

Staff Code of Conduct

QUALITY AREA 4: STAFFING ARRANGEMENTS

Policies and procedures are readily accessible to families, nominated supervisors, coordinators, educators, staff and children through Xplor App. Hard copies of the policies are held in the Administration Office of the Centre.

Vision Statement

The purpose of PHELC is to provide a Christian educational community as a centre of teaching, learning and serving excellence, founded on Biblically-based beliefs, values and behaviour.

Rationale

The essential premise of the Staff Code of Conduct is that each individual is an image bearer of God and is therefore worthy of being shown love, dignity and respect. As Christians, we also believe that we are to reveal in our relationships the nature of Christ, showing His love through giving respect and care to all. These beliefs will be manifested in the behaviour we adopt for ourselves and accept in others.

Continually striving towards the Vision of the School requires a commitment by every member of the community to the common goals, standards and practices of the community and where necessary bring correction, rebuke and consequences to members who are compromising its integrity. This is part of an expression of love for the individual and the community and a manifestation of shepherding based on Biblical principles.

Introduction

This Code of Conduct is designed to:

- articulate the responsibilities for staff in carrying out their duty of care and ensuring the safety and well-being of every child;
- support and affirm staff as they conduct themselves with the highest standard of professional and ethical behaviour;
- recognise that staff undertake these responsibilities within the framework of the law and under lawful instruction from their employer, complying with legislative and industrial requirements and within the policies and procedures of the ELC;
- provide clear guidelines for staff, valuing their worth and dignity as individuals made in the image of God
- foster an environment of trust, ensuring that rights and responsibilities are recognised and respected;
- provide a framework for reflection on current practice.

General Principles

This Code of Conduct applies to all ELC employees contracted on a temporary, casual, fixed term, or continuing basis. Within this policy these employees are referred to as employees.

The requirements of the Code apply at all times whilst a contract of employment with the ELC exists, whether written or verbal. Centre based employees should note that the Code also applies while escorting students on excursions, and tours within the local area. This includes all Centre sanctioned activities.

The relationship between employee and child must always be considered as a professional relationship.

This Code of Conduct establishes the basis on which all employees can be such role models for children and young people. Our Service takes every reasonable effort to accommodate the diversity of all children into our organisation and service

operations embedding the National Child Safe Principles into our organisation and service operations. We are committed to the safety and wellbeing of children and young people. We believe that children's safety, rights, and best interests are the paramount consideration for all Service operations, decisions and functions. Our Service ensures that child safety, wellbeing and best interests take priority over all other considerations, including financial interests or other obligations of management, and are embedded in our daily practices, policies and procedures.

Also, it is expected that all employees adhere to principles and practices of child protection as a fundamental responsibility.

The Centre regards child protection as a prime responsibility of the whole centre community, both in responding to an allegation, and in minimising the possibility of reportable conduct occurring. Preventative steps to be taken by the centre include:

- Guidelines for staff defining appropriate and inappropriate behaviour.
- Equipping staff with an insight and understanding of child protection matters and encouraging a safe centre environment by:
 - including child protection in the new staff induction program, and
 - providing Child Protection Policies to all staff.
- Staff training to update, inform and equip staff in child protection matters.
- Clearly defining roles regarding child protection within the centre.
- Implementing employment procedures that identify people who are not suitable to work with children outlined in Child Protection - Working with Children Checks Policy and Employment Policy.
- Provision of information to the centre community regarding the child protection policies and strategies of the centre.
- Integrating age-appropriate child protection issues and awareness into curriculum areas.
- Clear, open communication and preventative support for parents and children.
- Involvement of other skilled and/or professional people as required or appropriate.

If there is any conflict between this Code and applicable legislation, the legislation will prevail. If an employee is in doubt about the interpretation of the Code then the matter should be discussed with a more senior employee, such as the Director or Educational Leader.

The Centre is committed to the principles of fairness and natural justice. Conduct which is contrary to this Code may amount to professional misconduct which will be dealt with and may result in the termination of employment.

To maintain the currency and value of this Code it will be reviewed and updated as necessary.

The Code

All employees will demonstrate a commitment to the Centre through:

- Being committed and loyal to the educational, religious and social values of as outlined in the Vision and Mission Statement.
- Carrying out all required duties in a professional and conscientious manner.
- Behaving honestly and with integrity in the course of their employment.
- Acting with care, compassion and diligence in the course of their employment.
- Behaving and dressing appropriately for their professional role.
- Complying with all applicable Australian Laws. For this purpose, Australian Law means:
 - any Act or any instrument made under an Act; or
 - any law of a State or Territory, including any instrument made under such a law.
- Actively engaging in appropriate and required professional development.
- Ensuring that matters of duty of care are afforded the highest attention (including supervision and interactions with children)
- Ensuring that personal use of alcohol and prescribed drugs does not interfere with the proper performance of the employee's duties. There is zero tolerance for alcohol and illegal drugs while on duty.
- Avoiding any form of unlawful discrimination, for example, on grounds such as gender, race, and religion.

Professional Practice

In performing their duties, it is expected that all employees will support the policies of the Centre. In doing so they will avoid by word or action any influence upon children that is contrary to the ethos of the Centre.

Employees have a responsibility to meet high standards of professional and ethical behaviour required by the employer, families and the wider community.

Employees undertake their responsibilities within the framework of the law and lawful instructions from their employer.

Employees must comply with legislative and industrial requirements, with this Code and any policies and procedures that are implemented by the Centre. The Australian Professional Standards for Teachers (APST) will be used to define quality teaching practice at the Centre.

Responsibilities to the Employer

In relation to their employer, employees have a responsibility to:

- Act with integrity at all times.
- Disclose all relevant information and materials when making an application to an employer.
- Maintain appropriate confidentiality about dealings that the employee has in the scope of their work.
- Use all Centre resources and equipment in a proper manner and for legitimate organisational purposes.
- Refrain from providing false or misleading information in response to a request for information that is made for official purposes in connection with the employee's employment.
- Comply with any other conduct requirements that are prescribed within other policies, procedures and regulations.
- Ensure that private affairs and/or interests are not in conflict with professional duties and responsibilities or result in a perception that a conflict of interest exists. If a conflict of interest does exist the employee will disclose this to the Director.
- Observe contractual commitments.
- Respect the proper administrative authority of the Centre.
- Ensure criticism or complaints are made only through the correct grievance mechanisms.

Conflicts of Interest

As Centre employees, staff must not act in conflict with the Centre's best interests. A conflict of interest can involve:

- pecuniary interests i.e. financial gain or loss or other material benefits;
- non-pecuniary interests i.e. favours, personal relationships and associations;
- the interests of members of the staff member's immediate family or relatives (where these interests are known);
- the interests of the staff member's business partners, associates, or friends.

When faced with a situation in which conflict of interests may be present, the staff member should report any potential or real conflict to their supervisor or the Director.

Staff should also report situations where a superior or colleague who has an identified conflict is, or may be perceived as, unduly influencing a decision.

Copyright and Intellectual Property

When creating material, staff need to ensure the intellectual property rights of others are not infringed and information is recorded about any third part copyright/other rights included in materials.

- Advice relating to sharing or licensing the Centre's intellectual property should be sought from the supervisor.
- If staff develop material that relates to their employment with the Centre, the copyright in that material will belong to the Centre. This may apply even if the material was developed in your own time or at home.
- You should not use the Centre's intellectual property (including copyright) for private purposes without obtaining written permission from the Director.

Declaring Gifts and Benefits

At times, staff may be offered a gift or benefit as an act of gratitude. There are some circumstances when refusing a gift would be perceived as rude, insulting or hurtful. Staff are expected to exercise sound judgment when deciding whether to accept a gift or benefit.

- Accepting gifts and other benefits has the potential to compromise a staff member's position by creating a sense of obligation and undermining impartiality. It may also affect the reputation of the Centre and its staff. Staff must not create the impression that any person or organisation is influencing the Centre or the decisions or actions of any of its employees.
- If offered a gift or benefit, a staff member should always consider the value and purpose of a gift or benefit before making any decision about accepting it. A gift that is more than nominal value (\$100) must not become personal property. A staff member should either politely refuse it or advise the contributor that it will be accepted on behalf of the Centre.
- When such a gift is accepted, a staff member must advise their Director by email.
- Sometimes employees might, in the course of their work, win a prize of significant monetary value e.g., a computer, from another organisation. Prizes are usually considered the property of the Centre. If a staff member wins such a prize, they must advise the Director who will determine how the prize should be treated and recorded.
- If a staff member is offered a bribe (i.e. anything given in order to persuade a person to act improperly), the staff member must refuse it, explain why it is not appropriate, and immediately report the matter to the Director.

Responsibilities of Staff

The PHELC is committed to providing Christ-centred learning in a learning community of love, nurture and service. The care and protection of all, but particularly our children is our highest priority.

As such, staff should:

- Be committed Christians, acknowledging Jesus as their Lord and Saviour.
- Regularly attend a Christian church/fellowship.
- Be positive role models as Christians for students, parents, each other and the wider community.
- Always use appropriate language.
- Be dedicated, professional and collaborative.
- Meet all the commitments required by the Centre (e.g. devotions, staff meetings, parent meetings, appraisals, professional development, programming, curriculum development, other duties).
- Take responsibility for maintaining their Teacher Accreditation with NESA if applicable.
- Be accountable through their respective Supervisor to the Director. The Director is accountable to the Executive Principal.

Staff Dress

- A high standard of personal hygiene is expected at all times;
- Clothing should be practical, professional and smart;
- Work Health and Safety constraints should be observed and followed. For WH&S reasons inappropriate footwear e.g. thongs should not be worn. WHS policy mandates that closed-in shoes should be worn wherever there is relevant risk; loose clothing and hair be tied back in at-risk work areas; exceptions allowing the wearing of particular necessary clothing requires written advice by a referring physician. It is essential that staff wear hats whilst in the playground.
- Clothing should not display inappropriate or offensive logos, images or messages;
- Track and stretch pants should be confined to sporting activities;
- Care should be taken with elements of dress including necklines and cleavage; skirt length when standing and sitting; tightness and clinginess of tops, skirts, and trousers; covering of back, midriff and shoulders; density of material, styles of cut and visibility of underwear;
- Singlet tops with shoestring straps and halter neck tops are generally not consistent with expectations;
- Denim jeans and casual or faded denim skirts are not considered appropriate dress for general staff attire.

- Staff should be mindful of formal, occasions and dress accordingly;
- Consensus should be reached by Appropriate Senior staff if there is doubt about any staff member's compliance with the policy;
- The Director determines the standard of dress that is acceptable.

Use of Mobile Phones / Personal Electronic Devices / Smart watches

- As a general rule staff should not take photos or videos of students or have photos or videos of students stored on their mobile phones.
- Where staff are required to take photos/videos as a record of Centre events or student learning, these photos/videos should be taken using Centre –issues devices
- For large events the Centre may nominate staff to take these photos/videos.
- In general, photos should be of groups of children undertaking the activity.
- Staff should also refer to the *Photography and Video Policy*, *Social Media Policy* in relation to video and photography.
- Our Service adheres to and aligns with legislative requirements related to taking images or videos of children to ensure safe physical and online environments. (See *Safe Use of Digital Technologies and Online Environments Policy*.)
- authorisation is only provided for a staff member or educator to use a personal electronic device for essential purposes (personal health requirement, disability, family necessity, local emergency event, technology failure). Exemptions or prescribed circumstances need to be provided for in writing by the approved provider. Exemptions for prescribed circumstances must be reviewed every 3 months.
- a register of all electronic devices purchased for and used within the Service is developed and maintained by the approved provider/nominated supervisor
- children are at no time to be given access to Service-supplied or issued or personal electronic devices/mobile phones
- personal electronic devices can only be accessed by staff/educators when they are not working directly with children or providing education and care- taking a scheduled break, during planning time or administrative activities
- smart watches may only be worn if they do not have camera/recording functionality.

Drug, Alcohol and Tobacco

Staff are responsible for ensuring capacity to perform duties is not impaired by the use of alcohol or drugs and that the use of such substances does not put at risk any other person's health and safety.

A centre employee must:

- not attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances;
- not consume alcohol, illegal drugs or non-prescribed and/or restricted substances while at work;
- notify the supervisor if aware that work performance or conduct could be adversely affected as a result of the effect of a prescribed drug;
- take action to resolve any alcohol or other drug-related problems that a staff member has and;
- consult with the Director concerned about working with other employees who may be affected by drugs or alcohol.

Drugs

A centre employee must:

- have illegal drugs in their possession while at work. Any illegal drugs found on Centre property or in the possession of any person on Centre property may result in disciplinary action including the termination of employment and referral to the Police;
- give children or other employees illegal drugs or restricted substances, or encourage or condone their use; and
- supply or administer prescription or non-prescription drugs to children unless authorised to do so.

Alcohol

Staff must not take alcohol to the Centre or consume it during centre hours or at any centre function, at any time children are present, including those events conducted outside Centre premises unless expressly permitted to do so by the Director. A Centre function is any occasion organised by the Centre and/or in the Centre's name, including dances, farewells, excursions, sporting fixtures and fund-raising events.

Staff must not:

- purchase alcohol for, or give alcohol to, any child (or to any other person under the age of 18 years); and;
- encourage or condone the use of alcohol by children of any age during educational activities.

Tobacco

- Staff must not smoke or permit smoking on any part of the Centre site, this includes vaping;
- Staff must not purchase tobacco or tobacco products for any child, or give them tobacco or tobacco products.
- 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

Responsibilities to Parents/Guardians

In relation to parents/guardians and families, the Centre employees have a responsibility to:

- Establish a relationship based on courtesy, mutual trust and open communication by:
 - Negotiating constructively to achieve the best possible outcome for families;
 - Engaging parents through developing partnerships;
 - Considering parents' perspectives regarding the education and welfare of their children;
 - Ensuring parents understand relevant rules, regulations, and procedures that affect their children and themselves.
- Respect family privacy and treat information with an appropriate level of confidentiality by:
 - Maintaining confidentiality of information unless disclosure serves a compelling professional purpose or is required by law, or unless the personal safety of a child or employee is at risk.
- Respect parents' and guardians rights of inquiry, consultation and information with regard to their children by:
 - Using professional honesty and discretion in presenting facts regarding the educational development of their children;
 - Sharing general knowledge of their children;
 - Being sensitive to legal implications of differing family structures.
- Respect the uniqueness and characteristics of each student's family background by:
 - Respecting diversity;
 - Considering the family perspective;
 - Respecting family values and opinions while enabling students to examine a variety of viewpoints

Responsibilities to Children

Child Protection

- The Centre regards child protection as a prime responsibility of all staff. Requirements in relation to mandatory reporting and reportable conduct and associated responsibilities are outlined in the Child Protection Policies.
- Our Service will conduct a comprehensive probation and induction orientation program for all new employees, volunteers and students to include awareness of their roles and responsibilities in relation to child safe practices and mandatory child safety and protection training including reporting obligations

Relationship with Children

Appropriate professional relationships between teachers and children are expected. See Staff and Students Professional Boundaries Policy.

Bullying and Sexual Harassment

Staff should be alert to bullying or any other form of discriminatory behaviour, actively dealing with it or if appropriate reporting incidences to the appropriate staff member. See Student Bullying Prevention and Intervention Policy. Offensive, abusive, bullying, belittling or threatening behaviour towards individuals or groups of people, performed in the course of one's work duties does not demonstrate respect for other people.

Supervision of Children

Staff members have a duty of care to children in their charge to take all reasonable steps to protect children from risks of harm that can be reasonably predicted. See Student Duty of Care Home Page. The duty encompasses a wide range of matters, including (but not limited to):

- The provision of adequate supervision.
- Ensuring grounds, premises and equipment are safe for children use.
- Implementing strategies to prevent bullying from occurring in Centre.
- Providing medical assistance (if competent to do so), or seeking assistance from a medically trained person to aid a child who is injured or becomes sick at the Centre.
- Children should not be left unsupervised either within or outside of rooms. Staff should be punctual to rooms and allocated supervision.
- Staff members should remain with students at after Centre activities until all students have been collected. In the event that a child is not collected a staff member should remain with until they are collected or seek advice from their supervisor / director.
- Playground supervision is an integral part of the responsibility of staff. It must take precedence over other activities. It is unacceptable to be late. Staff should actively supervise designated area, being vigilant and constantly moving around.
- Staff should avoid situations where they are alone in an enclosed space with a student. When left with the responsibility of a single child, staff should ensure that this is in an open space in view of others. Where this is not possible or practical it should be discussed with the staff member's supervisor and/or the Director.
- A staff member should never drive a child in their car unless they have specific permission from their supervisor and/or the Director to do so. In the event of an emergency staff should exercise discretion but then report the matter to their Director.
- If a staff member needs to conduct a private conversation with a child, they should consider the time and venue carefully to avoid placing themselves in a vulnerable situation. It is preferable to leave the door open. The staff member should not locate themselves between the student and the door.
- When confiscating personal items, such as toys or other items, a staff member should ask child to hand the item to them. Items should only be taken directly from students in circumstances where concern exists for the safety of the student or others and the staff member's safety is not jeopardised by this action.
- Staff should ensure that they are familiar with and adhere to the school's policies in regard to the storage and administration of medical products for children. See Medical Policies.
- Staff must always treat students with respect and without favouritism. Care should be taken especially when in situations relating to discipline of students. Put-downs or sarcasm, derogatory remarks, inappropriate familiarity or offensive comments must not be used to demean students.
- All teachers should be made aware that corporal punishment is prohibited.

Staff Communication

- Staff should be familiar with the Centre's Privacy Policy and be mindful of these when in discussion with parents. Staff can never guarantee confidentiality if the matter under discussion requires mandatory reporting.
- Staff should not give personal opinions nor speak inappropriately about another staff member to children, staff or parents.
- Staff should present a courteous professional manner to children, parents, visitors and other staff members. Confrontation and criticism in public is to be avoided at all times.
- Staff should communicate with parents within 24 hours, or at the latest 48 hours, after receiving a message to contact them during a working week.
- All matters discussed in staff meetings and staff memos are to be treated confidentially and not discussed with families.
- The media should not be given access to children or allowed entry to the Centre without the expressed permission of the Director.
- The media must not be given access to children or allowed entry into the Centre without the express permission of the Director. The Director is the only person authorised to speak with the media unless another member of staff is given approval to do so by and on behalf of the Executive Principal.
- Staff should not access personal mobile phone calls or texts during a teaching lesson. They may carry their phone with them and keep it on vibrate if they are expecting a very important phone call.
- notify the approved provider, within 72 hours of any changes, or within 24 hours of becoming aware of any changes, to their WWCC status, changes to their teacher registration or fit and proper status (including show cause notice, suspension notice, supervision notice, disciplinary notices/orders or prohibition notices)
- ensure their work is carried out proficiently, harmoniously, and effectively
- act in a professional and respectful manner at all times whilst at work
- demonstrate and maintain professional boundaries that foster trust, dignity and mutual respect in their interactions with children, families, colleagues and members of the community
- refrain from any behaviour that may be considered inappropriate conduct, including behaviour that is threatening, intimidating, humiliating, degrading, hostile or otherwise inappropriate
- 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

Breach of Staff Code of Conduct

- The consequences of inappropriate behaviour and breaches of this Code will depend on the nature of the breach.
- Factors the Centre consider when deciding what action to take may include:
 - the seriousness of the breach;
 - the likelihood of the breach occurring again;
 - whether the employee has committed the breach more than once;
 - the risk the breach poses to employees, children any others; and
 - whether the breach would be serious enough to warrant formal disciplinary action.
- Actions that may be taken by the Centre in respect of a breach of the Code include management or remedial action, training or disciplinary action ranging from a warning to termination of employment. The school will reserve the right to determine in its entirety the response to any breach of this Code.
- Any breaches of the Staff Code of Conduct will be dealt with according to the principles of justice, procedural fairness and reasonableness and with an attitude of mutual respect for the parties involved, fulfilling the teachings of Scripture (such as Matthew 18)
- All actions will be dealt with in accordance with relevant legislation.



PACIFIC HILLS

EARLY LEARNING CENTRE

- In all matters the welfare, well-being and safety of children and young people will be the primary consideration.
- All procedures should demonstrate procedural fairness including the right of reply.
- Matters should be initiated at the lowest level of management possible.
- Reconciliation and restoration of relationship should be the intended goal of all procedures.
- Allegation of breach of the Staff Code of Conduct is reported to the relevant supervisor, noted and investigated.
- Employee is asked to respond to the allegation.
- Based on the level of the breach of the Staff Code of Conduct, consequences are given and noted, or the matter is referred to a higher authority. Higher authorities are Lead Principal and Executive Principal.
- Procedures are outlined in the **Managing Poor Performance Procedure**.

National Quality Standard (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS

4.1.1	Staffing Arrangements	The organisation of educators across a service supports children's learning and development.
4.1.2	Continuity of educators	The importance of educators having consistent interactions with the same children, to foster strong, positive relationships and promote children's learning and development.
4.2.2	Implementation of professional standards	Ethical principles and professional standards should guide decision making and practices of staff

EDUCATION AND CARE SERVICES NATIONAL LAW AND NATIONAL REGULATIONS

S. 2A Paramount consideration—safety, rights and best interests of children

S. 3A Paramount consideration

S.5AA Meaning of inappropriate conduct

S. 162A Child protection training

Offence relating to child protection training

S. 162B Child safety training

S. 165 Offence to inadequately supervise children

S. 166A Offence to subject child to inappropriate conduct

Offences relating to inappropriate conduct

S. 167 Offence relating to protection of children from harm and hazards

S. 174AA Educators and other staff members of education and care service to notify certain information

Part 6A Devices in education and care services

S. 188A Offence to give false or misleading information to approved provider about prohibition notice

False or misleading information about certain notices

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

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

RELEVANT REFERENCES:

- Australian Children’s Education and Care Quality Authority (
- Early Childhood Australia – www.earlychildhoodaustralia.org.au
- Early Childhood Australia Code of Ethics 2016
- Australian Government - Department of Education – www.education.gov.au/early-childhood
- UN Convention on the Rights of the Child
- Australian Human Rights Commission, National Principles from Child Safe Organisations - <https://childsafe.humanrights.gov.au/tools-resources/links-resources> Date of

REVIEW

POLICY REVIEWED BY: Suzi Scott

Nominated Supervisor:

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