



## **Children's Services Code of Conduct (including interactions with children)**

### **Children's Services Policy No 1.5**

**Date issued:** April 2006

**Replaces issue:** Children's Services Code of Conduct

**Date effective:** April 2006

**Date revised and updated:** August 2008, August 2010, January 2012, November 2012, April 2015, November 2015, August 2018, October 2020; and December 2022

#### **Aim:**

- To provide a child safe environment.
- To ensure that all interactions between staff and children are conducted in a manner which upholds a child's dignity, provides guidance, supports and assists in the development of self-esteem.

#### **Background Information:**

Council operated services must comply with relevant child protection legislation and the licensing regulations for education and care services. Council is committed to the provision of a safe environment, which is free from the risk of harm, for children accessing Council services. The Code of Conduct will outline expected behaviours of staff in relation to their contact and interactions with children.

#### **Relevant Legislation:**

- [Education and Care Services National Regulations](#)
- [Ombudsman Amendment \(Child Protection and Community Services\) Act 1998](#)
- [Children and Young Persons \(Care and Protection\) Act 1998](#)
- [Commission for Children and Young People Act 1998](#)
- [Children Legislation Amendment \(Wood Inquiry Recommendations\) Act 2009](#)
- [Children \(Education and Care Services National Law Application\) Act 2010](#)
- [Child Protection \(working with Children\) Act 2012](#)
- [Child Protection \(Working with Children\) Regulation 2013](#)
- [Child Protection Legislation Amendment Act 2014](#)

#### **Resources:**

- [NSW Interagency Guidelines](#) – NSW Department of Communities and Justice
- [SAFE series resources](#) - NSW Office of the Children's Guardian
- [NSW Child Safe Standards](#) - Office of the Children's Guardian
- [Australian Children's Education and Care Quality Authority - National Quality Standard](#)
  - **Quality Area 5:**
    - Standard 5.1 - Elements 5.1.1 and 5.1.2

This policy is to be read in conjunction with Willoughby City Council's:

- Child Protection Policy HR 2.09;
- Children's Services Child Protection Policy 1.3;
- Children's Services Guiding Children's Behaviour Policy 2.17;

- Children's Services Medication Policy 2.1; and
- Willoughby City Council's Code of Conduct.

**Note:** In this policy "staff" and "educators" refers to staff employed within Children's Services by Willoughby City Council.

## **Practices:**

### **Provision of a Supportive Environment**

Interactions between staff and children should be warm, friendly and convey respect, having regard to the family and cultural values, age; and physical and intellectual development and abilities of each child.

All interactions are to be conducted in such a manner that a child feels supported and secure and free from the risk of harm. Interactions are to provide the children with opportunities to express themselves and their opinions.

Within a child focused environment there are many opportunities for staff to interact directly and indirectly with the children.

### **Relationships in Groups**

- Children will be placed in a room, or group that is determined to be appropriate based on the child's age, developmental level and family relationships.
- Staff will consider opportunities for children to develop positive relationships with staff and other children when placing children in groups for activities or experiences, and during times of family grouping.

### **Acceptable Physical Contact**

- Children are affectionate beings and will seek physical contact with adults to gain reassurance and love.
- It is the role of staff to reciprocate this contact in an appropriate manner, to assist children to develop socially and emotionally.
- Staff must however be aware of what is considered appropriate contact given the age and stage of development of each child.
- When working with children, a staff member must ensure that they are always in view of other staff where possible. This is for the protection and safety of both the child and the staff member.

Staff must consider and take responsibility for their personal interactions with children when determining if they are appropriate.

Contact with a child that is considered socially acceptable is encouraged to assist in building positive, supportive relationships with the children in the care environment. With this in mind, it is therefore considered appropriate to initiate and/or to hug a young child who approaches you for a cuddle, allow a young child to sit on your lap whilst you read a story and provide comfort to a young child who is injured or distressed.

As children become older and start school the amount of physical contact that is considered appropriate is reduced. Providing an older child with comfort when upset, injured, or to demonstrate support is appropriate when it is provided in the presence of other staff. Physical contact beyond this is considered inappropriate for older children, unless designated as part of a specific program for children with additional needs. In this instance the Community Life Manager must give approval after reviewing the program requirements

for the child.

### **Supervision**

Whilst supervision is an integral part of providing a safe environment, children should remain free to move and interact with their environment and others without the overpowering presence of an adult.

Direct supervision is where staff are directly involved with providing assistance for children to interact with others and their environment.

Indirect supervision is where staff create the environment and support the children's interactions within it.

### **Procedures for Effective Supervision**

- Staff are to ensure that whilst children are in attendance at the service, that regulated ratios are adhered to.
- Staff are to ensure visual contact of the children and other staff is maintained at all times.
- Staff are to ensure that if there is an inadequate number of staff to provide visual supervision of all play areas, measures are taken to restrict play areas to allow for constant supervision.
- Consideration must be given to the placement and display of information, pictures or paintings on windows or doors that have been designed to provide visual supervision to other areas.
- Staff are to be aware that students and volunteers must be supervised at all times by another staff member.

### **Behaviour Management**

Children respond to situations and experiences differently. Staff must be aware of the individual child's behaviour patterns when planning experiences, and therefore be able to adequately handle any situations that may arise in an appropriate manner.

Staff are to ensure that behaviour management strategies do not include physical, verbal or emotional punishment, including humiliation and intimidation and at all times maintain the dignity and rights of each child.

**Humiliation** includes, but is not limited to: singling-out a child in front of a group, forcing a child to answer a question, laughing at a child's attempts, discussing a child's ability or lack of ability in front of the child or adults, and teasing a child.

**Intimidation** includes, but is not limited to: use of an overpowering voice, use of harsh words, pressuring a child to participate, and the use of threats or inappropriate consequences. In addition, staff must take into account the effect their body language may have on a child, bearing in mind the size difference and stature of an adult.

**Psychologically Harmful Behaviour** is behaviour that results in significant emotional harm or trauma to a child. Any behaviour by a staff member that constitutes psychological harm is considered reportable conduct and will be reported to Family and Community Services and the NSW Ombudsman.

Staff must be aware of the power of their voices when directing children's behaviour. Whilst a strong confident voice is required to direct or guide a group of children it must not be used to intimidate a child or a group of children or to restrict the children's ability to interact freely with their environment.

Where a child or a group of children are displaying difficult behaviours that staff are unable to effectively manage they are to contact professional agencies for guidance and support. Staff may then be required to develop individual behaviour plans for children in consultation with the parent/carer and associated agencies.

If a child is displaying physical behaviours that are deemed dangerous to staff and other children, staff are to ensure that the immediate safety of others by removing the child or others from the immediate area. It is inappropriate to move any child from one area to another with use of force.

Staff are to contact the child's parent/carer or support agencies as soon as the situation has calmed down.

Staff are not to physically restrain the child unless it is considered necessary to ensure the safety of the child itself or others. If restraint is necessary staff are only to use a holding grasp (such as a bear hug) on a child. At no time are staff permitted to use any other form of restraint.

Staff must take opportunities to role model desired behaviours to children, and provide praise when children are behaving in an appropriate manner.

Please also refer to Children's Services Policy 2.17 – Guiding Children's Behaviour.

### **Appropriate Language**

Staff must be aware of the language they use whilst working with children. Words that are considered to be swearing words, or words that could offend, are not appropriate to use around children. In addition, words or phrases that invoke prejudice, bias or racial slang are also not appropriate within the workplace.

### **Children's Feedback**

Children are actively encouraged to provide feedback on their interactions with staff. Staff and children will have discussions around the topic of what appropriate interactions between children and staff are. Children are also able to provide feedback verbally to staff as well as in writing. Children are also encouraged to inform their parent/carer of any inappropriate staff behaviour.

### **Alcohol, Tobacco and other drugs**

- Staff are not permitted to consume alcohol, tobacco or other drugs whilst onsite at Council's education and care services.
- Staff are not to offer, supply or obtain alcohol, tobacco or other drugs to any person at the education and care service.
- Staff who are intoxicated or under the influence of alcohol or other drugs are not to work during any episode of intoxication.

**\*\* Any breach of these conditions will result in disciplinary action.**

- Staff are permitted to smoke cigarettes during designated breaks as long as this occurs off the premises.
- Staff who use prescription medication are asked to discuss the possible side effects of these drugs with the Nominated Supervisor, to ensure that the staff member and children remain safe at all times.
- Staff are permitted to administer prescription medication to children in line with the procedures in the Medication Policy No 2.1.

### **Staff working out of hours**

Staff are expected to abide by Council's Code of Conduct section 4 Conflict of Interests - 'Other business or employment'.

Council is aware that staff may be asked to perform private babysitting for families that utilise Council education and care services. In this instance the following points must be considered:

- Arrangements for private babysitting are not to be made within the Centre.
- Staff must ensure they maintain confidentiality of all families utilising Council's education and care services.
- Written advice should be provided to the Community Life Manager, with support from the Nominated Supervisor, stating the employee's intention to perform babysitting. The name of the family for which babysitting will be performed should be clearly stated.
- Staff must ensure there is no perception of favouritism towards particular child/children and parents/carers.
- Staff in breach of any of the above, or where there is an impact on the staff member's ability to perform their normal duties at the Centre, may be requested by the Community Life Manager to discontinue babysitting.

For the purposes of this policy, "private babysitting" also includes where staff drop-off or pick-up a child from any Council education and care service, excluding where the child is a family member.

\*\* Staff are not obliged to offer or accept requests from parents/carers for private babysitting and parents/carers are asked to give due consideration when asking staff as it may place them in a position where they feel obliged to accept the request.

### **Social Media and Social Networking**

This statement section of the policy is to be read in conjunction with Council's Social Media Policy 10.08.

Social networking is the interacting and networking with others in a social online environment, using social media sites such as Facebook, LinkedIn and Twitter.

Education and Care Services are bound by confidentiality legislation that does not permit staff or families to divulge information pertaining to the operation of, care of, or enrolment of children and families within a service.

Social media is a public forum that can allow unauthorised persons to obtain information about a staff member, families or child attending a particular service.

Council has determined that staff are not permitted to be "friends" with children and families, including parents/carers or siblings of children that are enrolled in Council operated education and care services.

Parents/carers and children are to be aware that they are not permitted to ask a staff member to be their "friend" on Facebook, or to become a follower or be followed on Twitter.

### **Staff**

Staff are permitted to be "friends" with other staff employed by council however must give consideration to the following confidentiality and professional standards:

- Staff are not to discuss individual children, or groups of children, even if given an

- alias, that are enrolled or have been enrolled in the service.
- Staff are not to discuss other staff that are employed by Council.
- Staff are not to discuss any activity that has occurred at the service.
- Staff are not to upload any photos of children, staff or families, or samples of activities undertaken as part of the delivery of the education and care service.
- Staff are not to divulge any personal information or confidential information that is privilege to the service.

### **Professional Associations**

Many professional agencies are now communicating with the Education and Care Sector using Social Media. Where staff choose to be associated with professional agencies, State or Federal Ministers or follow them on Twitter and partake in forums they are to:

- Give due consideration to the reason for engaging in conversations with other professionals ensuring that this is for professional gain only, and not gossip or defamatory to Council or other parties.
- Remain professional in all interactions within the Education and Care Sector, upholding the reputation and dignity of the Council and service.
- Views that are put forward on forum boards are not to identify the service, staff or families in line with confidentiality requirements.

This determination is in line with protecting the rights and privacy of families, children and staff and is intended to provide a secure environment for the effective operation of the education and care service.

Where staff are found to be in breach of this determination disciplinary action may result.

### **Additional information**

In relation to children at risk of harm outside of the workplace, staff are to refer to Children's Services Policy No 1.3 – Child Protection for definitions, indicators, and reporting procedures.

Staff should contact the Children & Youth Services Team Leader, or the Community Life Manager, if they require further guidance in their interactions with children.