

(Updated September 2025)

Policy Statement:

This Child Safe Code of Conduct outlines expected standards of behaviour for all staff, educators, volunteers, practicum students and contractors at Mueller College Outside School Hours Care (OSHC), in line with our responsibility to provide a safe and nurturing environment for children and young people. This Code works in conjunction with the Mueller College OSHC Employee Code of Conduct, which outlines broader expectations of professionalism, conduct, and staff responsibilities.

Not adhering to expected standards of behaviour constitutes a breach of this Code of Conduct and may lead to disciplinary action. While certain actions may not individually amount to a serious violation, a series of such behaviours may reveal a concerning pattern that could compromise the safety and wellbeing of children and young people at our service.

Background:

The Education and Care National regulations require Service providers to have Policies and procedures that support consistent and safe interactions with children and young people from all those in the care environment.

Important terms:

Children and young people	Refers to the children and young people present in the care environment.
Educator	Refers to the staff employed by the Service to provide care for children and young people attending.
Nominated supervisor	An individual appointed by the approved provider who is responsible for the day-to-day management of the service.
Approved Provider	An individual or entity responsible for the operation of the education and care service and compliance with legal and regulatory requirements.
Child Abuse	Includes physical abuse, sexual abuse, emotional or psychological abuse, neglect, grooming, and any form of harmful behaviour toward a child.
Grooming	Inappropriate actions intended to establish an emotional connection with a child to lower their inhibitions in preparation for abuse.
Mandatory reporting	The legal obligation to report suspected child abuse or neglect to appropriate child protection authorities.
Zero Tolerance	A firm commitment that any form of child abuse or neglect will not be accepted under any circumstances.

Legislation:

National Quality Standard (NQS)

Quality Area 2: Children's Health and Safety
4: Staffing Arrangements
5: Relationships with Children
7: Governance and Leadership

2.2	Safety	Each child is protected
2.2.1	Supervision	Children are adequately supervised at all times.
2.2.2	Incident and Emergency Management	Plans are in place, practiced, and reviewed to effectively manage incidents and emergencies.
2.2.3	Child protection	Management, educators, and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect.
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional Collaboration	Staff work respectfully and ethically with each other.
4.2.2	Professional Standards	Staff and educators demonstrate professionalism, including following codes of conduct and child safety policies.
5.1	Relationship between educators and students	Respectful and equitable relationships are maintained with each child.
5.1.1	Positive educator to child interactions.	Interactions are warm, responsive, and build trust and security.
5.1.2	Dignity and rights of the child	Each child's dignity and rights are respected.
7.1	Governance	Governance supports the operation of a quality service.
7.1.2	Management systems	Systems are in place to manage risk and enable the effective operation of the service
7.1.3	Roles and responsibilities	Staff understand their roles and commit to service values and responsibilities.

7.2	Leadership	Effective leadership builds and promotes a positive organisational culture and professional learning community.
7.2.1	Continuous improvement	There is an ongoing cycle of planning and evaluation.
7.2.3	Development of professionals	Educators and staff are supported to learn and develop professionally.

Education and Care Services National Regulations

83	<p>Staff members and family day care educators not to be affected by alcohol or drugs</p> <p>(1) The approved provider of an education and care service must ensure that a nominated supervisor or a staff member of, or volunteer at, the service is not affected by alcohol or drugs (including prescription medication) so as to impair the person's capacity to supervise or provide education and care to children being educated and cared for by the service.</p> <p>Penalty: \$2200.</p> <p>(2) A nominated supervisor of an education and care service must not, while educating and caring for children for the service—</p> <ul style="list-style-type: none"> (a) consume alcohol; or (b) be affected by alcohol or drugs (including prescription medication) so as to impair the supervisor's capacity to supervise or provide education and care to the children. <p>Penalty: \$2200.</p> <p>(3) A family day care educator must not, while providing education and care for children as part of a family day care service—</p> <ul style="list-style-type: none"> (a) consume alcohol; or (b) be affected by alcohol or drugs (including prescription medication) so as to impair the educator's capacity to provide education and care to the children. <p>Penalty: \$2200.</p>
84	<p>Awareness of child protection law</p> <p>(1) The approved provider of an education and care service must ensure that a person specified in subregulation (2) who works with children is advised of—</p> <ul style="list-style-type: none"> (a) the existence and application of the current child protection law; and (b) any obligations that the person may have under that law. <p>Penalty: \$1100.</p> <p>(2) The following persons are specified—</p> <ul style="list-style-type: none"> (a) a nominated supervisor of the service; (b) a staff member of the service; (c) a volunteer at the service; (d) a student who participates in the service.
115	<p>The approved provider of a centre-based service must ensure that the education and care service premises (including toilets and nappy change facilities) are designed and maintained in a way that facilitates supervision of children at all times that they are being educated and cared for by the service, having regard to the need to maintain the rights and dignity of the children.</p>
168	<p>Education and care service must have policies and procedures</p> <p>(1) The approved provider of an education and care service must ensure that the service has in place policies and procedures in relation to the matters set out in subregulation (2).</p> <p>Penalty: \$1100.</p> <p>Note.</p> <p>These may include policies and procedures prepared by the approved provider in accordance with an education law of the participating jurisdiction.</p> <p>(2) Policies and procedures are required in relation to the following—</p> <ul style="list-style-type: none"> (a) health and safety, including matters relating to— <ul style="list-style-type: none"> (i) nutrition, food and beverages, dietary requirements; and (ii) sun protection; and (iii) water safety, including safety during any water-based activities; and (iv) the administration of first aid; and (v) sleep and rest for children, including the matters set out in regulation 84B; (b) incident, injury, trauma and illness procedures complying with regulation 85; (c) dealing with infectious diseases, including procedures complying with regulation 88; (d) dealing with medical conditions in children, including the matters set out in regulation 90; (e) emergency and evacuation, including the matters set out in regulation 97; (f) delivery of children to, and collection of children from, education and care service premises, including procedures complying with regulation 99; (g) excursions, including procedures complying with regulations 100 to 102; <ul style="list-style-type: none"> (ga) if the service transports or arranges transportation of children other than as part of excursions, transportation including procedures complying with Division 7 of Part 4.2 of Chapter 4; (gb) the safe arrival of children who travel between an education and care service and any other education or early childhood service within the meaning of regulation 102AA, including the matters set out in regulation 102AAB; (h) providing a child safe environment, including matters relating to the promotion of a culture of child safety and wellbeing within the service; <ul style="list-style-type: none"> (ha) the safe use of digital technologies and online environments at the service, including— <ul style="list-style-type: none"> (i) the taking, use, storage and destruction of images and videos of children being educated and cared for by the service; and (ii) obtaining authorisation from parents to take, use and store images and videos of children being educated and cared for by the service; and (iii) the use of any optical surveillance device at the service; and <p>Example</p>

	<p>The use of closed-circuit television.</p> <p>(iv) the use of any digital device issued by the service; and</p> <p>(v) the use of digital devices by children being educated and cared for by the service;</p> <p>(i) staffing, including—</p> <p>(i) a code of conduct for staff members; and</p> <p>(ii) determining the responsible person present at the service; and</p> <p>(iii) the participation of volunteers and students on practicum placements;</p> <p>(j) interactions with children, including the matters set out in regulations 155 and 156;</p> <p>(k) enrolment and orientation;</p> <p>(l) governance and management of the service, including confidentiality of records;</p> <p>(m) the acceptance and refusal of authorisations;</p> <p>(n) payment of fees and provision of a statement of fees charged by the education and care service;</p> <p>(o) dealing with complaints, including matters relating to—</p> <p>(i) the provision of a complaint handling system at the service that is child focused; and</p> <p>(ii) the management of a complaint that alleges a child is exhibiting harmful sexual behaviours.</p> <p>Note. A compliance direction may be issued for failure to comply with subregulation (1).</p>
170	<p>The approved provider of a centre-based service must take reasonable steps to ensure that nominated supervisors and staff members of, and volunteers at, the service follow the policies and procedures required under regulation 168. Penalty: \$1100.</p> <p>(2) The approved provider of a family day care service must take reasonable steps to ensure that nominated supervisors and staff members of, and family day care educators engaged by or registered with, the service follow the policies and procedures required under regulations 168 and 169. Penalty: \$1100</p>

Education and Care Services National Law

162	<p>(1) The approved provider of an education and care service must ensure that one of the following persons is present at all times that the service is educating and caring for children</p> <p>(a) the approved provider, if the approved provider is an individual or, in any other case, a person with management or control of an education and care service operated by the approved provider; (b) a nominated supervisor of the service; (c) a person in day-to-day charge of the service. Penalty— \$5,000, in the case of an individual. \$25,000, in any other case.</p>
162A	<p>The approved provider of an education and care service must ensure that each nominated supervisor and each person in day-to-day charge of the service has successfully completed the child protection training (if any) required by or under the law of this jurisdiction, a government protocol applying to the approved provider in this jurisdiction or otherwise required by this jurisdiction.</p>
165	<p>The approved provider of an education and care service must ensure that all children being educated and cared for by the service are adequately supervised at all times that the children are in the care of that service.</p>
166	<p>(1) The approved provider of an education and care service must ensure that no child being educated and cared for by the service is subjected to</p> <p>(a) any form of corporal punishment; or</p> <p>(b) any discipline that is unreasonable in the circumstances. Penalty— \$10,000, in the case of an individual. \$50,000, in any other case.</p> <p>(2) A nominated supervisor of an education and care service must ensure that no child being educated and cared for by the service is subjected to</p> <p>(a) any form of corporal punishment; or</p> <p>(b) any discipline that is unreasonable in the circumstances. Penalty—\$10,000.</p> <p>(3) A staff member of, or a volunteer at, an education and care service must not subject any child being educated and cared for by the service to</p> <p>(a) any form of corporal punishment; or</p> <p>(b) any discipline that is unreasonable in the circumstances. Penalty—\$10,000.</p>
167	<p>(1) The approved provider of an education and care service must ensure that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury. Penalty: \$11 400, in the case of an individual. \$57 400, in any other case.</p> <p>(2) A nominated supervisor of an education and care service must ensure that every reasonable precaution is taken to protect children being educated and cared for by the service from harm and from any hazard likely to cause injury. Penalty: \$11 400.</p>

Principles:

Mueller College OSHC maintains a zero-tolerance policy towards child abuse and is committed to providing a safe, supportive, and inclusive environment for all students. We actively listen to and empower children and young people, ensuring their voices are heard and respected. Robust systems are in place to protect students from harm, with all allegations and concerns taken seriously and addressed in line with service policies and procedures. We also prioritise cultural safety, recognising and respecting the unique needs of Aboriginal and Torres Strait Islander students, students with disabilities, and those from diverse cultural, linguistic, and gender backgrounds. Educators treat each child and their family with dignity, acknowledging individual differences in language, abilities, and preferences, and consistently promoting equality regardless of gender, race, culture, or background.

Procedure:

Children and Young People will:

- Be treated with respect, dignity, and care at all times.
- Have their voices encouraged and heard educators will take children's views seriously in decisions affecting them.
- Have access to and feel comfortable using established safe channels to raise concerns or disclose harm.
- Be taught about healthy relationships, boundaries, and what constitutes inappropriate behaviour.
- Feel supported to be their authentic selves, with active inclusion regardless of cultural background, ability, or identity.
- See visible efforts by staff to maintain safe spaces—e.g., open supervision, respectful interactions, and child-friendly processes.

Visitors, Contractors, Volunteers and Practicum students will:

- Abide by this code of conduct when attending the Service and ensure all child and young person interactions are in accordance with this policy and its procedures.

Educators will:

- Follow the Child Safety Code of Conduct at all times when working with children or in child-connected roles.
- Create an inclusive, respectful, and supportive environment, listening to children's voices and treating them with dignity.
- Consistently apply positive behaviour support and do not engage in any punitive or humiliating discipline.
- Avoid situations with unsupervised, one-on-one contact with children.
- Communicate observations or suspicions of child harm to the Nominated Supervisor or Child Safety immediately.
- Uphold confidentiality, respecting privacy and only sharing necessary information via the proper channels.
- Model professional conduct including being free from drugs or alcohol while on duty and following dress code respecting child-safe standards.
- Take all reasonable steps to protect students from harm or abuse
- Taking all disclosures of harm or abuse made by a child seriously by actively listening to and addressing their views and concerns—especially when a student shares that they, or another child or student, have experienced abuse or are feeling unsafe or concerned about someone else's safety.
- Participating in all compulsory training and professional development including training on child safety and wellbeing.
- Treating all students with respect, regardless of race, sex, gender identity, sexual orientation, language, religion, political or other opinion, nationality, cultural background, financial situation, disability or other characteristics.
- Considering the different needs of all students, supporting them to participate fully in programmes and activities and help them and their families feel included.
- Must not make racist comments under any circumstances and are required to report any such behaviour they witness or become aware of, in accordance with the service's policies and commitment to a respectful and inclusive environment.
- Reporting any conflicts of interest (such as an outside relationship with the child) that may affect your ability to perform your role.
- Conversations must remain age-appropriate and never include topics of a sexual, violent, or otherwise inappropriate nature.

- The tone of voice used with students should be calm, reassuring, and supportive, recognising that the way we speak to children directly impacts their sense of safety and wellbeing.
- Physical contact should only occur when it is necessary for the child's care, safety, or comfort, and always in ways that respect the child's dignity and personal boundaries. Examples of appropriate contact include guiding a child safely away from danger, administering first aid, comforting a distressed child with their consent (such as a side hug or pat on the shoulder), or assisting with activities that require support.
- Educators are expected to uphold the professional standards described in the Employee Code of Conduct while applying these specific child safety principles.

Educators will not:

- Ignore or disregard any concerns, suspicions or disclosures of child abuse or harm.
- Condone or participate in illegal, unsafe, abusive or harmful behaviour towards students – this includes physical violence, sexual abuse, emotional or psychological abuse, grooming, neglect or sexual misconduct.
- Develop a relationship with any student that amounts to favouritism or 'grooming' behaviour.
- Exaggerate or trivialise child abuse issues.
- Use hurtful or offensive behaviour or language with students.
- Fail to report information using the services reporting guidelines to Child safety, the nominated supervisor and/or police if you know or suspect within reasonable belief that a student has been abused.
- Offer students alcohol, cigarettes, e-cigarettes (vapes) or other illicit substances.
- Show students sexually inappropriate images.
- Converse with students on any topic that can be considered 'sexually' inappropriate.
- Use sexual language or gestures in the presence of students.
- Initiate unnecessary physical contact with students or do things of a personal nature that students can do for themselves such as changing clothes.
- Display behaviours or engage with students in ways that are not justified by the educational or professional context.
- Ignore other educator / staff members overly familiar or inappropriate behaviour towards a student.
- Treat a child or student unfavourably because of their disability, age, gender, race, culture, vulnerability, sexuality or ethnicity.
- communicate directly with a student through personal or private contact channels (including by social media, email, instant messaging, texting etc)
- Ensuring, as far as practicable, that adults are not alone with a student – one-to-one interactions between an adult and a student are to be in an open space or in line of sight of another adult.
- Staff must never use physical contact as a form of discipline, punishment, or control. All physical interactions should be open to observation, and staff should remain mindful that what feels appropriate to one child may feel uncomfortable to another.
- Staff must avoid sarcasm, derogatory remarks, discriminatory comments, or language that could humiliate or intimidate a child.

Babysitting

- Babysitting children and young people who attend our OSHC service is not part of our professional role and is considered a personal arrangement outside of work hours.
- Any educator undertaking a babysitting arrangement must disclose this to the nominated supervisor or approved provider.
- While families may approach educators for babysitting, any such arrangement must remain separate from the OSHC service.

- Educators must maintain professional boundaries at all times to protect the integrity of the educator-child relationship and ensure the safety and wellbeing of all children.
- Engaging in private babysitting may create a conflict of interest or risk perceptions of favouritism, which can affect professional conduct and workplace dynamics.

Gifts:

- Staff must not give personal gifts to students, as this can create perceptions of favouritism, blurred boundaries, or grooming behaviour.
- Where appropriate, recognition of children's achievements or celebrations (such as birthdays, student of the week or cultural events) should be acknowledged through group-based activities or service-wide practice.
- Stickers may be used as forms of encouragement to children and young people.

The Approved provider & Nominated Supervisor will:

- Uphold a zero-tolerance commitment to all forms of child abuse and prioritize child safety in every decision.
- Ensure the Child Safety Code of Conduct is consistently implemented and embedded in daily operations.
- Oversee regular risk assessments, child-safe training, and induction for all staff, volunteers, and newcomers.
- Respond promptly to any concerns or disclosures, guiding reporting under mandatory reporting regulations and the Child Safety Code.
- Lead efforts to embed cultural safety, inclusion, and participation, particularly for First Nations children and those from diverse backgrounds.
- Maintain robust records and documentation of safety incidents and training in line with policy requirements.
- Take reasonable steps to ensure that nominated supervisors, educators and staff follow these policies and procedures.
- Share the 'Child Safe Code of Conduct Policy and Procedure' with all employees upon their induction and ensure that copies of the policy and procedures are readily accessible to nominated supervisors, co-ordinators, educators and staff, and available for inspection.
- Additional professional development will be provided as needed and during review processes.
- All Service policy will be reviewed annually through consultation with all stakeholders or sooner should there be identified changes or updates to legislative requirement.

Breaches to this Code of Conduct

All Educators are regularly trained on the Code of Conduct and child safety requirements. It is the responsibility of everyone within our OSHC service to uphold these standards and ensure a safe, inclusive environment for all children.

All staff, volunteers, and contractors working within the Mueller Outside School Hours Care service are expected to adhere to our Child Safety Code of Conduct, which includes our commitment to child safety and wellbeing. Any breaches of this Code will be taken seriously and addressed promptly.

Examples of breaches include, but are not limited to:

- Engaging in behaviour that constitutes grooming or inappropriate physical contact with a child
- Using inappropriate, offensive, or discriminatory language in the presence of children

- Failing to report suspected child abuse or neglect as required by mandatory reporting obligations
- Breaching confidentiality related to a child's personal information or child protection matters
- Ignoring or failing to follow supervision and safety procedures that place children at risk
- Using social media or communication technologies to interact with children in a manner not sanctioned by the service
- Retaliating against a person who reports a child safety concern in good faith

Response to Breaches:

All suspected or actual breaches will be addressed through:

1. Immediate risk assessment to ensure the safety of children involved.
2. Internal investigation in accordance with our grievance and complaints procedures.
3. Mandatory reporting to relevant authorities, including child protection and emergency personal, where required by law.
4. Disciplinary action, which may include suspension, termination of employment or referral to external authorities.

See also:

- Mueller College OSHC Privacy and Confidentiality Policy & Procedure.
- Mueller College OSHC Role and Expectation of Staff Policy & Procedure
- Mueller College OSHC Duty of Care Policy & Procedure
- Mueller College OSHC Supervision Policy & Procedure
- Mueller College OSHC Insuring Risk Management Policy & Procedure
- Mueller College OSHC Workplace Health and Safety Policy & Procedure
- Mueller College OSHC Providing a Child Safe Environment Policy & Procedure
- Mueller College OSHC Notification and Reporting Policy & Procedure
- Mueller College OSHC Employee Code of Conduct Policy & Procedure

REFERENCES:

- Education and Care Services National Law Act 2010, Current as at October 2024
- Education and Care Services National Regulations, Current as at September 2025
- Education and Care Services National Law Act (QLD) 2011, Current as at September 2025
- Child Protection Act 1999 (Current as at 20 September 2025)
- Guide to the National Quality Framework, Revised September 2025
- National Quality Standard, Revised 1 February 2018
- Guide to the National Quality Standard, Revised May 2022
- The Code of Ethics - Early Childhood Australia Inc. (2025 update)
- Family & Child Commission Act 2014 (current as of 24 June 2024)
- Education and Care Services Act 2013, Current as at Feb 2024
- United Nations Convention on the Rights of the Child (Last modified 2 August 2014)
- Disability Discrimination Act 1992 (Current as at Oct 2024)
- Anti-Discrimination Act, 1991 (Current as at 1 Dec 2024)
- Child Protection Policy of Mueller College
- Child Protection Regulation 2023, Aug 2023
- Childcare Centre Desktop Child Protection Policy, 2023
- Guidelines for implementing the Universal Principal and Child Safe Standards, April 2025

REVIEW

POLICY REVIEWED BY:	Rachel Rose	OSHC Director	25/09/25
POLICY REVIEWED	SEPT 2025	NEXT REVIEW DATE	JAN 2026
VERSION NUMBER	V1.1		
MODIFICATIONS	<ul style="list-style-type: none"> New legislation 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		PAST REVIEW DATE
	<ul style="list-style-type: none"> New policy created. 		JULY 2025