



Policy Title	Code of Conduct
Quality Area	4 – Staffing Arrangements
Category	Mandatory

CODE OF CONDUCT



PURPOSE

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

- establish the expected standards of behaviour for the approved provider, nominated supervisor, staff, contractors, volunteers, students on placement, parents/carers and visitors
- create and maintain a child safe environment that reflects the philosophy, beliefs, objectives, and values of Thornbury Kindergarten
- articulate desirable and appropriate behaviour
- promote interactions at the service and online which are respectful, honest, courteous, sensitive, tactful, and considerate.
- embed an organisational culture of child safety in line with the national legislative and best practice context



POLICY STATEMENT

VALUES

Thornbury 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 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/carers 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, staff, students, volunteers, parents/carers, children and others attending the programs and activities of Thornbury 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/carers	Contractors, volunteers and students	Child Safety Support Officer
R indicates legislation requirement, and should not be deleted						
Providing a safe environment for everyone attending the programs and activities of Thornbury Kindergarten	R	R	√			
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	√	√			
Ensuring racism within the service is identified, confronted and not tolerated.	R	√	√	√	√	
Ensuring that the children educated and cared for at Thornbury Kindergarten are protected from harm and from any hazard likely to cause injury, and that the children know who to speak to about any concerns and that their concerns are followed-up (<i>National Law: Section 167</i>)	R	R	√			
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	√				
Developing, updating and reviewing Code of Conduct for Thornbury Kindergarten in collaboration with all stakeholders within the service (<i>refer to Attachments 1 and 3</i>)	R	√	√	√		
Ensuring that staff, volunteers, students and parents/carers 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	√				
Ensuring that the codes of conduct are regularly discussed at staff meetings to reinforce expectations	R	√				
Developing a culture of accountability within the service for complying with the code of conduct and responding when behavioural expectations are not adhered to	R	√	√	√	√	
Providing an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct	√	√	√	√	√	
Ensuring that parents/carers 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 staff under the <i>National Law: Section 167 & 171</i>	R	R				

Ensuring that contractors, volunteers, parent/carers, students or visitors at the service are not placed in a situation where they are left alone with a child	R	R	√		
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			
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	√	√	√	√	√
Engaging in open, two-way communication with families and communities about the service's child safety approach and providing relevant and accessible information	√	√	√		
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			
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
Notifying DET 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	√			
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	√			
Notifying WorkSafe of any reportable incidences (<i>refer to Definitions</i>) that have occurred in the workplace	R	√			
Activating the <i>Compliments and Complaints Policy</i> on notification of a breach of the <i>Code of Conduct Policy</i>	R	√			
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				
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 Policy</i> .	R	R	R	√	R
Reading the <i>Code of Conduct Policy</i> (<i>refer to Attachment 1</i>) and signing the Code of Conduct Acknowledgement for staff (<i>refer to Attachment 2</i>) and that these are filed with individual staff records upon engagement in the service		√	√		
Adhering to the Code of Conduct at all times	R	R	R	R	R
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	√		

Providing an environment that encourages positive interactions, supports constructive feedback and holds one another to the codes of conduct	√	√	√			
Ensuring that parents/carers, students and volunteers sign the Code of Conduct Acknowledgement (<i>refer to Attachment 4</i>)	√	√		√	√	
Ensuring children can access abuse prevention programs and information	R	√	√			
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		√	√	√	√	
Being attentive to signs of harm and facilitating child-friendly ways for children to communicate and raise their concerns	R	R	R		R	
Reporting and acting on any concerns or observed breaches of this <i>Code of Conduct Policy</i>		R	R	R	R	
Ensuring duties are performed in a professional, safe and satisfactory manner at all times.	√	√	√		√	
Understand and comply with legal obligations in relation to negligence, grooming, disclosure of child abuse, mandatory reporting, privacy and confidentiality and OH&S.	√	√	√		√	
Maintain teacher registration and working with children checks as applicable.	√	√	√			
Champion child safe practices across Thornbury Kindergarten						√
Support staff who are responsible for child safety						√
Demonstrate effective leadership by engaging, participating and valuing child safe practices						√
Present new ideas, best practice options, or up-to-date information on sector wide research and initiatives						√



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 and all 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, staff, contractors, volunteers, students on placement, parents/carers, children and others attending the programs and activities of Thornbury 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 2007
- 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.

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.



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.cryp.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
- Relaxation and Sleep
- Staffing
- Tobacco, Alcohol and other Drugs



EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- assess whether a satisfactory resolution has been achieved in relation to issues arising from this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk ([Regulation 172 \(2\)](#)).



ATTACHMENTS

- Attachment 1: Code of Conduct for approved provider, nominated supervisor and all staff
- Attachment 2: Code of Conduct Acknowledgement for staff
- Attachment 3: Code of Conduct for parents/carers, students, contractors and volunteers



AUTHORISATION

This policy was adopted by the approved provider of Thornbury Kindergarten on 10th November 2023.

REVIEW DATE: 10/11/2026

ATTACHMENT 1. CODE OF CONDUCT FOR APPROVED PROVIDER, NOMINATED SUPERVISOR, ALL STAFF, PARENTS/CARERS AND STUDENTS (UPDATED NOVEMBER 2023)

Thornbury Kindergarten (the Kindergarten) is a Child Safe Organisation. The protection of children is the responsibility of **everyone** involved at our Kindergarten. Staff, Parents and Volunteers, we all share the responsibility for promoting the wellbeing and safety of children.

Thornbury Kindergarten has **zero tolerance for child abuse and racism**. We are committed to acting in the best interests of children and to always keeping them safe.

The principles of the UN Convention on the Rights of the Child are paramount in all we do. Thornbury Kindergarten endorses the rights of all children:

TO PARTICIPATE, HAVE PURPOSE and BE PROTECTED FROM RISK

This Code of Conduct aims to protect children from child abuse or harm. It will assist in understanding how to embed protective behaviours and manage relationships. The Code refers to the relationship between adults and children and the relationship between adults in the Kindergarten community.

All adults at Thornbury Kindergarten are required to acknowledge and comply with:

- The Code of Conduct
- Thornbury Kindergarten's Child Safe Principles and policies
- The expectations for appropriate behaviour towards, and in the company of children, noted below.



All Adults must:

Take all reasonable steps to protect children from abuse.

Contribute to an organisational culture of child safety, by:

- Upholding the rights of all children to feel safe, and be safe, at all times;
- Being a positive role model at all times, including speaking to children and others in an encouraging and positive manner;
- Maintaining a physically safe and secure environment for children;
- Treating the Kindergarten environment with respect;
- Allowing children to undertake experiences that develop their self-esteem, agency and independence;
- Providing an open, welcoming environment in which everyone's contribution is valued and respected;
- Supporting a culture of inclusion for all children and families, regardless of their background, ethnicity, culture, language, beliefs, sex, gender identity, sexuality, age, socioeconomic status, level of ability, additional needs, family structure or lifestyle;
- Ensuring all interactions with children are open and transparent and undertaken in full view of other adults;
- 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*

- Reporting any allegations of child abuse or other child safety concerns to the Director, Child Safety Support Officer or the Committee.

Additionally, staff will:

- Maintain a duty of care towards all children whilst at the Kindergarten;
- Work in partnership with families in a courteous, respectful and encouraging manner;
- Respect the cultural context of each child and their family and the role of parents and carers as the child's first educators;
- Have regard for the privacy of children and their families and only disclose information to people who have a need to know as required under the Privacy and Confidentiality Policy and the Child Information Sharing Scheme;
- Commit to continually learning how to be inclusive and respectful.



All Adults must not:

- Ignore or disregard any suspected or disclosed child abuse that they become aware of;
- Remove a child from the service without appropriate authorisation;
- Photograph or video a child in the Kindergarten environment except in accordance with Kindergarten policy or with consent from the child's parent / guardian and the child;
- Develop any 'special' relationships with children that could be seen as favouritism or amount to grooming – for example, offering gifts or special treatment to specific children;
- Exhibit behaviours with children which can be construed as unnecessary physical contact;
- Put children at risk of abuse or harm – for example, leaving external doors open or allowing an unknown person to gain access to the Kindergarten;
- Do tasks of a personal nature that a child can do for themselves, such as toileting or changing clothes;
- Engage in open discussions of a mature or adult nature in the presence of children – this includes unfavourable discussions about a child and/or their family;
- Use inappropriate language in the presence of children;
- Express personal views on cultures, race or sexuality in the presence of children;
- Treat a child unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity.

Additionally, staff must not:

- Have contact with a child or their family outside of the Kindergarten without the Committee's knowledge or consent (for example babysitting). Inadvertent contact, such as at local shops, participation in community, school or sporting events is appropriate;
- Have any online contact with a child or their family outside of the requirements of their role (unless necessary for Kindergarten purposes – for example, providing newsletters or updates on a child's progress).

NON-COMPLIANCE

Thornbury Kindergarten will enforce the Child Safe Environment and Wellbeing Policy and the Code of Conduct. Following any identified non-compliance we will undertake an investigation in line with the Reportable Conduct Scheme. The Kindergarten will take appropriate disciplinary, legal or other action where required.

The Code of Conduct forms part of the Code of Conduct Policy adopted by the Approved Provider on 10th November 2023.

ACKNOWLEDGEMENT

I hereby acknowledge that I have received the Code of Conduct of Thornbury Kindergarten and I have communicated the Code of Conduct and its intent to the people who will be involved in the dropping off / picking up of my child.

I have read the Code of Conduct, I understand its contents and I agree to abide by the principles, practices and consequences set out within.

I understand that the Committee will investigate and address any breach of this Code of Conduct, in line with the Reportable Conduct Scheme.

Signature

Name (please print)

Date

ATTACHMENT 2. CODE OF CONDUCT ACKNOWLEDGEMENT FOR APPROVED PROVIDER, NOMINATED SUPERVISOR, ALL STAFF, PARENTS/CARERS AND STUDENTS

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

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 Thornbury Kindergarten an open, safe, welcoming, and friendly environment.

ATTACHMENT 3. CODE OF CONDUCT FOR VISITORS, CONTRACTORS AND VOLUNTEERS

Thornbury Kindergarten (the Kindergarten) is a Child Safe Organisation. The protection of children is the responsibility of **everyone** involved at our Kindergarten. Thornbury Kindergarten (the kinder) and its Committee of Management (the committee) are committed to implementing the Child Safe Standards and creating and maintaining a Child Safe Organisation.

Thornbury Kindergarten has **zero tolerance for child abuse and racism**. We are committed to acting in the best interests of children and to always keeping them safe.

The principles of the UN Convention on the Rights of the Child are paramount in all we do. Thornbury Kindergarten endorses the rights of all children:

TO PARTICIPATE, HAVE PURPOSE and BE PROTECTED FROM RISK

This Code of Conduct aims to protect children from child abuse or harm.



All visitors, including contractors, volunteers and placement students, must:

- Fulfil their legal responsibilities and duty of care to protect children and to maintain children's rights, within the appropriate boundaries of the child's confidentiality at all times (refer to Privacy and Confidentiality Policy).
- Contribute to an organisational culture of child safety, by:
 - Upholding the rights of all children to feel safe, and be safe, at all times
 - Being a positive role model at all times, including speaking to children and others in an encouraging and positive manner
 - Maintaining a safe environment for children
 - Ensuring all interactions with children are undertaken in full view of other adults.
 - Following the directions of kinder staff at all times.



Students, visitors and volunteers must not:

- Develop any 'special' relationships with children that could be seen as favouritism, for example, the offering of gifts or special treatment for specific children
- Exhibit behaviours with children which may be construed as unnecessarily physical, for example inappropriate sitting on laps. Sitting on laps can be appropriate sometimes, for example while reading a storybook to a small child in an open plan area
- Put children at risk of abuse, for example, by locking doors
- Do things of a personal nature that a child can do for themselves, such as toileting or changing clothes
- Engage in open discussions of a mature or adult nature in the presence of children
- Use inappropriate language in the presence of children
- Express personal views on cultures, race or sexuality in the presence of children
- Discriminate against any child, including because of culture, race, ethnicity or disability
- Have organised contact with a child or their family outside of our organisation without the committee's knowledge and consent, for example, babysitting

- Have any online contact outside of the requirements of their role with a child or their family without the Committee's knowledge and consent.
- Ignore or disregard any suspected or disclosed child abuse.

STAFF PROCEDURE FOR VISITORS

1. Greet visitor, find out the purpose of visit
2. Ask visitor to read Code of Conduct in sign in book
3. Visitor to sign in to centre

Please consider the nature of the visitor's visit, if their primary purpose will involve interaction with children follow steps 4 to 8. Otherwise proceed to step 8.

4. If visitor has a Working With Children Check (WWCC) or Victorian Institute Teachers card, sight the card, sign that you have sighted it and/or copy.
5. WWCC number / VIT number to be checked online for currency
<https://online.justice.vic.gov.au/wwccu/checkstatus.doj>
<https://www.vit.vic.edu.au/search-the-register>
6. Thornbury Kinder staff member to sign that WWCC / VIT has been checked online
7. Copy of WWCC / VIT put into Visitor folder located in office
8. Visitor to sign out upon departure

Note - For regular visitors, their WWCC / VIT number is to be checked online twice a year by Child Safety Support Officer / Director. If the visitor is regularly involved in activities, see the Code of Conduct for Involved Adults.