



# Code of Conduct Procedure

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## Policy

The Code of Conduct Procedure falls under the Staff and Human Resources Policy. Hawthorn Early Years committed to providing excellent education and care to children attending the Service through recruiting, developing and supporting employees who are experienced, trained and motivated. The Service ensures that staff to child ratios are maintained at all times and clear systems are in place to determine responsibility.

## Application of Procedure

This procedure applies to the Board of Hawthorn Early Years, employees, students, volunteers and other contractors working at and/or representing the Service.

## Key Definitions:

**Bullying:** Bullying is the use of force, threat or coercion to abuse, intimidate or aggressively intimidate others; the behaviour is often repeated and habitual. One essential prerequisite is the perception, by the bully or others, of an imbalance of social or physical power. Bullying behaviour can be:

- Verbal – e.g. name calling, teasing, abuse, putdowns, sarcasm, insults, and threats.
- Physical – e.g. hitting, punching, kicking, scratching, tripping, spitting.
- Social – e.g. ignoring, excluding, ostracising, alienating, and making inappropriate gestures.
- Psychological – e.g. spreading rumours, gossiping, hiding or damaging possessions, malicious SMS, email messages, posts on social media.

**Discrimination:** The unjust or prejudicial treatment of different categories of people, especially on the grounds of disability, race, ethnicity, age, sex, intersex status, gender identity, ability, religious beliefs and sexual orientation.

**Ethical conduct:** Always behaving and engaging with others, including children, families and co-workers, in a manner underpinned by the principles of honesty, integrity, fairness, equity and good-faith.

**Grievance:** A grievance is a formal statement of complaint that cannot be addressed immediately and involves matters of a more serious nature e.g. the service is in breach of a policy or procedure or the service did not meet the care expectations of a family.

**Harassment:** The act of systematic and/or continued unwanted and annoying actions and/or words of one person or a group to another person or group that makes someone fearful, anxious and uncomfortable. The purposes may vary, including racial prejudice, personal malice, attempt/s to



force someone to quit a job or unwelcome physical, verbal or written behaviour of a sexual nature (sexual harassment).

**Respect:** Having due regard for other individuals rights, views, feelings and practices. Refraining from actions and behaviour that constitute bullying, harassment or discrimination.

### **Hawthorn Early Years is Committed to:**

Providing a professional, supportive and non-threatening workplace, which supports diversity and open communication between employees.

Upholding zero tolerance for discrimination based on disability, race, ethnicity, religion, sex, intersex status, gender identity or sexual orientation.

### **General Principles:**

This procedure outlines the expectations regarding employees' behaviour towards colleagues, supervisors and the overall Service.

Differing social and cultural standards may mean that behaviour that is acceptable to some may be perceived as unacceptable or unreasonable to others. All members of the Service have a responsibility to be mindful of this. They should also treat each other with dignity, courtesy, respect and refrain from harassment, bullying, discrimination or sexual harassment.

In furtherance to adhering to the Service philosophy, employees are expected to:

- Treat others at the Service with dignity, courtesy, respect, honesty and fairness.
- Respect different values, beliefs, cultures and religions.
- Value the contribution of the people who work at the Service.
- Work co-operatively.
- Use appropriate, non-aggressive language and gestures.
- Avoid belittling opinions or unreasonable and unconstructive criticism.
- Refrain from malicious or mischievous gossip or complaint.
- Avoid bullying, intimidation, and harassment or discriminate against others at the Service.

Legitimate management or administrative action delivered in a reasonable manner is not considered bullying or another form of inappropriate workplace/service-provider behaviour. Examples of legitimate action include:

- Occasional differences of opinion or lively constructive debate.
- Constructive, timely feedback, which identifies problems or performance issues.
- Setting reasonable performance objectives, expectations and standards, deadlines or directions.
- Refusing requests on the basis of the Service's policies, objective criteria and/or reason.



### **The Board of Governance will:**

Delegate operational responsibility and day-to-day management of the Service to the Nominated Supervisors. The Centre Director and Centre Manager will act as Nominated Supervisors for the Service.

Monitor the performance of the Association, including responsibilities contained in this procedure, through regular reporting and by ensuring appropriate resources are available to carry out the organisation's functions.

### **The Nominated Supervisor/s will:**

Model and promote the Code as well as understand, use and ensure compliance with the Service policies and procedures.

Ensure the appropriate development and training is provided to enable employees to act in accordance with the Code.

Support employees who report genuine concerns of inappropriate behaviour and make fair, transparent and consistent decisions regarding any allegation of behaviour that does not uphold the Code.

Respond to behaviour that is not consistent with the Code.

Treat suspected breaches of the Code on a case-by-case basis, considering all relevant circumstances. A breach of the Code may lead to disciplinary action in accordance with the Employee Performance Management Procedure, which may include termination of employment.

Provide a safe environment for employees, contractors, volunteers, students on placement, and others attending the programs and activities of the Service.

Ensuring that the Code is regularly discussed at staff meetings to reinforce expectations.

Work with employees and others at the Service to provide an environment that encourages positive interactions, supports constructive feedback and upholds the Code.

### **All employees, students and volunteers will:**

Take personal responsibility to uphold the Code and demonstrate the values and behaviours in the way they perform their duties or at any other time where they may be considered to be representing the Service.



Take appropriate action when inappropriate behaviour is directly experienced or observed. This includes:

- Keeping a factual record of the incident (e.g. the date, time, nature of behaviour, what was said, witnesses, etc.).
- Advising the person responsible for the behaviour that their behaviour is inappropriate and asking them to stop behaving in that way, to remove themselves from the area/room and/or to raise the issue in a more appropriate forum at a later time. This action should be taken if the employee is comfortable with interacting directly with the person responsible for the behaviour. This could solve the problem, particularly if the person responsible is unaware of their behaviour or the way it affects others.

Identify and report any conduct that is not consistent with the Code to the Service Leadership team.

Ensure their personal conduct and behaviour is at all times professional and lawful and does not reflect adversely on the reputation of the Service.

Perform their duties to a high standard and provide an environment that encourages positive interactions, supports constructive feedback and upholds the Code.

Act as a role model and when appropriate, give clear and respectful directions, which may include referencing this procedure.

Be prepared to have difficult conversations and use constructive processes to address differences of opinion or to shut down gossip.

Understand the obligations and rights of employees which are further underpinned by:

- Contract of Employment
- The Early Childhood Australia Code of Ethics
- The United Nations Convention on the Rights of the Child
- Service policies and procedures
- National principles for Child Safe Organisations

### **See also:**

1. Employee Performance Management Procedure
2. Staff and Human Resources Policy
3. Complaints and Grievance Procedure
4. Equal Opportunity and Anti-bullying Procedure
5. Inclusion, Equity and Anti-bias Procedure



I agree to adhere to this Code of Conduct:

Name: .....

Signature: .....

Date: .....