



# CODE OF CONDUCT AND CONFIDENTIALITY POLICY

## 1.0 PURPOSE

We hold one another and ourselves to the highest standard of ethics, honest, integrity and law-abiding behaviour when dealing with our colleagues, children, families and stakeholders. It is our primary focus to ensure the children and our employees are kept in a safe, respectful and professional working environment.

This Code establishes the standards of behaviour and expectations around confidentiality that must be met by all employees. Where these standards are not met, appropriate action will be taken.

This is to be read in conjunction with the related Think Corporate Code of Conduct and Privacy Policies.

## 2.0 PERSONS IMPACTED BY THIS POLICY

This policy applies to;

- All employees, contractors, families, community members and suppliers.

### Most Relevant Policies, Documents and Forms

- Early Childhood Australia Code of Ethics
- Convention on the Rights of the Child
- Workplace Bullying Policy
- Think Corporate Code of Conduct
- Think Corporate Privacy
- Substance Abuse Procedure





### 3.0 DEFINITIONS

We believe in our employees upholding the Early Childhood Australia Code of Ethics across our organisation.

TERM	DEFINITION
<b>CONFIDENTIALITY</b>	<p>The state of being secret.</p> <p>This refers to respecting the confidentiality of children, families, fellow employees personal and work-related information and communication. It may relate to:</p> <ul style="list-style-type: none"> <li>• Family accounts, details and information</li> <li>• Child information, care and circumstances</li> <li>• Employee Information, including payroll and personal information</li> <li>• Company information, any information acquired while performing your duties.</li> </ul>
<b>CHILDREN</b>	People between the ages of birth and eight years old
<b>FAMILIES</b>	The people who have a significant care responsibility for and/or guardianship relationship with a child.
<b>COMMUNITIES</b>	Groups of people who identify as having shared values and intentions. These groups are recognised as complex, being simultaneously connected by commonality and diversity.

### 4.0 EARLY CHILDHOOD AUSTRALIA CODE OF ETHICS

We believe in our employees upholding the Early Childhood Australia Code of Ethics across our organisation. Our commitment is in relation to:

#### CHILDREN

- Act in the best interests of all children.
- Respect the rights of children as enshrined in the United Nations Convention on the Rights of the Child (1989) and commit to advocating for these rights.
- Recognise children as active citizens participating in different communities such as family, children’s services and schools.
- Work with children to help them understand that they are global citizens with shared responsibilities to the environment and humanity.
- Respect the special relationship between children and their families and incorporate this perspective in all my interactions with children.
- Create and maintain safe, healthy environments, spaces and places, which enhance children’s learning, development, engagement, initiative, self-worth, dignity and show respect for their contributions.

#### FAMILIES

- Listen to and learn from families, in order to acknowledge and build upon their strengths and competencies and support them in their role of nurturing children.
- Assist each family to develop a sense of belonging and inclusion.
- Develop positive relationships based on mutual trust and open communication.
- Develop partnerships with families and engage in shared decision making where appropriate.
- Acknowledge the rights of families to make decisions about their children.
- Respect the uniqueness of each family and strive to learn about their culture, structure, lifestyle, customs, language, beliefs and kinship systems.
- Develop shared planning, monitoring and assessment practices for children’s learning and communicate this in ways that families understand.
- Acknowledge that each family is affected by the community contexts in which they engage.





- Work to ensure children and families with additional needs can exercise their rights.
- Acknowledge the uniqueness and potential of all children, in recognition that enjoying their childhood without undue pressure is important.
- Acknowledge the holistic nature of children's learning and the significance of children's cultural and linguistic identities.
- Work to ensure children are not discriminated against on the basis of gender, age, ability, economic status, family structure, lifestyle, ethnicity, religion, language, culture, or national origin.
- Acknowledge children as competent learners and build active communities of engagement and inquiry.
- Honour children's right to play, as both a process and context for learning.

## COMMUNITY

- Learn about the communities that I work within and enact curriculum programs which are responsive to those contexts and community priorities.
- Connect with people, services and agencies within the communities that support children and families.
- Promote shared aspirations amongst communities in order to enhance children's health and wellbeing.
- Advocate for the development and implementation of laws and policies that promote child-friendly communities and work to change those that work against child and family wellbeing.
- Utilise knowledge and research to advocate for universal access to a range of high-quality early childhood programs for all children.
- Work to promote community understanding of how children learn, in order that appropriate systems of assessment and reporting are used to benefit children.

- Be sensitive to the vulnerabilities of children and families and respond in ways that empower and maintain the dignity of all children and families.
- Maintain confidentiality and respect the right of the family to privacy

## COLLEAGUES

- Encourage my colleagues to adopt and act in accordance with this Code, and take action in the presence of unethical behaviours.
- Build collaborative relationships based on trust, respect and honesty.
- Acknowledge and support the personal strengths, professional experience and diversity which my colleagues bring to their work.
- Share and build knowledge, experiences and resources with my colleagues.
- Make every effort to use constructive methods to manage differences of opinion in the spirit of collegiality.
- Collaborate with my colleagues to generate a culture of continual reflection and renewal of high-quality practices in early childhood.

## STUDENTS

- Afford professional opportunities and resources for students to demonstrate their competencies.
- Acknowledge and support the personal strengths, professional knowledge, diversity and experience which students bring to the learning environment.
- Model high-quality professional practices.
- Know the requirements of the students' individual institutions and communicate openly with the representatives of that institution.
- Provide ongoing constructive feedback and assessment that is fair and equitable.
- Implement strategies that will empower students to make positive contributions to the workplace.
- Maintain confidentiality in relation to students.



### MYSELF AS A PROFESSIONAL

- Base my work on contemporary perspectives on research, theory, content knowledge, high-quality early childhood practices and my understandings of the children and families with whom I work.
- Regard myself as a learner who undertakes reflection, critical self-study, continuing professional development and engages with contemporary theory and practice.
- Seek and build collaborative professional relationships.
- Acknowledge the power dimensions within professional relationships.
- Act in ways that advance the interests and standing of my profession.
- Work within the limits of my professional role and avoid misrepresentation of my professional competence and qualifications.
- Mentor other early childhood professionals and students.
- Advocate in relation to issues that impact on my profession and on young children and their families.
- Encourage qualities and practices of leadership within the early childhood profession.

### BE LEADERS IN THE EARLY LEARNING FRAMEWORK

#### RECOGNISES AND RESPECT ALL CHILDREN AS WE BELIEVE

- This is fundamental to their wellbeing which and comes from being acknowledged, understood and empathised within relationships that have meaning.
- diversity, richness and aspirations held for a child
- a child's capacities and interests,
- their right to learn worthwhile learning experiences,
- their innate eagerness to learn and to socialise
- their right to basic health and welfare

#### RESPECT OUR EMPLOYEES AS WE BELIEVE


- Every employee deserves the right to feel safe and secure in their working environment and not intimidated by anyone including our Families, community members and suppliers.
- Every employee deserves to be spoken to with respect and treated with respect
- The company has Zero Tolerance for any anti-social behaviour such as shouting, swearing, standing over, and physical or emotional abuse
- Should an employee ask a family, community member or supplier to leave the premises due to potential breach of the policy, this is to be respected and the person is to leave the premises immediately.

### EMPLOYER

- Support workplace policies, standards and practices that are fair, non-discriminatory and are in the best interests of children and families
- Promote and support ongoing professional development within my work team.
- Adhere to lawful policies and procedures and, when there is conflict, attempt to effect change through constructive action within the organisation or seek change through appropriate procedures.

### THE CONDUCT OF RESEARCH

- Recognise that research includes my routine documentation and investigations of children's learning and development, as well as more formal research projects undertaken with and by external bodies.
- Be responsive to children's participation in research, negotiating their involvement taking account of matters such as safety, fatigue, privacy and their interest.
- Support research to strengthen and expand the knowledge base of early childhood, and where possible, initiate, contribute to, facilitate and disseminate such research.
- Make every effort to understand the purpose and value of proposed research projects and make informed decisions as to the participation of myself, colleagues, children, families and communities.
- Ensure research in which I am involved meets standard ethical procedures including informed consent, opportunity to withdraw and confidentiality.
- Ensure that images of children and other data are only collected with informed consent and are stored and utilised according to legislative and policy requirements.
- Represent the findings of all research accurately.

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- Through their professional standing, their complex roles as educators, carers and learners they contribute to new understandings
  - Their work is important and what they do is critical to their own wellbeing in return Educators promote a culture of learning and a sense of connectedness and respect
  - They can work with optimism and agency to maximise the learning for each child in their care
  - They nurture a secure attachment as a trusted caregiver which is a prerequisite for health, wellbeing and creates a strong platform for learning

## 5.0 CONVENTION OF THE RIGHTS OF THE CHILD

We believe in upholding the Convention of the Rights of the Child, which extends to our Educators, Families, and Community. These four fundamental principles:

- Every Child, everywhere
  - Children should neither benefit nor suffer because of their race, colour, gender, language, religion, national, social or ethnic origin, or because of any political or other opinion; because of their caste, property or birth status; or because they are disabled.
- The best interest of the child
  - Laws and actions affecting children should put their best interests first and benefit them in the best possible way. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.
- Survival, development and protection
  - Children have the right to live. The authorities in each country must protect children and help ensure their full development — physically, spiritually, morally and socially.
- A Voice
  - Children have a right to have their say in decisions that affect them and to have their opinions taken into account. This does not mean that children can now tell their parents what to do. This Convention encourages adults to listen to the opinions of children and involve them in decision-making — not give children authority over adults. This does not interfere with parents' right and responsibility to express their views on matters affecting their children. Moreover, the Convention recognizes that the level of a child's participation in decisions must be appropriate to the child's level of maturity. Children's ability to form and express their opinions develops with age and most adults will naturally give the views of teenager's greater weight than those of a pre-schooler, whether in family, legal or administrative decisions.

## 6.0 CONSEQUENCES

An employee found to be in breach of this policy, or the related Think Corporate Code of Conduct or Privacy Policy may face disciplinary action including the termination of employment.

Any family, community member or supplier failing to follow this policy may have care suspended or be excluded from the service on a permanent basis.

### Responsibility

All employees are expected to uphold this Code of Conduct proactively and apply our Company expectations and values.





## 7.0 APPROVED VARIATIONS

There are no approved service specific variations to this base policy.

## 8.0 VERSION CONTROL

LIVE DATE	DECEMBER 2020	REVIEW DATE	DECEMBER 2021
PREPARED BY:	PEOPLE AND CULTURE TEAM		





# SUBSTANCE ABUSE PROCEDURE

## Internal Policy & Document References

EMP006 - Substance Abuse Policy

PCTEMP016 - Notification of Cause Drug and Alcohol Screen

PCTEMP018 - Notice of Suspension - Positive Instant Drug and Alcohol Screen

PCTEMP019 - Notice of Termination - Positive Drug Screen

PCTEMP021 - Notification of Random Drug and Alcohol Screen

## Introduction

Our Company is committed to establishing programs that promote a high standard of employee health and safety, including respectful treatment of employees.

The Company does not and will not condone:

1. The use, sale or possession of any illegal/prohibited substance or alcohol at the workplace or a work-related event.
2. The presence of employees affected by alcohol/drugs at the workplace or work-related event.

The Company reserves the right to terminate employment in the event an employee's use of drugs or alcohol impacts their performance, which may include a risk to the safety of children, the Company which may include damage to the reputation.

## Responsibility

<b>EMPLOYEE</b>	<ul style="list-style-type: none"><li>o Presenting fit for work to perform their duties so they do not place themselves or others at risk in the workplace, which includes children.</li><li>o Presenting to work with a 0.00 level of alcohol and clear of illicit drugs and any other drug that may impact fitness for work.</li><li>o Participate in random or causal drug and alcohol screening as requested.</li><li>o Report concerns or hazards relating to potential drug and alcohol use in the workplace.</li><li>o Promptly inform management if there is a potential policy breach of both themselves and co-workers.</li><li>o Seek advice and support from a manager before undertaking an action or activity that may be contrary to this policy.</li></ul>
<b>MANAGERS</b>	<ul style="list-style-type: none"><li>o Monitoring compliance with this policy by members of their team, which includes their team understanding of this policy.</li><li>o Notifying the People and Culture team or Senior Manager if there is an emerging concern about compliance with this policy.</li><li>o Supporting employees who may have an issue relating to drugs or alcohol in the workplace, including connecting them with the relevant professional help as per the Company's applicable policies and procedures.</li></ul>





<p><b>COMPANY &amp; PEOPLE AND CULTURE TEAM</b></p>	<ul style="list-style-type: none"> <li>o Maintaining and promoting a work environment which is free from the use of alcohol and illegal drugs including the abuse of legal drugs.</li> <li>o Supporting managers and employees in the event there is an issue relating to drugs or alcohol in the workplace, including connecting them with the relevant professional help as per the Company’s applicable policy and procedure</li> </ul>
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**Procedure**

As with all health evaluation information, the Company will keep confidential all testing and treatment information. Disclosure of test results outside of the relevant Company employees will be restricted on a need-to-know basis.

Employees may be requested to participate in a drug screen in the following circumstances;

<p><b>DURING RECRUITMENT AND SELECTION</b></p>	<ul style="list-style-type: none"> <li>o The Line Manager will make the arrangements with the company’s approved medical practitioner</li> </ul> <p>Company’s preferred Medical Practitioner details            Sonic HealthPlus            P: 1300 763 822            E: <a href="mailto:bookings@sonichealthplus.com.au">bookings@sonichealthplus.com.au</a>            W: <a href="https://www.sonichealthplus.com.au">https://www.sonichealthplus.com.au</a></p> <p>When booking your appointment, ensure you quote the correct company code.</p> <ul style="list-style-type: none"> <li>o Childcare Management Services: 1172097</li> <li>o K1 Payroll: 584942</li> <li>o The individual will be advised verbally outlining the details to perform the alcohol and drug screen in accordance with the Policy, including the arrangements to complete the testing.</li> </ul>
<p><b>RANDOM TESTING (WHOLE SERVICE OR COMPANY)</b></p>	<ul style="list-style-type: none"> <li>o The individual(s) will be advised verbally by the manager</li> <li>o The Manager will prepare the PCTEMP021 - Notification of Random Drug and Alcohol Screen and have approved by the People and Culture team</li> <li>o The Manager will issue to the employee outlining the details to perform the alcohol and drug screen in accordance with the Policy including the arrangements to complete the testing.</li> </ul>
<p><b>PROBABLE CAUSE</b></p>	<ul style="list-style-type: none"> <li>o Suspected reasonable grounds if the employee is suspected to be under the influence of drugs and/or alcohol. Such grounds include an employee who is:               <ul style="list-style-type: none"> <li>• unable to coordinate their actions,</li> <li>• has red or bloodshot eyes or dilated pupils,</li> <li>• smells of alcohol,</li> <li>• acts contrary to their normal behaviour,</li> <li>• participates in conversations relating to consuming illegal drugs</li> <li>• displays aggressive behaviour on or around the Organisation’s premises and threatens the employee’s wellbeing or wellbeing of others</li> </ul> </li> </ul>



	<ul style="list-style-type: none"> <li>• disruptive or threatening to an employee’s wellbeing or wellbeing of others,</li> <li>• or otherwise appears to be affected by drugs and/or alcohol,</li> <li>• deteriorating work history regarding attendance, tardiness or performance.</li> </ul> <ul style="list-style-type: none"> <li>o The reasoning for Probable Cause testing is to be escalated to the People and Culture Team to approve this should occur immediately when the cause is noticed.</li> <li>o Following direction from the People and Culture team, the line manager will contact the Organisation’s preferred Medical Practitioner to book the screen (details provided above).</li> <li>o The individual(s) will be advised verbally by the manager and discuss the conduct or behaviours that have led to concerns relating to fitness for work.</li> <li>o The employee will be given the opportunity to respond, this response should be documented in writing at this time via a file note.</li> <li>o The Manager will prepare the PCTEMP016 - Notification of Cause Drug and Alcohol Screen and have approved by the People and Culture team</li> <li>o The Manager will issue to the employee outlining the details to perform the alcohol and drug screen in accordance with the Policy including the arrangements to complete the testing.</li> <li>o Where the screen is not conducted at the work premise, the most appropriate person will accompany the employee to the medical centre and return them to work on completion of the screen.</li> <li>o Following this, the employee will complete an immediate alcohol and drug screen in accordance with this Policy.</li> </ul>
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Refusal to comply with a drug or alcohol screen request or failure to participate in after the processes prescribed in this policy shall be treated as a policy breach and may be grounds for termination, whereby the employee has failed to verify or demonstrate their capacity to contribute to and maintain a safe work environment for themselves and others, through fitness for work. Specimen alteration by an Employee will be grounds for dismissal or disqualification from employment consideration.

<b>NEGATIVE RESULT</b>	<ul style="list-style-type: none"> <li>o Should the screen return a negative result, the employee may return to normal duties and will be monitored for fitness for work by their Line Manager, this may include unscheduled screening for alcohol and drugs for a period determined by the company.</li> </ul>
<b>NON - NEGATIVE RESULT</b>	<ul style="list-style-type: none"> <li>o Should the immediate screen come back and it is required to be tested further, the employee will be sent home (suspended with pay) until further laboratory testing can be performed to confirm and verify the specific levels of toxicity of such results.</li> <li>o The Line Manger will issue the PCTEMP018 – Notice of Suspension – Positive Instant Drug and Alcohol Screen</li> </ul>



	<ul style="list-style-type: none"><li>o and issue to the to the employee with support and guidance from the People and Culture team.</li><li>o Results are sent to the People and Culture team, who will advise the line manager.</li><li>o The employee will be advised by their Line Manager of the results of the test and explained to them why such results are not in line with this Policy. The employee will be afforded the opportunity to respond.</li><li>o The employee will be advised that their employment will be terminated effectively immediately, any applicable notice will be paid in lieu of working – as approved by the People and Culture team.</li><li>o The employee will be encouraged to attend counselling or rehabilitation through their local GP. Any further costs will be at the employee’s expense.</li></ul>
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