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# ARANDA AFTERS ASSOCIATION INCORPORATED

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## CODE OF CONDUCT

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# 1 REFERENCES

## NATIONAL QUALITY STANDARDS

4.2	Educators, co-ordinators and educators are respectful and ethical.
4.2.1	Professional standards guide practice, interactions and relationships.
4.2.2	Educators, co-ordinators and educators work collaboratively and affirm, challenge, support and learn from each other to further develop their skills, to improve practice and relationships.
4.2.3	Interactions convey mutual respect, equity and recognition of each other's strengths and skills.
5.2.3	The dignity and the rights of every child are maintained at all times.
6.1	Respectful supportive relationships are developed and maintained.
7.1.1	Appropriate governance arrangements are in place to manage the service.
7.2.2	The performance of educators, co-ordinators and educators is evaluated and individual development plans are in place to support performance improvement.
7.3.2	Administrative systems are established and maintained to ensure the effective operation of the service.
7.3.4	Processes are in place to ensure that all grievances and complaints are addressed, investigated fairly and documented in a timely manner.

## NATIONAL REGULATIONS

168	Education and care service must have policies and procedures.
181	Confidentiality of records kept by approved provider.
183	Storage of records and other documents.

## 2 AIM

Aranda Afters Association Incorporated [Aranda Afters] aims to ensure that positive working relationships are formed between all educators, management, the committee, parents and families.

Educators, management, committee members, parents and families will at all times conduct themselves in an ethical manner and strive to make all interactions positive and compliant with Aranda Afters' philosophy and Statement of Ethics.

## 3 WORKING WITH VULNERABLE PEOPLE LEGISLATION

The [Working With Vulnerable People \(Background Checking\) Act - 2011](#) requires a person over the age of 16 years who has contact with children, both paid and unpaid, whilst engaging in a regulated activity, unless they are exempt under the provisions of the Act, to carry a valid registration card.

To comply with the *Working with Vulnerable People (Background Checking) Act 2011*, the Approved Provider/Nominated Supervisor must ensure that **all staff** working at Aranda Afters have a current Working With Vulnerable People [WWVP] card.

More information about Working With Vulnerable People [WWVP] requirements, and how to apply for a WWVP Card, is available from the [Access Canberra](#).

## 4 INTRODUCTION

### STATEMENT OF ETHICS

As employees or committee members of Aranda Afters Association Incorporated [Aranda Afters], we can provide experiences for children that inspire and facilitate their personal and educational development.

The Approved Provider, Nominated Supervisor, educators, staff members, committee members, volunteers and children will uphold the following **ethical conduct principles** at all times, and promote positive interactions within the Service and the local community.

The values that underpin our work include fairness, respect, integrity and responsibility. We display these values in our daily work by:

- Demonstrating our commitment to Aranda Afters' philosophy and values, including the promotion of a meaningful connection to the National Quality Framework and best practice in early childhood education in partnership with our families.
- Ensuring effective, open and respectful two-way communication and feedback between employees, children, families and management.
- Being committed to an Equal Opportunity workplace and culture which values the knowledge, experience and professionalism of all employees, team members and managers, and the diverse heritage of our families and children.
- Being committed to a workplace which values and promotes the safety, health and well-being of employees, volunteers, children and families.
- Displaying honesty and integrity in all interactions between children, families, employees and managers.
- Displaying consistency and reliability in all exchanges with children, families, employees and managers.
- Providing quality services in all aspects of our work.
- Promoting participation by all sections of our community in the operations of Aranda Afters.
- Being consistently honest, trustworthy and accountable.
- Being courteous and responsive in dealing with others.
- Making decisions that are procedurally fair to people and which avoid discrimination, for example, on grounds such as gender, race, religion and culture.
- Promoting dignity and respect by avoiding behaviour which is, or might reasonably be perceived as, harassing, bullying or intimidating.
- Maintaining professional relationships with all stakeholders of Aranda Afters.
- Working collaboratively with colleagues to reach our common goals.

- Maintaining and developing our professional and work practices.
- Implementing activities and experiences that are age appropriate, culturally sensitive and inclusive.
- Complying with all service policies, including those which ensure our activities and environment are safe for children and protect children from harm, abuse and neglect.

## **WHAT IS THE PURPOSE OF THE CODE OF CONDUCT?**

The aim of this Code is to establish a common understanding of the standards of behaviour expected of all employees and the committee of Aranda Afters.

The Code of Conduct does not attempt to provide a detailed and exhaustive list of what to do in every aspect of your work. Instead, it sets out standards of behaviour expected and provides a broad framework that will help you decide on an appropriate course of action when you are faced with an ethical issue. This also requires managers to supervise, support and provide training to staff.

The Code places an obligation on all of us to take responsibility for our own conduct and work with colleagues cooperatively to establish consultative and collaborative workplaces where people are happy and proud to work.

## **WHO HAS TO COMPLY WITH THE CODE OF CONDUCT?**

By accepting employment with Aranda Afters, you must be aware of and comply with this Code. Therefore, you must:

- Engage in personal or professional conduct that upholds the reputation of Aranda Afters.
- Apply Aranda Afters' policies and procedures and how they are referenced to the National Quality Framework and legislation.
- Act ethically and responsibly.
- Be accountable for your actions and decisions.

Families who enrol their children at Aranda Afters need to be aware of, and comply with, the Code of Conduct, particularly sections 6.9 and 21.

## 5 WHAT DOES ARANDA AFTERS EXPECT OF OUR EMPLOYEES?

As an employee, you should be aware of Aranda Afters' policies and how they are referenced to the National Quality Framework and legislation.

Our policies will be made available to you through our induction processes and our training and development programs.

If you are uncertain about the scope or content of a policy with which you must comply, you should seek clarification from the Director, or delegate.

Managers are required to tell their staff about this essential information and to make the documents readily accessible to them.

### 5.1 *The Director and Approved Provider are responsible for:*

- Supporting all staff and educators in their role.
- Keeping all service families up to date with relevant issues.
- Recruiting and selecting educators and other staff members.
- Ensuring educators and staff members have the correct qualifications.
- Ensuring educator ratio and qualification requirements are met.
- Ensuring all educators and staff understand their responsibilities under the education and care law and regulations, the National Quality Standard and the My Time – Our Place Framework.
- Developing the service policies and ensuring all educators follow our policies and procedures.
- Ensuring all educators, staff, visitors and volunteers are aware of and comply with our Code of Conduct.
- Investigating and managing grievances from educators, staff members, families or volunteers (including incidents of workplace bullying) in accordance with our Grievance Guidelines.
- Implementing effective communication and consultation procedures with educators and staff members about workplace issues.
- Promoting the diverse skills and achievements of educators and staff (eg: at educator meetings, through regular feedback, by sharing information with families and the community through notices and newsletters).
- Providing or organising appropriate information, instruction, training or supervision to educators and staff.
- Maintaining the financial viability of the Service.

### 5.2 *If your role requires you to manage or supervise staff you are expected to:*

- Promote a collaborative and collegial workplace by developing a positive working environment in which all employees can contribute to the ongoing development of Aranda Afters.
- Exercise leadership by working with your staff to implement performance and development processes that are consistent with the employee's conditions of employment.
- Provide ongoing support and feedback to your staff.
- Model the professional behaviour you expect from employees.
- Be positive, respectful, and supportive and behave appropriately in all situations and circumstances.

- Establish systems within your area of responsibility which support effective communication and consult with and involve your staff in appropriate decision-making.
- Take appropriate action if a breach of the Code of Conduct may have occurred.

### 5.3 ***All staff are expected to:***

- Perform their duties to the best of their ability and be accountable for their performance.
- Act honestly and exercise diligence in all Aranda Afters operations. This includes carrying out all lawful directions, retaining the right to question any direction which they consider to be unethical. If uncertain staff can seek advice from the Director, Approved Provider or the Ombudsman.
- Consider all relevant facts and make decisions or take actions fairly, ethically, consistently and with appropriate transparency. If they are uncertain about the appropriateness of a decision or action they will consider:
  - whether the decision or conduct is lawful
  - whether the decision or conduct is consistent with our policies and objectives
  - whether there will be an actual, potential or perceived conflict of interest involving obligations that could influence the business relationship or conflict with business duties
- Carry out their duties in a professional, competent and conscientious manner, while seeking suitable opportunities to improve their knowledge and skills, including through participation in relevant professional development.
- Act honestly and in good faith in providing advice or service that is honest, impartial and comprehensive, irrespective of their personal views on a matter.
- Be aware that if their conduct has the potential to damage the reputation of Aranda Afters, even if it is in a private capacity.
- Work collaboratively with their colleagues.
- Create positive relationships with staff, committee members, children and their families.
- Be courteous and responsive in dealing with their colleagues, children, parents, committee members and members of the public.
- Create a safe and caring environment in all aspects of Aranda Afters' operations and practices.
- Ensure that all people entering the centre are authorised to do so.
- Maintain confidentiality [see the section on Protecting Confidential Information].
- Follow reasonable instructions given by the Director, or delegate.
- Report (suspected) breaches of the code of conduct to the Director, preferably in writing.
- Include children and families in the decision making process.
- Refrain from developing close personal relationships with children outside work.
- Refrain from using abusive, derogatory or offensive language.
- Be mindful of your duty to the safety of yourself and others.

### 5.4 ***Examples of Appropriate Educator Interactions:***

- Positive, trustworthy and co-operative relationships with children and team members.
- Respectful, courteous and empathetic communications and behaviours.

- Complying with Aranda Afters grievance procedures and resolving workplace conflicts where possible directly with the person concerned, and never through gossip or by including people who are not involved in the issue.
- Valuing cultural differences, diverse viewpoints, and unique contributions.
- Looking for and supporting colleague educators' strengths not weaknesses.
- Sharing professional resources, knowledge and information.
- Supporting others to meet their professional development goals and needs.
- Recognising the professional achievements of others.
- Sharing information, experiences and expertise about children and families at Aranda Afters with team members to enhance children's learning and development.
- Actively participating in regular meetings at Aranda Afters to discuss professional issues and problems.
- Updating team members about meeting outcomes or workplace issues if they have been absent.
- Sharing the work load equitably with team members.
- Using service communication methods where shifts make it difficult to convey information face-to-face. These means will ensure all educators are informed on important matters. It is the educator's responsibility to check the Diaries.
- Appropriate physical contact to soothe children, build trusting relationships, demonstrate learning and skills and assist children needs.
- Appropriate use of YouTube, social media and technology to support age-based curriculum.

## 6 RESPECT FOR PEOPLE

In dealing with other people, you should be able to accommodate and tolerate different opinions and perspectives, and sort out your disagreements by rational discussion.

Rational discussion presupposes that there is open communication and the freedom to voice another point of view. Such a discussion should not involve verbal abuse or physical intimidation. For example, you may criticise a person's ideas but you should not criticise the person, and you should not verbally abuse, vilify or belittle children, colleagues or families (including the Director and committee members) personally or to others.

- 6.1 It is important for you to treat your colleagues with respect. Bullying or insulting behaviour, including verbal and non-verbal aggression, abusive, threatening or derogatory language and physical abuse or intimidation towards other employees is unacceptable.
- 6.2 You must not discriminate against or harass your colleagues, committee members, children or members of the public on a number of grounds including; sex, marital status, pregnancy, age, race, ethnic or national origin, physical or intellectual impairment or sexual orientation or gender identity. Such harassment or discrimination may constitute an offence under Anti-Discrimination legislation. In addition, you must not harass or discriminate on the grounds of political or religious conviction.
- 6.3 If you believe you or anyone else in your workplace is being treated in a discriminatory or harassing manner, it is your obligation to report the behaviour to the Director, or delegate.

- 6.4 You must not use information and communication technologies, such as email, mobile phones, text or instant messaging and websites to engage in behaviour that could reasonably be considered to have a negative impact on another person, cause them harm, or make them feel unsafe.
- 6.5 You must not make unfounded complaints with malicious, frivolous distressing or upsetting intent against another employee, committee member, client, stakeholder, child or young person.
- 6.6 Employees who work with children have a special responsibility in presenting themselves as appropriate role models for children. Modelling effective leadership and respect in your interactions with staff, children can have a profoundly positive influence on their personal and social development.
- 6.7 The Director, or delegate, must lead by example and must take all necessary steps to ensure that the workplace are free from all forms of harassment, bullying and unlawful discrimination, and that their staff are informed of the principles of equal opportunity and anti-discrimination.
- 6.8 The Director, or delegate, must take reports of discrimination, harassment and bullying seriously and take steps to prevent and correct the conduct. Most incidents can be addressed effectively if reported early.
- 6.9 Families, or family members, will not defame, harass or bully any person working at Aranda and may face possible termination of their child's place at our service if this occurs and is considered serious enough to warrant this course of action.
- 6.10 Committee members need to be respectful of, and towards, each other and staff members.

## 7 DUTY OF CARE

A duty of care is the legal obligation to provide reasonable care while performing any acts or making any omissions that could foreseeably harm others.

- 7.1 The duty encompasses a wide range of matters, including (but not limited to):
  - The provision of active and direct supervision of children.
  - Ensuring all equipment and property of Aranda Afters is maintained in good order, is packed up and stored after usage.
  - Ensuring the premises, grounds and equipment are safe for children, young people, employees and the general public.
  - Ensuring the premises, grounds and equipment are left clean and in good order.
  - Implementing strategies to prevent bullying from occurring in the workplace.
  - Providing medical assistance (if competent to do so), or seeking assistance from a medically trained person to aid an employee, child or community member who is injured or becomes sick in the workplace.
- 7.2 You must take reasonable care for the health and safety of yourself and others at the workplace and cooperate with your employer so far as reasonably practical, to enable compliance with the Work Health and Safety legislation.
- 7.3 Considerations of safety relate to both physical and psychological wellbeing of individuals.
- 7.4 As an employee, you have a duty to take reasonable care for the safety and welfare of the children and young people in your charge. That duty is to take all reasonable action to protect children from risks

of harm that can be reasonably predicted. For example, risks from known hazards and from foreseeable risk situations against which preventative measures can be taken.

- 7.5 The standard of care and degree of supervision required needs to be commensurate with the children's maturity and ability.
- 7.6 As part of your role you may be required to:
- Ensure that children pack-up equipment and return it to its storage area after use.
  - Assist with the preparation, and service, of food to children.
  - Assist with cleaning of the premises (including the hall, kitchen, toilets and grounds) – particularly during school holiday periods (ie: when a cleaner is not rostered on).
  - Participate in excursions.
- 7.7 The risks associated with any activity need to be assessed and managed before the activity is undertaken.

## 8 DRESS CODE FOR EMPLOYEES

Dress and personal appearance are important elements of professional presentation.

- 8.1 Aranda Afters provides a uniform for staff. This should be used as a guide for staff to use should they not wear the Aranda Afters uniform. A uniform shirt (or other item of clothing with the Aranda Afters logo) must be worn on excursions to identify you as Aranda Afters staff member
- 8.2 Employees have an obligation to dress appropriately and in a manner that:
- Maintains respect.
  - Establishes credibility.
  - Upholds the good reputation of Aranda Afters.
- 8.3 Employees must ensure their personal appearance and presentation are clean, tidy and appropriate for their work role and takes into account the particular circumstances of their workplace.
- 8.4 Employees must comply with relevant workplace health and safety regulations as they apply to apparel, including:
- Appropriate footwear.
  - Sun-safe clothing and protection when outdoors.
  - Personal protective equipment [PPE] when using chemicals.
- 8.5 Employees must not wear inappropriate clothing (including clothing with inappropriate logos) whilst performing their duties as a member of staff at Aranda Afters.

## 9 PROFESSIONAL RELATIONSHIPS BETWEEN EMPLOYEES AND CHILDREN

All children have a right to a safe physical and emotional environment. Further information is available in the Aranda Afters ***Relationships With Children Policy***.

As an employee, you are expected to always behave in ways that promote the safety, welfare and well-being of children. You must actively seek to prevent harm to children and young people, and to support those who have been harmed.

- 9.1 You must not impose physical punishment on a child in the course of your professional duties.
- 9.2 You must not develop a relationship with any child that is, or that can be misinterpreted as having a personal rather than a professional interest in a child.
- 9.3 You are not permitted to transport a child or young person, enrolled at Aranda Afters, in your car without prior approval from the Director, or delegate, and a parent or carer.
- 9.4 You should inform the Director, or delegate, if you have an external association with a child who attends the service (ie: through another form of employment or family relationship).
- 9.5 The boundaries of the professional relationship will be breached if you:
  - Hold conversations of an intimately personal nature, where you disclose private information about yourself.
  - Have contact with a child via written or electronic means including email, letters, telephone, text messages or chat lines, without a valid context.
  - Give children gifts of a personal nature that encourages them to think they have an individual and special relationship with you.

## 10 COMMUNICATION PROCEDURES

To allow effective communication and consultation to take place with educators and staff the Director, or delegate, will use various methods of communication including:

- Direct conversations.
- Phone communication including SMS messaging if appropriate.
- A communication diary.
- Educator meetings.
- Other forms of written communication (eg: Facebook, notices and emails).
- Educator performance appraisals and reviews.

### EDUCATOR MEETINGS

Aranda Afters will hold two educator meetings each term, the dates of which are set at the beginning of the year. This will take place after hours so all educators can attend and educator to child care ratios are not jeopardised.

10.1 Attendance at meetings is part of the role, and required, of all staff at Aranda Afters.

10.2 Meetings will follow this structure:

- They will run for approximately 1.5 hours but can run longer if more issues need to be discussed.
- The Director, or delegate, will chair the meeting and give a report.
- The agenda of the meeting will be made available to staff and any member of staff who wishes to discuss a matter can add an item to the agenda.
- Items not included in the agenda for the meeting will not be discussed unless they can fit in the 1.5 hour timeframe.

10.3 In the meeting educators may:

- Raise concerns.
- Negotiate solutions for any grievances.
- Receive, share and discuss new information.

10.4 In regard to the decision making process:

- If a decision cannot be reached about an issue the Nominated Supervisor will make an informed decision.
- If there is insufficient information an educator will be chosen by the Nominated Supervisor to research the issue.
- All decisions made will be made on a trial basis and their effectiveness will be discussed at the next meeting.

10.5 Minutes will be taken at all meetings.

## 11 IDENTIFYING AND MANAGING CONFLICTS OF INTEREST

Personal views or private interests can, or have the potential to, influence a person's capacity to perform their duties and in turn compromise their integrity and that of Aranda Afters.

11.1 As an employee, you must be objective and impartial, and be seen to be so. A conflict of interests can involve:

- Pecuniary interests (ie: financial gain or loss or other material benefits).
- Non-pecuniary interests (ie: favours, personal relationships and associations).

It may not only be about your own interests. It may include the interests of your:

- Immediate family or relatives (where these interests are known).
- Associates, or those of your workplace.
- Friends.

11.2 A conflict exists when a reasonably minded and informed person would form that view.

11.3 When faced with a situation in which a conflict of interests may be present, you should:

- Assess the situation and the surrounding circumstances that could affect any decisions or actions you may take in the matter [Ask yourself "What is my public duty?" and "What is my personal interest?"].

- Identify whether any conflict of interests exist [“Could my personal interest influence my performance of the public duty?”].
  - Determine the type of conflict of interests [“Is it actual, perceived or potential?” “Is it pecuniary or non-pecuniary?”].
  - Report any conflict to the Director.
- 11.4 A key issue to consider in determining whether a conflict of interests exists is what the perceptions of others might be. Questions you might ask yourself would be:
- What assessment would a reasonable or fair-minded member of the public make of the circumstances?
  - Could my involvement in this matter cast doubt on my integrity or that of Aranda Afters?
- 11.5 You should also report situations where a superior or colleague who has an identified conflict is, or may be perceived as, unduly influencing your decision.
- 11.6 As the Director, or delegate, you are required to develop appropriate management strategies to deal with any conflicts of interests and document your decisions and actions.
- 11.7 Staff need to inform the Director, or delegate, if they have a second job which may create a conflict of interests with their work at Aranda Afters.

## 12 PROTECTING CONFIDENTIAL INFORMATION

As an employee of Aranda Afters, you must only use official information for the work-related purpose it was intended. You will have access to information that needs to be kept confidential.

The confidentiality and privacy of children, young people, staff members and committee members needs to be respected and maintained.

- 12.1 Unless authorised to do so by legislation, you must not disclose or use any confidential information without appropriate approval.
- 12.2 You must make sure that confidential information, in any form, cannot be accessed by unauthorised people. Sensitive information should only be provided to people, either within or outside Aranda Afters, who are authorised to have access to it.
- 12.3 You should always exercise caution and sound judgment in discussing other people’s personal information with other Aranda Afters employees. Normally information should be limited to those who need to know in order to conduct their duties, or to those who can assist us in carrying out our work because of their expertise.
- 12.4 Former Aranda Afters employees must not be given access to confidential information.

## 13 RECORD KEEPING

13.1 All employees have a responsibility to:

- Create and maintain full, accurate and honest records in line with Aranda Afters policies and processes and National Quality Framework and legislation.
- Store records in accordance with Aranda Afters policies and processes.

13.2 You must not destroy records without appropriate authority.

13.3 Employees must maintain the confidentiality of all official information and documents which are not publicly available or which have not been published.

13.4 The Director is responsible for ensuring employees comply with their records management obligations.

## 14 SIGNATURES

14.1 You must not sign a document, which you know is not true and correct.

14.2 You must only sign your own name and must never permit or encourage anyone to sign a name other than their own. The Director, or delegate, must not encourage or coerce their staff to sign a document with which the employee is not satisfied.

14.3 You should only use your own name when, for example, sending emails, and should not give the impression that you have the authority of another person without their permission.

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

A social networking website can be defined as a website used to socialise or communicate. These include but are not limited to Facebook, Twitter and Instagram (including usage on any device such as the internet, mobile telephone or tablet).

By its nature, electronic communication is a fast and informal way of communicating. However, once a document or image has been sent there is no way to recall it and it exists forever.

### PERSONAL SOCIAL MEDIA ACCOUNTS

While personal social media settings can restrict those who are able to access accounts, social networking sites are by their nature a public form of communication. There is always the potential that personal accounts can be accessed by the public or by “friends of friends” of whom we may have been previously unaware. It is therefore extremely important not to post information about the Service, children or families on personal social media accounts.

15.1 As an employee or committee member of Aranda Afters, you should use the following as a guide when using electronic communication and social networking sites:

- Exercise good judgment when using electronic mail, following the principles of ethical behaviour.

- Use appropriate language in electronic mail messages.
- Be aware that if an issue addressed in an email becomes the subject of a legal dispute, then those emails would be discoverable: that is, the court and all parties to the dispute would be entitled to see them.
- Remember transmission, storage, promotion or display of offensive, defamatory, or harassing material is strictly forbidden.
- Report any situations where you become aware of the inappropriate use of electronic communication and social networking sites.

15.2 In relation to their personal social media accounts, the Approved Provider, Nominated Supervisor, educators, staff members, committee members and volunteers will not:

- Access their social media accounts on any device while educating and caring for, or in the presence of, children.
- Send or accept “friend requests” from parents or family members that have children at the Service.
- Post any information about what happens at the Service.
- Post any photos taken at the service or on an excursion. If this occurs families will be contacted immediately. If possible, the social networking website will be contacted to delete the photos.
- Post any material that is offensive, defamatory, threatening, harassing, bullying, discriminatory or otherwise unlawful.
- Post any material that could bring their professional standing into disrepute.
- Post any material that could damage the employment relationship, Aranda Afters’ reputation or commercial interests, or bring Aranda Afters into disrepute.
- Pose as a representative of the employer or express views on behalf of the employer.
- Use the Aranda Afters logo or email without permission.
- List the Aranda Afters name on a Facebook page without permission.
- Disclose confidential, private or sensitive information.
- Publicise workplace disputes.

15.3 Educators, staff and volunteers will not use their personal camera or phones to take photos or video while at the service.

## **ARANDA AFTERS SOCIAL MEDIA ACCOUNT**

Our Service has a social media account to communicate and share information with our Service families and community.

15.4 The Approved Provider, Director or Nominated Supervisor will:

- Obtain authorisation from a child’s parent(s)/carer(s) before posting any photos of their child on-line.
- Obtain families’ consent to what information will be posted on-line, and how it will be shared.
- Ensure personal information about families and children is not posted on-line, including information that could identify them (eg: address).
- Set high privacy or security settings on the account and consider whether to restrict access (eg: through the establishment of a group account where families are invited to join).

- Regularly change passwords to the account.
- Activate password protected screen savers on all computers at Aranda Afters and ensure all social media users always log off before leaving.
- Administer the social media page to maintain strict control of the information that is added.
- Manage the Aranda Afters social media account.
- Include specific conditions about social media usage in employee contracts (eg: prohibiting comments about Aranda Afters or families/children).
- Regularly scan online content related to Aranda Afters.

## OTHER FACTORS TO CONSIDER

- 15.5 People sometimes respond too quickly or express their thoughts and feelings with undue frankness when using electronic communication.
- 15.6 Avoid getting personal in electronic mail or in blogs, wikis or social networking sites.
- 15.7 Remember, people can't hear the tone of your voice in an electronic message and you can easily be misunderstood, particularly if your message is provided out of its original context.
- 15.8 Employees and staff need to be particularly mindful when using Aranda Afters social media sites and forms of electronic communication to ensure that the language used is appropriate and professional in tone. It is particularly important that personal comments, or comments which may be misinterpreted, are not included in communications when using Aranda Afters communication forums.

## 16 USE OF ALCOHOL, DRUGS OR TOBACCO

Aranda Afters is committed to providing a productive, safe and healthy workplace.

- 16.1 You are responsible for ensuring your capacity to perform your duties is not impaired by the use of alcohol or drugs, and that the use of such substances does not put at risk you or any other person's health and safety.
- 16.2 As an employee, you must notify the Director (or Director's nominee):
- If you are aware that your work performance or conduct could be adversely affected as a result of the effect of a prescribed drug.
  - Immediately if you are concerned about working with other employees who may be affected by drugs or alcohol.
- 16.3 ***As an employee you must not:***
- Attend work under the influence of alcohol, illegal drugs or non-prescribed and/or restricted substances.
  - Endanger your own safety or the safety of any other person in the workplace by consuming alcohol, illegal drugs or non-prescribed and/or restricted substances.
  - Have illegal drugs in your possession while at work. Any illegal drugs found at Aranda Afters or in the possession of any person will be reported to the Police.

- 16.4 You must not smoke or permit smoking in any buildings, enclosed area or grounds at Aranda Primary School. This includes all buildings, gardens, sports fields, cars and car parks, other than those clearly defined areas at Aranda Primary School
- 16.5 You must not bring alcohol to Aranda Afters; consume it prior to or while being on duty at Aranda Afters; or at any Aranda Afters function at any time when children are present.
- 16.6 **Families and visitors will not:**
- Not drink alcohol or use illicit substances while on the service’s premises or come to the Service under their influence.
  - Not smoke on the service’s premises including in the car park.

## 17 PROFESSIONAL DEVELOPMENT AND PERFORMANCE MANAGEMENT

We employ caring, loyal and capable educators who bring a high skill level, appropriate qualifications and a wide and varying amount of experiences to help implement our curriculum and philosophy. To maintain our commitment to quality education and care, we will implement a performance appraisal process.

### PERFORMANCE MANAGEMENT/APPRaisal

The Director will complete a performance appraisal for all educators and staff every 12 months. In addition the Nominated Supervisor will complete a performance appraisal for new educators and staff after they have completed three (3) months at the service.

The educator or staff member and the Director will agree on a mutually acceptable date at least 2 weeks prior to the appraisal meeting.

- 17.1 The appraisal process will be used as a tool:
- To ensure educators and staff are aware of their duties and responsibilities.
  - To discuss the level of performance expected. (The appraisal process is the best way to show evidence of continued poor work performance and allows formal written warnings to occur if necessary).
  - For identifying professional development and training needs.
- 17.2 The appraisal meeting will be linked to the educator’s job description and will include:
- An appraisal of the educator’s performance in relation to their job description.
  - Review and if necessary clarification of the job role and its expectations.
  - Self-assessment of performance by the educator or staff member.
  - Two way feedback between the Director and educator or staff member.
  - Discussion of future opportunities within the position.
  - Discussion on an action plan for further training.
  - Feedback about how the appraisal process could be improved.

## TRAINING

The Director will ensure that funds are set aside for training and development needs in the annual budget. Training will be provided on an equitable basis to all educators and staff and may include:

- Mentoring by appropriate educators/staff.
- In-house workshops run by an external trainer.
- External workshops, seminars etc.
- Formal TAFE, college or University courses.
- On-the-job training (eg: through changes in role or through exchange of information between educators/staff).
- Educator and management exchanges between services.
- Provision of appropriate resources (books, movies, documentaries, etc).

## 18 RECRUITMENT

In order to avoid any possible accusation of bias, you must not be involved in any appointment, or any other decisions relating to discipline, promotion or pay and conditions for any employee, or prospective employee, to whom you are related, or with whom you have a close personal or business relationship.

Selection panel members need to declare to the panel any prior personal knowledge or interest in any of the applicants. This is to ensure that any conflict of interests, which might unduly influence that person in the panel's deliberations is carefully managed. Prior knowledge of the applicant does not necessarily amount to a conflict of interests or exclude participation in the selection process.

Where the selection panel considers a conflict of interests could prejudice the outcome of the process, it must be resolved or managed according to the conflict of interests' provisions of this Code of Conduct.

This includes the requirement to document any perceived or actual conflict and the requirement of the panel member to disclose to the convenor or other person appointing them to the panel if they have a conflict of interest arising from the work of the panel.

## 19 POST-SEPARATION EMPLOYMENT

19.1 As a current employee, you must be careful in your dealings with former employees of Aranda Afters and make sure that you do not give them, or appear to give them, favourable treatment or access to privileged information.

19.2 If you allow your work to be improperly influenced by plans for, or offer of, employment outside Aranda Afters there may be a conflict of interests and your integrity and that of Aranda Afters is at risk.

19.3 You must report any attempts made by former employees to influence or lobby you about Aranda Afters activities to the Director, or delegate.

19.4 When you cease employment with Aranda Afters, you should not use or take advantage of any confidential information obtained in the course of your work with Aranda Afters.

19.5 You must return any property you have belonging to Aranda Afters when you cease employment.

## 20 CONCERNS REGARDING EMPLOYEE CONDUCT

Aranda Afters is committed to supporting employees who report concerns about the conduct of their colleagues. Such conduct includes corrupt conduct, maladministration, serious and substantial waste and government regulations and information contravention.

You can do this by reporting these matters to your manager, the Director or directly to the President of the Aranda Afters Committee.

20.1 As an employee, you must report possible “risk of harm” to children or young persons to the Director.

20.2 You must also report your concerns about the inappropriate actions of any other employee that involves children or young people to the Director or President of the Aranda Afters Committee.

All employees are required to report instances of suspected corrupt conduct, maladministration or serious and substantial waste to the Director and President of the Aranda Afters Committee.

20.3 If you are aware that such a report has been made, it is essential that you do not take detrimental action against the complainant in reprisal for reporting it. This includes any action that could reasonably be perceived to be detrimental action in reprisal.

20.4 Anyone who takes detrimental action against an employee in reprisal for having made a Public Interest Disclosure may be committing a criminal offence, which could result in imprisonment if convicted. Detrimental action will also be treated as serious misconduct and would be dealt with as a disciplinary matter, which could lead to dismissal.

20.5 All employees are required to inform the Director if they are charged with or convicted of a serious offence. This would mean that a person’s Working With Vulnerable People registration would be revoked or not granted.

20.6 It is the Director’s responsibility to inform the committee of any issue reported under the above section.

## 21 COMMUNITY PARTICIPATION

Aranda Afters is a community-oriented organisation and we welcome the participation, suggestions and feedback from all sections of our community. All members of our community need to be mindful of their responsibilities and the nature of their interactions with all people while at Aranda Afters.

### PARENTS

Parents have a responsibility to support the efforts of educators in maintaining a safe and respectful recreational environment for all children. They should do this by encouraging their children to appreciate the importance of honesty, respect for property and respect for the rights of others.

Parents must display respect for all people while at Aranda Afters and refrain from using raised voices or threatening language in an effort to intimidate or humiliate staff, children or other visitors. Parents who

have participated positively in fulfilling these obligations recognise the systems and processes in place will benefit all.

Parents should remember that access to Aranda Afters is a privilege and not a right. When at Aranda Afters parents, and visitors, **will**:

- Respect of the centre's environment and operating philosophy.
- Treat all children at the service equally and respectfully.
- Respect the rights, dignity and worth of every person, regardless of their abilities, gender, religion or cultural background.
- Act courteously at all times when at Aranda Afters and interacting with staff, children and other parents.
- Use an appropriate and courteous tone and level of voice when communicating with staff, children and others at the service.
- Maintain a professional relationship with staff members.
- Communicate positively and respectfully with the staff and all other people at the service.
- Respect the decisions of educators and staff members and teach children (if adults) to do likewise.
- Report any faulty equipment or unsafe procedures that come to my notice to the Director or a senior staff member.
- Report any suspicious behaviour to the Director or Approved Provider and encourage a safe and supportive Service environment.
- Inform the Director or Approved Provider if we suspect any instances of bullying, harassment or discrimination at Aranda Afters.
- Ensure that all individuals associated with my child and I, who have contact with Aranda Afters, are aware of this code and ensure their compliance with the code.
- Be aware of all Aranda Afters policies and guidelines and seek clarification of how these policies are interpreted when necessary.
- Follow the Aranda Afters ***Suggestions and Complaints Policy*** when expressing concerns or complaints about any matter related to the service.

When at Aranda Afters parents, and visitors, **will not**:

- Bully, harass, or discriminate against, any child or adult at Aranda Afters.
- Make repeated or vexatious comments and/or complaints about the service.
- Use impolite, abusive or offensive behaviour or language to staff or other families.
- Have physical contact with children at the service that are not their own children.

## COMPLAINTS ABOUT PARENTAL BEHAVIOUR

On receipt of a notification of a potential breach of the Code of Conduct, by a parent or carer, the Aranda Afters Committee will use the Aranda Afters ***Suggestions and Complaints Policy*** to consider and resolve the matter.

In such instances, a sub-committee will be formed and, ultimately, will recommend a course of action to the Aranda Afters Committee which may include, but is not limited to, the following:

- A first and final warning meeting and/or letter being issued to inform the relevant person(s) of the outcome of this process and that another breach of the code of conduct will not be tolerated.
- A restraining order being sought against the relevant person(s). Success in obtaining a restraining order will then prevent this person from attending the Centre to deliver or collect children or to participate in the program.
- The withdrawal or suspension of a child's place in the program due to the parent(s)/carer(s) serious breach of the Code of Conduct. This action will only be taken if no other alternatives are deemed appropriate by the Management Committee.

## **VISITORS**

The Approved Provider and/or Director will ensure the safety, health and wellbeing of all children by:

- Ensuring visitors are only allowed entry to the service if they can be adequately identified.
- Requiring all visitors to sign in and out of the service for work health and safety and child protection reasons
- Ensuring visitors, including long term visitors, are never left alone with any children being educated and cared for. Visitors will be supervised by educators or staff members at all times
- Ensuring visitors have, or obtain, a Working With Vulnerable People card, if required by the child protection requirements, before being allowed entry to the service.
- Ensuring specialists or professionals engaged to support a child are only allowed to visit and engage with the child if written authorisation has first been obtained from the child's parents. Authorisation may form part of an education or support plan.

## **COMMITTEE MEMBERS**

The same expectations apply for Committee Members as for parents.

Committee members have a key role in supporting staff to provide the best possible programs and outcomes for the children who enrol with Aranda Afters.

Aranda Afters expects Committee members to abide by the Code of Contact and act in a professional manner when interacting with Aranda Afters employees, children and parents.

Committee members must hold a Working With Vulnerable People (WWVP) card and supply a copy to the Director.

## **CHILDREN**

Aranda Afters follows the Aranda Primary School philosophy that a consistent approach to behaviour management is the most effective way to achieve an environment where:

- Children are responsible for their own choices and behaviour; and
- Children understand the choices they make can have consequences.

To assist with this, children will:

- Tell an educator or the Director if they see any instances of bullying, harassment or discrimination at Aranda Afters.

- Cooperate and follow Aranda Afters' behaviour management guidelines.
- Listen to educators' instructions and follow them.
- Control their emotions and talk to an educator or the Director if they are feeling upset.
- Speak to an educator or the Director if they are worried, concerned or have a grievance about something.
- Refrain from bullying, harassing or discriminating against any child or adult at Aranda Afters.

## 22 WHAT HAPPENS IF I BREACH THE CODE OF CONDUCT?

As an employee, you hold a position of trust and you are accountable for your actions.

As a parent and/or committee member we expect that you will be courteous in your interactions with staff.

If you have a concern please raise this with the Director, using our ***Suggestions and Complaints Policy*** guidelines.

The issues to consider when deciding what action to take include in relation to a breach of the Code of Conduct are:

- The seriousness of the breach.
- The likelihood of the breach occurring again.
- Whether the officer has committed the breach more than once.
- The risk the breach poses to employees, children or any others.
- Whether the breach would be serious enough to warrant formal disciplinary action.

A serious breach of the Code of Conduct may require an immediate investigation and the employee's withdrawal from their workplace until the outcome is determined.

The same action can apply to a committee member and/or or a parent if the complaint is deemed to be serious.

22.1 The Director, or their delegate, is responsible for addressing possible breaches of the *Code of Conduct* by any employee as soon as they become aware of it. Each case should be determined on the facts and circumstances when deciding on the appropriate action to take, including reporting of serious matters and those where an employee has failed to follow a lawful direction.

22.2 Other employees must also report possible breaches by colleagues to the Director, or delegate. If the possible breach is by the Delegate, or delegate, then it should be reported to the next in line of management.

22.3 The Approved Provider, Director, or delegate, will use our ***Suggestions and Complaints Policy*** guidelines to:

- Investigate any circumstances where an employee or volunteer brings their professional standing into disrepute.
- Investigate any circumstances where an employee or volunteer damages the reputation or commercial interests of Aranda Afters.

- Investigate any instance where someone working at the Aranda Afters is defamed, bullied or harassed by a family or community member connected to the Service.
- Contact the police and other relevant authorities if a person working at the Service breaks the law.

22.4 Actions that will apply to proven breaches of the **Code of Conduct** can include:

- Management or remedial action, or disciplinary action ranging from a caution and reprimand to dismissal for an employee
- Termination of a child's place at the service for families who have children enrolled at Aranda Afters.

22.5 The outcome of criminal proceedings against employees may be considered as possible breaches of the Code of Conduct and action, including disciplinary action, including dismissal, may be taken.

## 23 THE ROLE OF THE SUPPORT PERSON IN AN INTERVIEW OR MEETING

### INTRODUCTION

Interviews and meetings will, generally, be convened by either the Director or an office bearer of Aranda Afters Association Inc.

Fair Work Australia recommends that it is advisable for the meeting convener to notify the person with whom they have requested the meeting that they may bring a support person if the purpose of the meeting is to discuss a matter such as:

- A serious breach, or repeated breaches, of the Aranda Afters Code of Conduct.
- Performance Improvement.
- The possible termination of a staff member's employment.

Additionally, the meeting convener should:

- Not refuse the person's request to have a support person present.
- Clearly indicate to the support person what their role is.
- Allow the support person to assist the person, as indicated below.
- Not allow the support person to act as an advocate or talk on the employee's behalf.

### THE SUPPORT PERSON

The support person is a person chosen by the person being interviewed. The support person needs to be aware of the confidentiality requirements that are applicable to the meeting.

The role of the support person is to provide support the person who has been requested to attend the interview or meeting with the meeting convener. It is not mandatory for the person being interviewed to have a support person or observer present. However, if the person being interviewed chooses to have one present, the person's role is not one of advocate.

The form of support and assistance may vary according to the circumstances of the interview. This support and assistance could include any of, or all of, the following:

- The taking of notes.
- Provision of advice on rights/entitlements.
- Clarification of the process.
- Suggesting a pause during the interview to assist the person being interviewed.
- Enquiries regarding further advice.

A support person must comply with reasonable meeting dates and times set by the meeting convener.

If the support person is unable to attend the meeting, the meeting may be reconvened at a renegotiated time. This should be as soon as possible after the originally intended time of the meeting. However, any deliberate delaying tactics should not be permitted.

Where the meeting convener has reasonable grounds to believe that the support person is attempting to avoid a meeting, then they may schedule the meeting to go ahead without the support person present or arrange for a replacement support person for the person being interviewed.

A support person should be independent.

## **PRIOR TO INTERVIEW**

Give the interviewee:

- At least 24 hours' notice of the proposed meeting.
- Advice that they may elect to have a support person or observer attend the meeting with them. This person is to be independent and not directly involved in the matter being discussed.
- An indication of nature and purpose of interview.
- Copies of any documentation that may be discussed during the interview.

## **CONDUCTING THE MEETING**

When conducting the meeting, ensure that:

- There is careful consideration of any possible mitigating factors.
- There is a supportive and friendly atmosphere.
- The person being interviewed has the opportunity to present their view and explain any difficulties they may be experiencing.

## **AFTER THE INTERVIEW**

At the conclusion of the meeting, the interviewee may be asked to sign the minutes as a true and correct record – or to be informed that a copy of the minutes will be sent to them to consider and provide a timeframe for their response and agreement.

If they refuse, the convener should write: “[xxxxx] was invited to sign the record but declined”.

Both convener and convener’s support person should then sign this statement.

## GENERAL GUIDANCE

- Should the support person interject or advocate for the interviewee in any way they should be warned and reminded of their role.
- If this continues the meeting should be terminated and reconvened at a later date.
- If a solicitor or barrister is nominated as a support person, the same rules apply. These people have no special status in this situation.

## 24 SOURCES

- Education and Care Services National Regulations 2011
- National Quality Standard
- My Time Our Place
- Work Health and Safety Act 2011
- Fair Work Act 2009
- Bryant, L. (2009). *Managing a Child Care Service: A Hands-On Guide for Service Providers*. Sydney, Community Child Care Co-Operative.
- Dealing with Employee Work-related Concerns and Grievances Policy and Guidelines: NSW DPC
- Preventing and Responding to Workplace Bullying: Safe Work Australia Draft Code of Practice
- Anti-bullying jurisdiction: FairWork Commission