

# The Kinder Garden



## Ethical Conduct Policy

### Aim

The Kinder Garden has adopted the Model Code of Conduct which sets out the minimum requirements of behaviour for employees in carrying out their duties. The Model Code of Conduct assists employees to understand the standards of conduct that are expected of them. It enables them to fulfill their statutory duty to act honestly and exercise care and also assists them to act in a way that enhances the community's confidence in the integrity of children's services.

#### KEY PRINCIPLES:

The Model Code of Conduct for The Kinder Garden is based on the following key principles:

- **Integrity**
- **Selflessness**
- **Respect**
- **Honesty**
- **Leadership**
- **Accountability**
- **Objectivity**
- **Openness**

### Legislative Requirements

Education and Care Services National Law Act 2010  
Education and Care Services National Regulations 2011  
Early Childhood Australia Code of Ethics  
National Quality Standards 2011  
Children and Young Persons (Care and Protection) Act 1998  
Ombudsman Act 1974

### Who is affected by this policy?

Educator  
Staff  
Management

### Implementation

#### **General Obligations**

You must avoid conduct that:

- Is detrimental to the pursuit of the aim of the centre.
- Is improper or unethical.
- Is an abuse of power.
- Causes or involves intimidation, harassment or verbal abuse.
- Causes or involves discrimination, disadvantage or adverse treatment in relation to employment.
- You must act lawfully, honestly and exercise diligence.
- You must treat others with respect at all times.

## **Fairness and Equity**

You have an obligation to consider issues fairly and consistently. That being, you must take all relevant facts into consideration and you must not take irrelevant matters into consideration when making decisions.

## **Harassment and Discrimination**

You must not harass or discriminate against others, or support those who do the same.

## **Development Decisions**

It is your duty to ensure that decisions are properly made and that parties involved are dealt with fairly.

If there is any uncertainty about the ethical issues around an action or decision you are about to take, you should consider these four points:

- Is the decision or conduct lawful?
- Is the decision or conduct consistent with centre policy and objectives?
- What will the outcome be for management, work colleagues, parents, children and any other parties?
- Do these outcomes raise a conflict of interest?

You have the right to question any instruction or direction given to you which you consider to be unethical. If you are uncertain you can seek advice from your Approved Provider/Nominated Supervisor or from the following organisations:

- **Independent Commission Against Corruption (ICAC)**  
**1800 463 909 (Toll Free) or 02 8281 5999**
- **NSW Ombudsman 02 9286 1000**

## **Gifts or Benefits**

You must not:

- Accept an offer of money, regardless of the amount.
- Seek or accept a bribe.
- By virtue of your position acquire personal profit. You may accept gifts or benefits of a nominal or token value that do not create a sense of obligation on your part.
- If you receive a gift of more than token value in circumstances where it cannot reasonably be refused or returned, you should accept the gift and disclose this promptly to your Approved Provider/Nominated Supervisor.

## **RELATIONSHIPS**

### **Obligations of staff**

The Approved Provider/Nominated Supervisor is responsible for the efficient and effective operation of the centre.

Employees have an obligation to:

- Give their attention to the operation of the centre while on duty.
- Ensure that their work is carried out efficiently, economically and effectively.
- Carry out lawful directions given by any person having authority.

### **Obligations during meetings**

You must respect Management, Educators other Staff, Parents or Visitors present during meetings.

### ***Inappropriate interactions***

The following interactions are inappropriate:

- Employees approaching other employees directly on individual staff matters that don't concern them.
- Use centre information for personal purpose or benefit.
- Disclose any information discussed during a confidential meeting.
- Use confidential information with the intention to improperly cause harm to another person.
- Convert any property of the centre to your own use unless properly authorised.
- Use the centre's computer resources to search for, download, access or communicate any material of an offensive, obscene, pornographic, threatening or abusive nature.

You must:

- Protect confidential information.
- Only access information needed for centre business.
- Not use confidential information for any non-official purpose.
- Only release confidential information if you have authority to do so.
- Only use confidential information for the purpose it is intended.
- Only release other information in accordance with established Centre policies and procedures and in compliance with relevant legislation.
- Be scrupulous in your use of Services property and should not permit misuse by any other person or body.

### **REPORTING BREACHES, COMPLAINT HANDLING PROCEDURES:**

#### ***Corrupt conduct, bad administration and waste of Services resources***

You should report any instances of the above in accordance with Services Grievance policy

#### ***Reporting breaches of the code of conduct***

You should report suspected breaches of the code of conduct to the Approved Provider/ Nominated Supervisor, preferably in writing.

#### ***Complaint handling procedures- Educator/other Staff conduct (excluding the Approved Provider/Nominated Supervisor)***

- Where appropriate the Approved Provider/Nominated Supervisor will make enquiries into breaches of the code of conduct regarding Educators or other Staff.
- Where the Approved Provider/Nominated Supervisor has determined not to enquire into the matter, the Approved Provider/ Nominated Supervisor will give the complainant the reason/s in writing.
- Enquiries made into all staff conduct which might give rise to disciplinary action must occur in accordance with the relevant legislation and make provision for procedural fairness.

**The Approved Provider/Nominated Supervisor will ensure that this policy is maintained and implemented at all times.**

## **Sources**

**Education and Care Services National Law Act 2010**

**Education and Care Services National Regulations 2011**

**Guide to National Quality Standards 2011**

**NSW Department of Education & Communities**

**Early Childhood Australia Code of Ethics**

**Independent Commission Against Corruption [www.icac.nsw.gov.au](http://www.icac.nsw.gov.au) Retrieved: 29<sup>th</sup> August 2016**

**NSW Ombudsman [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au) Retrieved: 29<sup>th</sup> August 2016**

## Review

The policy will be reviewed annually. Review will be conducted by management, employees, parents and any interested parties.

**Reviewed:** August 2018

**Date for next review:** August 2019