*
- contacting Police in an emergency situation where it is believed that there is an immediate risk, such as when violence has been threatened or perpetrated, or where sexual abuse or grooming is suspected as outlined in the *Child Safe (formerly Child Protection) Policy*
- working with the Approved Provider, staff, students, volunteers, parents/guardians and others at the service to provide an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct
- ensuring that parents/guardians, students and volunteers sign the *Code of Conduct and Zero Tolerance on the Abuse of Staff Acknowledgment policy* (refer to Attachment 5)
- ensuring that parents/guardians of a child attending the service can enter the service premises at any time that the child is being educated and cared for, except where this may pose a risk to the safety of children or staff, or conflict with any duty of care of the Approved Provider, Nominated Supervisor or educators under the Law (Regulation 157)
- developing practices and procedures to ensure that parent/guardians, students, contractors, volunteers or visitors at the service, are not placed in a situation where they are left alone with a child
- respecting individual abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal
- 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.



- ensuring no educators have personal devices in children's environments. This includes mobile phones, smartwatches with camera functions, laptops, and personal storage devices.

All staff are responsible for:

- assisting the Approved Provider to develop a code of conduct for staff (refer to Attachment 2)
- completing and signing the *Code of Conduct and Zero Tolerance on the Abuse of Staff Acknowledgement* (refer to Attachment 3)
- adhering to the code of conduct for staff (refer to Attachment 2) at all times
- providing guidance to students, volunteers, parents/guardians, students and visitors through positive role modelling and, when appropriate, clear and respectful directions
- working with the Approved Provider, Nominated Supervisor, their colleagues, students, volunteers, parents/guardians and others at the service to provide an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct
- ensuring that parents/guardians, students, contractors, volunteers and visitors at the service are not placed in a situation where they are left alone with a child
- informing the Approved Provider in the event of a serious incident (refer to *Definitions*), of a notifiable complaint (refer to *Definitions*) or of a breach of the *Code of Conduct and Zero Tolerance on the Abuse of Staff Policy*
- contacting Police in an emergency situation where it is believed that there is an immediate risk, such as when violence has been threatened or perpetrated or where sexual abuse or grooming is suspected as outlined in the *Child Safe (formerly Child Protection) Policy*.
- respecting individual abilities, needs, cultural practices and beliefs in all interactions, both verbal and non-verbal
- notifying the Nominated Supervisor of any act of violence, aggression, or verbal abuse
- 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.
- To uphold the highest standards of professionalism and ensure the safety and wellbeing of all children in our care, the use of personal mobile phones and electronic devices during teaching sessions is strictly prohibited.
- Ensuring all mobile phones are turned off and are not accessible for personal use, including calls, messages, or browsing, while supervising or engaging with children. This includes times when staff are in charge of a group or actively participating in educational activities. All devices must safely be stored in staff lockers or office. Any use of electronic devices must be for approved work-related purposes only and must be done away from children, during scheduled breaks or non-contact time, and in line with our Child Safe Standards and Code of Conduct. Non-compliance may result in disciplinary action.

Parents/guardians are responsible for:

- reading the *Code of Conduct and Zero Tolerance on the Abuse of Staff Policy*
- completing and signing the *Code of Conduct and Zero Tolerance on the Abuse of Staff Acknowledgement* for parents/guardians (refer to Attachment 5)
- abiding by the Code of Conduct for parents/guardians
- complying with all policies of the service.



Students, contractors, volunteers and visitors while at the service, are responsible for following this policy and its procedures.

ACCEPTABLE BEHAVIOURS

As Epping Views Kindergarten staff, volunteers, contractors, and any other member of our kinder community involved in child-connected work, are responsible for supporting and promoting the safety of children by:

- upholding our Epping Views Kindergarten commitment to child safety at all times and adhering to our Child Safety and Wellbeing Policy
- taking all reasonable steps to protect children from abuse
- treating students and families in our school community with respect in our school environment and outside our school environment as part of normal social and community activities; including listening to and valuing their ideas and opinions
- listening and responding to the views and concerns of students, particularly if they disclose that they or another child or student has been abused or are worried about their safety or the safety of another child or student
- welcoming all children and their families and carers and being inclusive
- promoting the cultural safety, participation and empowerment of Aboriginal students, students with culturally and/or linguistically diverse backgrounds, students with a disability, international students, students who are unable to live at home and lesbian, gay, bisexual, transgender and intersex (LGBTIQ+) students
- modelling appropriate adult behavior
- ensuring, as far as practicable, that adults are not alone with a student – one-to-one interactions between an adult and a student are to be in an open space or in line of sight of another adult
- reporting any allegations of child abuse or other child safety concerns to Kinder Manager/Second in Charge and school's Principal.
- following the steps in Flowchart: CHILD SAFETY REPORTING PROCESS when one wants to raise a concern about breaches of the code and to how to make a complaint
- listening to children and responding to them appropriately
- reporting and acting on any breaches of the Code of Conduct, complaints and concerns
- complying with our guidelines on physical contact with children (see unacceptable behaviours)
- understanding and complying with all reporting and disclosure obligations (including mandatory reporting) in line with our child safety responding and reporting policy and procedures and the PROTECT Four Critical Actions
- if child abuse is suspected, ensuring as quickly as possible that the student(s) are safe and protected from harm
- respecting the privacy of children and their families and only disclosing information to people who need to know



UNACCEPTABLE BEHAVIOURS

As Epping Views Kindergarten staff, volunteers, contractors and member of our school community involved in child-connected work we must not:

- seek to use children in any way to meet the needs of adults
- ignore or disregard any concerns, suspicions or disclosures of child abuse or harm • develop a relationship with any student that could be seen as favouritism or amount to 'grooming' behaviour (for example, by offering gifts)
- engage in rough or physical games
- initiate unnecessary physical contact with children or do things of a personal nature that children can do for themselves, such as toileting or changing clothes
- display behaviours or engage with students in ways that are not justified by the educational or professional context
- ignore an adult's overly familiar or inappropriate behaviour towards a student
- discuss intimate topics or use sexualised language, except when needed to deliver the school curriculum or professional guidance
- treat a child or student unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity
- treat a child or student unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity
- communicate directly with a student through personal or private contact channels (including by social media, email, instant messaging, texting, etc.) except where that communication is reasonable in all the circumstances, related to schoolwork or extra-curricular activities or where there is a safety concern or other urgent matter
- photograph or video a child or student in a school environment except in accordance with the permissions as per individual child's enrolment forms or where required for duty of care purposes
- consume alcohol against school policy or take illicit drugs in the school environment or at school events where students are present
- have contact with any student outside of school hours except when needed to deliver the school curriculum or professional guidance and parental permission has been sought.
- have personal devices in children's environments. This includes mobile phones, smartwatches with camera functions, laptops, and personal storage devices.



BREACHES TO THE CHILD SAFETY CODE OF CONDUCT

All Epping Views Kindergarten staff, volunteers, contractors and any other member of the school community involved in child-connected work who breach this Child Safety Code of Conduct may be subject to disciplinary procedures in accordance with their employment agreement or relevant industrial instrument, professional code or terms of engagement.

In instances where a reportable allegation has been made, the matter will be managed in accordance with the Department of Education, Australian Children's Education and Care Quality Authority and may be subject to referral to Victoria Police and/or The Commission of Children and Young Persons (CCYP).

All breaches and suspected breaches of the Epping Views Kindergarten Code of Conduct policy must be reported to the Kinder Manager/Second in Charge and Principal.

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 Epping Views Kindergarten 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 PolicyWorks catalogue.

Behaviour: the way in which one acts or conducts oneself, especially towards others.

Bullying: Repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying occurs when one or more people deliberately and repeatedly upset or hurt another person, damage their property, reputation or social acceptance.

Ethical conduct: Behaviour which reflects values or a code of conduct.

Harassment: When someone is demeaning, derogatory or intimidating towards another person. Harassment includes:

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



Investigator: A person/staff member assigned or organisation engaged with the responsibility of investigating suspected breaches of the Code of Conduct by the Approved provider

Physical attack: the direct or indirect application of force by a person to the body of, or to clothing or equipment worn by another person, where that application creates a risk to health and safety.

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 to another staff member. It must always align with the service's policies, maintain professional boundaries, and uphold child safe standards.

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.

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

Sexual harassment: includes offensive gestures, leering, staring or suggestive comments about a person's physical appearance, inappropriate physical contact, unwanted invitations of a sexual manner, sexually orientated jokes, sending of obscene letters, notes, telephone texts or emails.

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

Threat: a statement or behaviour that causes a person to believe they are in danger of being physically attacked.

Unreasonable behaviour: includes actions of individuals or a group and may involve using a system of work as a means of victimising, humiliating, undermining, or threatening.

Verbal harassment: includes name-calling, offensive language, putting people down.

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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
- Safe Use of Digital Technologies and Online Environment
- 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: Epping Views Kindergarten Volunteer Parent Helper Agreement



AUTHORISATION

This policy was adopted by the approved provider of Epping Views Kindergarten on September 2025.

REVIEW DATE: September 2026



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 Epping Views Kindergarten 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.
- raising any complaints or grievances in accordance with the *Compliments and Complaints policy*.

Relationships with children

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

- encouraging children to express themselves and their opinions
- allowing children to undertake experiences that develop self-reliance and self-esteem
- maintaining a safe environment for children



- being a positive role model at all times
- speaking to children in an encouraging and positive manner
- giving each child positive guidance and encouraging appropriate behaviour
- providing opportunities for children to interact and develop respectful and positive relationships with each other, and with other staff members and volunteers at the service
- regarding all children equally, and with respect and dignity
- having regard to their cultural values and supporting them to express their culture
- respecting individual difference including age, physical and intellectual development, and catering for the abilities of each child at the service
- working with children in an open and transparent way by informing other staff about the work being done with children
- encouraging and assisting children to undertake activities of a personal nature for themselves e.g. toileting and changing clothes
- informing children if physical contact is required for any purpose, asking them if they are comfortable with this interaction and complying with the *Interactions with Children policy*.

Relationships with parents/guardians and families

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

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

Relationships with employer and between colleagues

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

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



ATTACHMENT 2. CODE OF CONDUCT POLICY ACKNOWLEDGEMENT FOR 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 Epping Views Kindergarten.

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 Epping Views Kindergarten.

I understand Child Safe standards including personal devices are not permitted in children’s environments. This includes mobile phones, smartwatches with camera functions, laptops, and personal storage devices.

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 Epping Views Kindergarten 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 Epping Views Kindergarten 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.
- At Epping Views Kindergarten, we are committed to protecting the privacy and safety of all children. To support this, our foyer and learning spaces are photo and video-free zones. We know how special it is to capture kindergarten memories, so during events we will provide a designated Photo Zone where parents and caregivers can take photos of their own children. Educators will remind families to keep devices away outside of the Photo Zone, so everyone can enjoy the moment and ensure our community stays safe and respectful. This is to ensure we maintain a positive, secure, and respectful environment for every child.

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 Epping Views Kindergarten.

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 Epping Views Kindergarten.

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
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_____ Witness signature	_____ Name (please print)	_____ Date
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Thank you for your contribution to making Epping Views Kindergarten 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

EPPING VIEWS KINDERGARTEN VOLUNTEER PARENT HELPER AGREEMENT



Thank you for volunteering to participate as being a parent helper.

Please read the following guidelines:

When you arrive to volunteer in the classroom you will need to complete the following:

- Sign in the visitor log book located in the foyer and collect a visitors badge
- Ensure you arrive at the agreed time for your session

Observations of Classroom Practices

- In a kindergarten setting, management of all students' behaviour is Epping Views Kindergartens staff responsibility
- Do not discuss the progress of children with other parents or members of the community
- Maintain confidentiality by respecting the privacy of others
- If you have any questions regarding something you have seen in the kinder setting, please feel free to contact your child's teacher or speak with the leadership team at Epping Views Kindergarten to discuss further

Potential Classroom Activities

You may be expected to support the room in activities such as:

- Assistance with cleaning
- Resetting of activities
- Preparing arts and crafts by cutting, organising and sorting resources
- Read stories or contribute to other group time experiences (if interested)

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

I commit to contributing to creating a safe environment as per outlined acceptable behaviours in *Code of Conduct Policy* at Epping Views Kindergarten 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.
- our foyer and learning spaces are photo and video-free zones. No personal devices are to be used in these spaces.



Relationships with children

In our 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.
- advising educators of children's toileting needs if communicated to me. I will not assist children other than my own in the toilet area.

All unacceptable behaviours as outlined in the Code of Conduct policy may be subject to termination of your partnership with Epping Views Kindergarten.

EPPING VIEWS KINDERGARTEN VOLUNTEER PARENT HELPER AGREEMENT

I _____, parent of _____,

from the _____ group adhere to these guidelines.

Signature: _____ Date: _____

OFFICE SIGHTED AND APPROVED
(INITIAL AND DATE)

