

# CODE OF CONDUCT POLICY

We believe in forming an inclusive and welcoming environment and workplace by providing experiences that motivate and facilitate personal growth and development of our Family Day Care Educators, Educator Assistants and Coordinators. The values that underpin our work ethic includes 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 FDC Service is committed to creating and maintaining an environment that promotes the safety of all children and embeds the National Principles for Child Safe Organisations and Victorian Child Safety Standards. All staff 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.

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.1	Staffing arrangements	Staffing arrangements enhance children's learning and development.
4.1.2	Continuity of staff	Every effort is made for children to experience continuity of educators at the service.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other’s strengths and skills.
4.2.2	Professional Standards	Professional standards guide practice, interactions and relationships.

QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.1	Service philosophy and purpose	A statement of philosophy guides all aspects of the service’s operations.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision-making and operation of the service.

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS	
S. 162A	Child protection training
S. 165	Offence to inadequately supervise children
S. 167	Offence relating to protection of children from harm and hazards
82	Environment to be free from tobacco, vaping devices, vaping substances, drugs and alcohol
83	Staff members and family day care educators not to be affected by alcohol or drugs
84	Awareness of child protection law

155	Interactions with children
166	Children not to be along with visitors
168	Education and Care Services must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be kept available
172	Notification of change to policies or procedures
182	Confidentiality of records kept by family day care educator

Victorian Child Safe Standards	
Standard 1	Organisations establish a culturally safe environment in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued
Standard 2	Child safety and wellbeing is embedded in organisational leadership, governance and culture
Standard 3	Children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously
Standard 4	Families and communities are informed, and involved in promoting child safety and wellbeing
Standard 5	Equity is upheld and diverse needs respected in policy and practice
Standard 6	People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
Standard 7	Processes for complaints and concerns are child focused
Standard 8	Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training
Standard 9	Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed
Standard 10	Implementation of the Child Safe Standards is regularly reviewed and improved
Standard 11	Implementation of the Child Safe Standards is regularly reviewed and improved

## RELATED POLICIES

Child Protection Policy Child Safe Environment Policy Child Safety and Wellbeing Policy (Vic services) Dealing with Complaints Policy Interactions with Children, Family and Staff Policy Out of hours babysitting Policy Photograph Policy Professional Development Policy Record Keeping and Retention Policy	Recruitment Policy Respect for Children Policy Responsible Person Policy Social Media Policy Staffing Arrangements Policy Tobacco, Drug and Alcohol-Free Policy Work Health and Safety Policy Privacy and Confidentiality Policy Safe use Safe Use of Digital Technologies and Online environment policy
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## PURPOSE

Dalas Family Day Care Service aims to establish a common understanding of work place standards and ethics expected of all employees of the Service. We aim to ensure positive working relationships are formed between all educators, educator assistants, and management, promoting dignity and respect by avoiding behaviour which is or may be perceived as harassing, bullying or intimidating. Educators, educator assistants and management 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 the Service's philosophy.

Dalas Family Day Care Service takes every reasonable effort to accommodate the diversity of all children in implementing the Child Safe Standards. 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

#### SCOPE

This policy applies to the Approved Provider, Coordinator, Educators, and Educator Assistants of the Family Day Care Service.

#### IMPLEMENTATION

The Family Day Care Service will adhere to the Early Childhood Australian Code of Ethics, National Regulations and Quality Standards, and Service policies and procedures at all times, promoting positive interactions within the Service and the local community.

#### RESPECT FOR PEOPLE AND THE SERVICE

- Our Family Day Care Service is committed to the Service philosophy and values, inclusive of best practice in early childhood education and building positive partnership with children, families and FDC educators.
- Dalas Family Day Care has on the place a Statement of Commitment to Child Safety and Wellbeing to demonstrate a strong culture of child safety within the Service
- Educators, Educator's Assistants, Staff and management adhere to our Child Safe policies including Child Safe Environment Policy, Child Protection Policy, Reportable Conduct Policy and Child Safety and Wellbeing Policy at all times and take all reasonable steps to protect children from abuse and harm
- Educators, Educator's Assistants, Staff and management understand that child safety is everyone's responsibility
- Effective, open, and respectful reciprocal communication and feedback between the FDC Service, educators, children, families, and management is conveyed.
- It is important to treat colleagues, children, and families with respect. Bullying or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening, or derogatory language or intimidation towards other educators, educator assistants, children, visitors, or families is unacceptable and will not be tolerated.
- Educators are committed to valuing and promoting the safety, health, and wellbeing of educator assistants, volunteers, children, and families.
- Educators are committed to an Equal Opportunity workplace and culture which values the knowledge, experience, and professionalism of all educators and managers, and the diverse heritage of our families and children of the FDC Service.
- Educators, Educator's Assistants, Staff and management 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 VIC legislation.

- Dalas Family Day Care Service will conduct a comprehensive probation and induction orientation program for all new employees, FDC educators, volunteers and students to include awareness of their roles and responsibilities in relation to Child Safe practices
- It is important employees and management 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.

### EXPECTATIONS OF FAMILY DAY CARE EDUCATORS/ EDUCATOR ASSISTANTS

Educators and Educator Assistants will:

- adhere to the Code of Conduct Policy
- ensure their Working with Children Check (WWCC) is valid and current
- ensure their work is carried out proficiently, harmoniously, and effectively. They will act in a professional and respectful manner at all times whilst providing education and care to children, giving their full attention to their responsibilities and adhering to all Service policies, procedures, laws, regulations, and National Quality Standard.
- act honestly and exercise attentiveness in all service operations. They will 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 the Coordinator or Approved Provider.
- uphold the rights of children and always prioritise their needs
- treat all children and young people with respect
- promote the wellbeing and safety of children and take all reasonable steps to protect children from abuse
- 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 management or Child Protection authority
- understand their legislative responsibility to report any inappropriate action of any other employee that involves children or young people to management as part of the *Reportable Conduct Scheme*
- participate in all compulsory training, including any updates of Child Protection Law and reporting processes
- report any instances of suspected corrupt conduct, mismanagement of government funds or other serious allegation to the appropriate agency (tipoffline@dese.gov.au)
- follow and comply with the Dealing with Complaints Policy when matters are raised regarding Child Safety and Wellbeing
- have a solid understanding of the Service's policies and procedures, Victorian Child Safe Standards, the ECA Code of Ethics and National and Victorian Principles for Child Safe Organisations. If uncertain about the content of any policy or procedure with which they must comply, FDC educators should seek clarification from the Coordinator or Approved Provider.
- work collaboratively with other FDC educators, coordinators, families and members of the community with courtesy, respect and recognise and value diversity
- be mindful of their duty of care towards themselves and others
- be positive role models for children at all times
- ensure compliance with a zero tolerance of racism within the FDC Service
- not be under the influence of drugs or alcohol while providing education and care for children
- not smoke or vape in or on surrounding areas of the FDC Residence [see *Tobacco, Drugs and Alcohol-Free Policy*]
- respect the rights of all children
- commit to providing an environment that encourages feedback and evaluation of practices

- respect the confidential nature of information gained about each child participating in the program
- engage in critical reflection to inform individual and collective decision making and ensure continual improvement, including a review of Child Safe policies and procedures.
- participate in all mandatory training, including any updates of Child Protection Law and reporting processes every 12 months
- report any instances of suspected corrupt conduct, mismanagement of government funds or other serious allegation to the Department of Education via their [Online contact form](#). For more information visit the Department of Education website: [Reporting fraud via a tip-off](#)
- demonstrate and maintain professional boundaries that foster trust, dignity and mutual respect in their interactions with children, families, colleagues and members of the community
- not be in the possession of a personal electronic device that can take images or videos or personal storage and file transfer media when providing education and care and working directly with children- National Model Code
- demonstrate and maintain professional boundaries that foster trust, dignity and mutual respect in their interactions with children, families, colleagues and members of the community

#### **Educators and educator assistants will NOT**

- use abusive, derogatory or offensive language
- engage in conduct that is detrimental to the professional standing of our FDC 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 must never support or encourage this behaviour in others.
- 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 the 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 with an adult in a private setting
- share details of sexual experiences with a child
- use sexual language or gestures in the presence of children
- discriminate against any child, because of culture, race, ethnicity or disability
- put children at risk of abuse- refusing food/play, making threats, exposing children to inappropriate language or material (movies, internet, photos)
- 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 FDC Service information)
- approach other employees, managers or visitors directly on individual matters that are irrelevant to them
- engage in any action in breach of our *Privacy and Confidentiality Policy*, including but not limited to disclosure of confidential Service or customer information, or the improper or illegal use of that confidential information. Authorised persons will only access confidential information for the purpose intended.
- engage in or support any action in breach of FDC Service policies and/or procedures.

## EXPECTATIONS OF FAMILY DAY CARE COORDINATORS AND THE APPROVED PROVIDER

In addition to the above responsibilities, the FDC coordinator and Approved Provider are expected to:

- promote a collaborative and interconnected Service by developing positive working environments where educators can contribute to the ongoing continuous improvement of the overall Family Day Care Service
- promote leadership by working with educators and providing opportunities for professional development and growth
- provide flexible opportunities to ensure educators and educator assistants can participate in meetings and professional development
- provide ongoing support and feedback to educators and educator assistants
- keep educators informed about essential information and changes and make documents readily accessible to them
- ensure copies of the ECA Code of Ethics and Child Safe Standards are available to educators and families
- model professional behaviour at all times
- implement supportive and effective communication systems, consulting educators in appropriate decision making
- take appropriate action if a breach of the code of conduct occurs
- share skills and knowledge with educators
- give encouragement and constructive feedback to educators, respecting the value of different professional approaches
- follow recruitment policies and procedures to ensure all potential candidates undergo appropriate background checks, including Working With Children Checks
- model and provide guidance to educators and staff to ensure compliance with a zero tolerance of racism within the FDC Service.

## REPORTING A BREACH IN THE CODE OF CONDUCT

Our FDC Service aims to foster a culture of transparency and accountability while supporting employees and engaged FDC educators to report any reasonable suspicion of reportable matters of improper, illegal or misconduct within the Service to management including, but not limited to:

- breaches of the Service code of conduct or service policies
- breaches of Education and Care Services National Law or Regulations
- breaches of legislation or law
- criminal activity
- corruption
- conduct that poses a danger or harm to any person/s
- harassment or discrimination
- improper or misleading financial practices

Our FDC 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

- All educators and educator assistants are required by law to undergo a Working with Children Check, which is verified by the Approved Provider.

- all prospective employees, staff and educators are required to complete a prohibition notice declaration on the *Employment Application Form (for employees) or Prospective educator Application form (for educators)* to acknowledge they do not hold any prohibition notices that would prevent them from working with children
- FDC educators will require to complete the Statutory Declaration to declare the following information:
  - People resigned the house
  - Child Swopping
  - Understanding of 50% rule
  - Other employment
  - Enrolment in the Study or course
- All educators and educator assistants must report possible risk of harm to children or young persons to the Approved Provider.
- Employees, staff and educators are required to notify Approved Provider immediately of any enforcement actions issued to them during their contract
- if employees, staff and or educators become aware of a serious crime committed by another Dalad Family Day Care worker, they are required to report it to Approved Provider
- as mandatory reporters, all educators, students and volunteers and educator assistants must report possible risk of harm to children or young persons to the approved provider and/or Child Protection authority
- Dalas FDC educators, staff and employees will report any concerns they may have about inappropriate actions of any Dalas FDC worker that involves children or young people to the approved provider as per the Reportable Conduct Scheme
- Management will report any allegations or child related misconduct to Child Protection and CCYP

### NATIONAL MODEL CODE AND GUIDELINES

We are mindful that educators have a duty of care to ensure children are protected from potential risk of harm. It is imperative that all employees and FDC educators of the FDC Service provide children with their full attention, ensuring supervision is maintained and remains on the children at all times.

Our FDC Service adopts and aligns with the [National Model Code and Guidelines](#) for taking images or videos of children.

- only service-issued/registered business devices are to be used when taking images or videos of children
- the approved provider develops and maintains a register of all electronic devices purchased and used within the FDC Service and FDC residences/approved venues
- personal electronic devices that can take images or videos (such as tablets, phones, digital cameras, smart watches) and personal storage and file transfer media (such as SD cards, USB drives, hard drives and cloud storage) used to take images or videos should not be in the possession of **FDC educators**, staff members, visitors, volunteers (e.g. ECIP professionals) while providing education and care and working directly with children
- authorisation is only provided for a staff member or visitors to use a personal electronic device for essential purposes (personal health requirement, disability, family necessity, local emergency event, technology failure)
- strict protocols are implemented for appropriate storage and retention of images and videos of children.

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

As FDC educators primarily work on their own, there are times during the day that they may need to make or receive phone calls whilst providing education and care for children. **FDC educators may**

have access to a personal electronic device for phone calls or emails whilst educating and caring for children, however these devices are NOT to be used to take or record images or videos of children.

All electronic devices used to take images or videos must be registered with the approved provider of the FDC Service.

FDC educators must always consider children's safety and ensure adequate supervision is provided whilst engaged in a phone conversation. FDC educators should consider:

- the location of a telephone where educators can easily access them without leaving children unsupervised
- ensuring children do not have access to personal mobile phone
- have emergency phone numbers displayed near the phone at all times
- not use personal mobile phones to take photos or videos of children  
(A FDC service issued/or business registered electronic device may be used for the purposes of 'observations' etc.)

### USE OF ALCOHOL, DRUGS, VAPING AND TOBACCO

- FDC educators must ensure that children being educated and cared for by the educator or educator assistant as part of a FDC Service are provided with an environment that is free from the use of tobacco, illicit drugs, vaping substances and vaping devices and alcohol.
- Smoking or vaping is NOT permitted in or on surrounding buffer areas of the FDC residence or venue when education and care is being provided to children
- Educators, staff, visitors and volunteers must not carry or use vaping substances or vaping devices on the Service premises while education and care is provided to children
- When care is taking place, smoking or vaping is not permitted in the presence of children. This applies to family members and all visitors to the home, parents and visitors. FDC educators should ensure that children remain in a smoke-free environment when in vehicles and on outings and excursions.
- FDC educators who smoke need to ensure that their hands, clothing and any items that children may come into contact with are free of smoke residue prior to commencing care with children.
- If tobacco is smoked in the FDC residence when the service is not operating, consideration should be given to issues such as ventilation, hygiene and safe storage of items including ashtrays and cigarette lighters. Smoking material, including cigarette butts should not be evident when children are in care.
- FDC educators who smoke or vape must document on their risk management plan how they ensure a smoke free environment and ensure children do not come into contact with smoke residue.
- Our FDC Service is bound by the Education and Care National Regulations. Alcohol, drugs, or other substance abuse by educators and/or educator assistants can have serious adverse effects on their own health and the safety of others. As such, coordinators, staff, educators and/or educator assistants must not, while providing education and care for children as part of a FDC Service:
  - consume alcohol nor be under the influence of alcohol
  - use or possess illegal drugs
  - drive a vehicle, having consumed alcohol or suffering from the effects of illegal substances
- persons residing the home or the educator's residence, must abide by this regulation- i.e., not consume alcohol nor be under the influence of alcohol or use or possess illegal drugs
- if a co-worker suspects a colleague or other FDC educator to be affected by drugs or alcohol or observes them vaping or smoking, they must inform the nominated supervisor immediately. No

employee or educator will be allowed to work under the influence of drugs or alcohol. (See: *Tobacco, Drugs and Alcohol-Free Policy*)

- any FDC educator, staff or educator assistant undergoing prescribed medical treatment with a controlled substance that may affect the safe performance of their duties are required to report this to the approved provider and/or coordinator. Consideration will be given as to whether the particular medication affects the person's capacity to provide education and care to children
- All issues pertaining to these matters shall be kept strictly confidential. A breach of this policy may initiate appropriate action including the termination of employment.

#### ADHERING TO SERVICE CONFIDENTIALITY

- Unless authorised to do so by legislation, educators and educator assistants must not disclose or use any confidential information without appropriate approval.
- 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
- Educators will respect individual's rights to privacy
- All educators and educator assistants are to ensure that confidential information is not accessed by unauthorised people.
- Educators and educator assistants will adhere to the *Service's Privacy and Confidentiality Policy*.

#### RECORD KEEPING

- Educators will maintain full, accurate, and honest records as required by national regulations and Family Assistance Tax .
- The Approved Provider of the FDC Service has a responsibility to ensure that educators comply with their record keeping obligation outlined in the *Record Keeping and Retention Policy*. (Regulation 183)

#### DUTY OF CARE

- The Approved Provider, coordinator and educators have a responsibility to take reasonable care for the health and safety of themselves and others at the workplace to enable compliance with the work health and safety legislation outlined in the *Work Health and Safety Policy*.
- Duty of Care relates to both physical and psychological wellbeing of individuals.
- Educators and educator assistants must provide adequate supervision of children at all times to ensure the 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.

#### APPROPRIATE USE OF COMMUNICATION AND SOCIAL NETWORKING SITES

- As a Child Safe Organisation, our FDC Service has the responsibility to ensure children and educators are protected from harm when they engage in with digital technology including social media
- Strict guidelines for the use of social media are outlined in our *social media Policy*
- The FDC Service offers its current enrolled families and educators a Facebook page as a communication tool. The account is administered by management of the FDC Service.
- The Administrator controls the content on the page and ensures that the postings are relevant and respectful of the Service, the children, the staff, families, and greater community.
- FDC Educators and other staff members who have a personal Facebook account are not permitted to post any negative comments relating to the Service, children, colleagues, or families. If they choose to 'like' the Service's page they have a responsibility to ensure that their



profile picture is an appropriate representation of an early childhood educator. If it is not, we request that they do not 'like' the page.

- Educators are to use their own personal discretion when adding a family of the Service as a 'friend' on Facebook. The FDC Service does not recommend educators or other staff members to add families of the Service 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 'wall' if families have access.
- Families are asked in our *social media Policy* to respect that educators may have a personal policy on adding families due to their professional philosophy and that the FDC Service does not recommend educators to have families as friends on their private account.
- Educators are not permitted to request the 'friendship' of families from the FDC Service
- Educators may be permitted to establish a separate social media account for their business upon approval by the FDC Service Approved Provider
- FDC educators must ensure families have provided written permission for the use of their children's photos in any marketing or social media prior to using them.

### DRESS CODE

- Enclosed shoes must be worn at all times (strictly no high heels, thongs, or wedges).
- Clothes must be suitable for free movement, active play, and messy play.
- No offensive logos or political statements are to be displayed on clothing.

### PERSONAL HYGIENE

Family Day Care educators are to adhere to the following standards:

- long hair is to be clean and neatly tied back: Ensure hair does not hang in your eyes.
- makeup is to be light and natural
- fingernails are to be clean and well groomed
- nail polish (if worn) cannot be chipped
- FDC Educators will follow appropriate oral hygiene practices
- an appropriate deodorant/antiperspirant will be worn
- strong perfumes will not be worn as they may cause allergic reactions in children

### BREACH OF THE CODE OF CONDUCT

All employees and engaged educators of the FDC Service are made fully aware that the following breaches of the Code of Conduct and role responsibilities may result in disciplinary action which may lead to termination of employment:

- working under the influence of alcohol or drugs
- refusal to complete required additional training
- possessing or selling drugs at the FDC residence
- immoral, immature, or indecent conduct while educating and caring for children at the FDC residence
- refusing to work as reasonable directed
- exceeding the maximum number of children to be cared for
- not ensuring firearms and ammunition (if relevant) are stored separately and locked away
- bringing disrepute to the FDC Service
- causing disruption or discontent in the relationship between a family and the FDC Service
- disclosure of confidential information
- falsifying documentation
- taking, abusing, defacing, or destroying property owned by the FDC service
- falsification of reports, documents, or wages information
- failure to report for work without notice
- walking off the job



- failure to follow policies and procedures
- vulgarity or disrespectful conduct to families, management or colleagues
- making or publishing false, vicious, or malicious statements about any employee of the FDC Service, or the FDC Service itself
- unable to maintain or hold a current Working with Children Check

## DISCIPLINARY ACTION

### Disciplinary Action

All employees, staff, and educators of Dalas Family Day Care Service are fully informed that violations of the following standards may result in disciplinary action. These standards include, but are not limited to:

- Unauthorised absences
- Using personal mobile phones or devices to take photographs of children
- Consistent or ongoing poor work performance
- Carelessness in the execution of duties
- Consistent or ongoing lack of enthusiasm
- Inadequate personal cleanliness and hygiene
- Failure to report health, fire, or safety hazards

### Disciplinary Actions:

1. **Verbal Warning:** A formal discussion regarding the violation, documented in the individual's file.
2. **Written Warning:** A detailed account of the breach, including corrective actions, timelines, and consequences of further non-compliance.
3. **Suspension:** Temporary removal from duties, with or without pay, depending on the severity of the violation.
4. **Termination:** Permanent dismissal for serious or repeated breaches of policies.

### Reasons for Immediate Suspension or Termination:

Certain serious breaches of conduct may result in immediate suspension or termination, including:

- Engaging in or tolerating any form of child abuse, neglect, or inappropriate behaviour toward children.
- Breaching confidentiality by disclosing sensitive information about children, families, or staff.
- Theft, fraud, or misappropriation of service property or funds.
- Arriving at work under the influence of drugs or alcohol or using illegal substances on the premises.
- Endangering the health, safety, or wellbeing of children, families, staff, or visitors.
- Refusal to follow lawful instructions or comply with service policies and procedures.
- Serious breaches of the Family Day Care Service Code of Conduct, including actions that compromise the service's reputation or integrity.

### Actions for Continued Non-Compliance or Breaches of Service Policies:

For individuals who repeatedly fail to comply with service policies or continue to breach standards despite previous warnings:

1. A **performance improvement plan** will be implemented, outlining specific expectations, required corrective actions, and timelines for achieving compliance.
2. Continued monitoring and support will be provided, with progress reviewed at regular intervals.
3. If non-compliance persists, the matter will escalate to higher disciplinary actions, including suspension or termination, depending on the nature and severity of the repeated violations.

The service reserves the right to take appropriate disciplinary measures to maintain a safe, professional, and high-quality care environment. All disciplinary actions will follow a thorough investigation and adhere to workplace policies and legal requirements.

### EVALUATION/ CONTINUOUS IMPROVEMENT

The Code of Conduct Policy will be evaluated and reviewed on an annual basis in conjunction with children, families, educators and staff or earlier if there are changes to legislation, ACECQA guidance or any incident related to our policy. Feedback will be requested from children, families, staff, educators and management and notification of any change to policies will be made to families within 14 days.

### CODE OF CONDUCT AGREEMENT

I have read and understood the Service’s Code of Conduct and agree to abide by the provisions set out in the Code of Conduct at all times. Failure to do so may lead to disciplinary action or dismissal			
NAME		SIGNATURE	
POSITION		DATE	

### REVIEW

POLICY REVIEWED	June, 2022	NEXT REVIEW DATE	June, 2023
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### SOURCE

*Anti-Discrimination Act*: See <https://raisingchildren.net.au/disability/disability-rights-the-law/law/anti-discrimination-laws> for Acts for specific Australian states and territories.  
 Australian Children’s Education & Care Quality Authority. (2014).  
 Australian Human Rights Commission <https://www.humanrights.gov.au/our-work/childrens-rights>  
 Education and Care Services National Law Act 2010. (Amended 2018).  
 Education and Care Services National Regulations. (2011)  
 Early Childhood Australia Code of Ethics. (2016).  
*Fair Work Act 2009* (Cth).  
 Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2017).  
 Guide to the National Quality Framework. (2018). (Amended 2020)  
*Ombudsman Act 2001* (Cth).  
*Privacy and Personal Information Protection Act 1998* (Cth).  
 Revised National Quality Standard. (2018).  
 Unicef- *United Nations Convention on the Rights of the Child* <https://www.humanrights.gov.au/our-work/childrens-rights>  
*Work Health and Safety Act 2011* (Cth).  
*Workplace Relations Act 1996* (Cth).  
 Work Place Law <https://www.workplacelaw.com.au/getting-your-mobile-phone-policies-right/>  
 Victoria State Government. (2022). Families, Fairness and Housing. Resources for Child Safe Standards