

# Code of Conduct

## Purpose

At Peak Sports and Learning our Code of Conduct is our frame of reference for daily decisions, our behaviour and how we conduct ourselves. It sets out our acceptable legal, moral and ethical standards. Knowing, understanding and demonstrating our Code of Conduct sets our standards as professionals in the outside school hours sector. It applies to each and every one of us at Peak Sports and Learning.

We strive to be a workplace that encourages teamwork, professionalism, creativity and collaboration. We aim to exceed expectations and meet a high standard in everything that we do.

This code of conduct does not cover every situation that we may encounter across the service, but it aims to support ethical decisions and sets high expectations for our conduct. As our service is governed by the Education and Care Services National Law and the Education and Care Services National Regulations, where the law or regulation is more restrictive than our Code, the law or regulation will supersede this Code.

Peak Sports and Learning supports the contributions of all our representatives bringing together skills, knowledge and experience to nurture happy and healthy minds and bodies so every child can reach their full potential.

## Considerations

<b>Education and Care Services National Regulations</b>	<b>National Quality Standard/s</b>	<b>Other Service policies/documentation</b>	<b>Other</b>
Regulations 168	Quality Area 4 Quality Area 7 National Quality Standard 4.2, 7.1	Child Protection Policy, Governance Policy, Multicultural, Inclusion & Anti-Bias Policy. HR & WHS Policy and Procedures	

## Responsibilities of Management

- Ensure that all employees receive a copy of the Code of Conduct and any other relevant documents.
- Promote a team spirit.
- Proactively communicate and role model standards of expected behaviour.
- Encourage everyone to share opinions in a free manner and allow for respectful debate and discussion.
- Avoid bias in decision making
- Ensure any allegations or convictions of a staff member or volunteer of reportable conduct is responded to immediately as per Child Protection Policy and to uphold and ensure Child Safe organisation.
- Address unsatisfactory work performance in an honest, fair and constructive way and investigate unacceptable conduct.

- Ensure any representatives who disclose information regarding unacceptable conduct are supported.
- Hold self and others accountable always acting in the best interests of children, employees and Peak Sports & Learning.

**Sources:** *Children (Education and Care Services) National Law Act 2010* (NSW).

*Education and Care Services National Regulations 2010* (NSW).

**Related Documents:** Governance Policy.

## In relation to children, we will:

- Act in the best interests of all children, treating them with respect and promoting the safety and wellbeing of children and young people.
- Communicate with the children in an age appropriate and realistic manner.
- Be willing to listen and respond appropriately to a child's views and concerns.
- Set clear boundaries about appropriate behaviour between myself and a child.
- Respect children as capable learners by including their perspectives in teaching, learning and assessment.
- Create and maintain safe, healthy, inclusive environments that support children's agency and enhance their learning.
- Provide a meaningful curriculum to enrich children's learning, balancing child and educator initiated experiences.
- Collaborate with children in learning about our shared responsibilities to the environment and humanity.
- Only have physical contact with a child in ways which are appropriate to my professional and responsibilities.
- Abide by my reporting obligations in relation to Peak Sports and Learning's Incident, Injury, Trauma, Illness and Child Protection.
- Respond quickly, fairly and transparently to any serious complaints made by a child or related to a child.
- Ensure that children are not discriminated against on the basis of gender, sexuality, age, ability, economic status, family structure, lifestyle, ethnicity, religion, language, culture, or national origin.
- Safeguard the security of information and documentation about children, particularly when shared on digital platforms.
- Uphold the rights of children as per the UN Rights of Children, The Office of the Children's Guardian Child Safe Standards and Education and Care Services National Law and Regulations, including but not limited to:
  - Ensure I am aware of the existence and application of child protection law and my obligations under the law (reg. 84)
  - Take every reasonable precaution to protect children from harm or any hazard likely to cause injury (s 167 National Law).
  - Encourage children to express themselves and their opinions (reg155)
  - Allow children to undertake experiences that develop self-reliance and self-esteem (reg 155)
  - Maintain at all times the dignity and rights of each child (reg 155)

- Give each child positive guidance and encouragement toward acceptable behaviour (reg 155)
- Have regard to the family and cultural values, age, and physical and intellectual development and abilities of each child being educated and cared for by the service (reg 155)
- Ensure that the service provides children being educated and cared for by the service with opportunities to interact and develop respectful and positive relationships with each other and with staff members of, and volunteers at, the service (reg 156)

## We will not:

- Communicate inappropriately with a child in ways that are likely to humiliate, frighten or distress the child (e.g. yell, swear, intimidate).
- Handle children roughly such as swinging child, pulling or grabbing.
- Subject a child to any form of corporal punishment, social isolation, immobilisation, sexual suggestion, offence or misconduct (s 166 National Law).
- Use tobacco products or possess or be under the influence of alcohol or illegal drugs at any time while working with children (reg 83).
- Develop any unprofessional or 'special' relationships with children that could be seen as grooming/favouritism such as the offering of gifts or special treatment.
- Do things of a personal nature that a child can do for themselves, such as toileting or changing clothes.

**Sources:** *Children (Education and Care Services) National Law Act 2010* (NSW).

*Education and Care Services National Regulations 2010* (NSW).

Convention on the Rights of the Child (CRC) 1989, (resolution 44/25), opened for signature 20 November 1989, entered into force 2 Dec 1990.

*Guide to Child Safe Standards*, Office of the Children's Guardian NSW, 2020.

*Code of Conduct*, Office of the Children's Guardian NSW, 2020 <<https://www.kidsguardian.nsw.gov.au/children-s-employment/code-of-conduct>>.

*Early Childhood Australia*, Code of Ethics, 2006 <<http://www.earlychildhoodaustralia.org.au/our-publications/eca-code-ethics/>>.

Australian Children's Education and Care Quality Authority (ACECQA) National Quality Standards (2018).

**Related Documents:** Interactions with Children Policy, Behaviours Support and Management Policy, Child Protection Policy, Tobacco Drug & Alcohol-Free Environment Policy, Use of Photographic and Video Images of Children Policy, Incident, Injury, Trauma and Illness Policy, Complaints Handling Policy,

## In relation to colleagues, we will:

- Encourage others to adopt and act in accordance with this Code, and take action in the presence of unethical behaviours
- Build a spirit of collegiality and professionalism through collaborative relationships based on trust, respect and honesty
- Communicate freely and respectfully with each other
- Support and empower others to make decisions
- Acknowledge and support the diverse strengths and experiences of colleagues in order to build shared professional knowledge, understanding and skills
- Use constructive processes to address differences of opinion in order to negotiate shared perspectives and actions
- Participate in a 'lively culture of professional inquiry' to support continuous improvement
- Implement strategies that support and mentor colleagues to make positive contributions to the profession
- Maintain ethical relationships in my online interactions.
- Support team members and accept responsibilities assigned as well as following reasonable instructions and directions of supervisors and management.
- Treat others with respect, fairness, courtesy and without any discrimination, harassment or bullying.
- Uphold and promote equal opportunities.
- Work and strive towards a team culture that minimises hazards and risks to prevent injuries from occurring.

**Sources:** *Children (Education and Care Services) National Law Act 2010* (NSW).

*Education and Care Services National Regulations 2010* (NSW).

*Guide to Child Safe Standards*, Office of the Children's Guardian NSW, 2020.

*Code of Conduct*, Office of the Children's Guardian NSW, 2020 <<https://www.kidsguardian.nsw.gov.au/children-s-employment/code-of-conduct>>.

*Early Childhood Australia*, Code of Ethics, 2006 < <http://www.earlychildhoodaustralia.org.au/our-publications/eca-code-ethics/>>.

Australian Children's Education and Care Quality Authority (ACECQA) National Quality Standards (2018).

**Related Documents:** Peak Sports & Learning Policies; Communication with Community Policy, Multicultural, Inclusion and Anti-Bias Policy, Participation of Volunteers and Students on Practicum Policy

Peak Employment Contract

Peak Employment Services Human Resources Policies

## In relation to families, the community and wider society, we will:

- Support families and respect their right to make decisions about their children
- Listen to and learn with families and engage in shared decision making, planning and assessment practices in relation to children's learning, development and wellbeing
- Develop respectful relationships based on open communication with the aim of encouraging families' engagement and to build a strong sense of belonging
- Learn about, respect and respond to the uniqueness of each family, their circumstances, culture, family structure, customs, language, beliefs and kinship systems
- Respect families' right to privacy and maintain confidentiality
- Learn about local community contexts and aspirations in order to create responsive programs to enhance children's learning, development and wellbeing
- Collaborate with people, services and agencies to develop shared understandings and actions that support children and families
- Promote the value of children's contribution as citizens to the development of strong communities
- Work to promote increased appreciation of the importance of childhood including how children learn and develop, in order to inform programs and systems of assessment that benefit children
- Advocate for the development and implementation of laws and policies that promote the rights and best interests of children and families

**Sources:** Children (Education and Care Services) National Law Act 2010 (NSW).

Education and Care Services National Regulations 2010 (NSW).

Guide to Child Safe Standards, Office of the Children's Guardian NSW, 2020.

Code of Conduct, Office of the Children's Guardian NSW, 2020 <<https://www.kidsguardian.nsw.gov.au/children-s-employment/code-of-conduct>>.

Early Childhood Australia, Code of Ethics, 2006 < <http://www.earlychildhoodaustralia.org.au/our-publications/eca-code-ethics/>>.

Australian Children's Education and Care Quality Authority (ACECQA) National Quality Standards (2018).

**Related Documents:** Interactions with children policy, Behaviours Support and Management Policy, Child Protection Policy, Tobacco Drug & Alcohol-Free environment policy, Confidentiality Policy, Communication with Community Policy, Multicultural, Inclusions and Anti-Bias Policy, Education, Curriculum and Learning Policy.

## In relation to professional standards, I will:

### Position responsibilities

- Hold and maintain a current working with children clearance.
- Maintain a high standard of conduct and behave in a manner which is consistent with Peaks values while at the workplace, when carrying out duties offsite, when in Peak Sports and Learning uniform, on social media and when interacting with colleagues, families and other parties affiliated with Peak.
- Maintain and develop the knowledge and skills necessary to carry out duties and responsibilities.
- Make decisions appropriate to my delegation and position held.
- Act with honesty and integrity in all aspects of employment carrying out assigned duties, work attendance, use of personal sick leave and reporting any suspected misconduct or breaches.
- Maintain punctuality. If you are late or cannot report for work, let a Director know as soon as possible.
- Carry out your duties to the best of your ability showing commitment to meeting all relevant legislation, rules and regulations.
- Take immediate action when a hazard or risk is identified and comply with Peak's Work Health & Safety policies and procedures at all times, including reporting all incidents and injuries immediately.
- Model quality practice and provide constructive feedback and assessment for training educators.
- Support changes and improvements as necessary to ensure a provision of high standards of care.

### Presentation

- Dress and present professionally in full uniform, clean and tidy, wearing a name badge and appropriate footwear.
- Maintain good hygiene standards and wear appropriate personal protective equipment (PPE) as necessary.

### Communication

- Ensure that any publicly published content on social media is appropriate and must not bring Peak Sports and Learning into disrepute.
- Not use communication technologies, such as email, mobile phones, text, instant messaging and social media 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.
- Not make any statements or provide information to any media bodies or on social media unless authorised to do so.
- No make any statements or provide information to government officials unless authorised to do so.

### Fraud

- Immediately report any suspected cases of fraud in the workplace to Directors.  
Fraudulent activities can include (not exhaustive):
  - Obtaining property belonging to Peak or another person by deception
  - Obtaining financial advantage or causing financial advantage by deception
  - Destroying, concealing or falsifying documents/records/information
  - Misusing information or resources belonging to Peak
  - Providing false or misleading statements with the intention to defraud

Specific examples of the above fraudulent activities in the work place can include (not exhaustive):

- Making a representation about the number of hours worked to obtain more money than what you are entitled to.
- Making personal purchases through the use of Peak's funds
- Using work time for private gain
- Personal use of Peak's resources
- If involved in a Workers Compensation claim, submitting falsified medical records/information
- Entering into agreements: You must not enter into an agreement on behalf of Peak without Peaks authority to do so

### **Conflicts of Interest**

- Understand that conflicts of interest can arise when my personal interests may conflict with the professional interests of the business.
- Disclose any conflicts of interests to the Directors, understanding that conflicts may adversely affect the reputation of either Peak and/or myself. Where unsure, advice and clarification are to be sought from the Directors.

Examples of situations that should be disclosed (not exhaustive):

- You are engaging in business with or are working for a competitor of Peak
- You are considering engaging with a family or multiple families who attend a Peak service to provide babysitting
- Directly working with a close relative
- Doing business with a supplier because they have given you or Peak a gift or benefit.
- Being involved in the selection process of a potential employee who is a close relative or friend

### **Gifts, benefits and hospitality**

- Ensure any gifts or hospitality valued over \$100 are disclosed to Directors, acknowledging that those who interact with Peak may provide their thanks through providing gifts or hospitality.
- Refuse gifts and hospitality from people and/or organisations that make decisions affecting Peak or conversely Peak makes decisions affecting them. For example, an organisation or person involved in the tender process. If in doubt, seek advise from a Director using the GIFT test.

### **Privacy & Confidentiality**

- Ensure security and confidentiality of information obtained in the course of employment.
- Understand the Privacy Act 1988 and Peak's Confidentially Policy sets out how we responsibly collect, store, use, share, transfer and dispose of personal information.
- Take care to safeguard confidential information when we hold conversations confidential in nature and only sharing information with those authorised to see or know such information.
- Promptly act on any unintended disclosure of confidential information.
- Safeguard information systems we access using unique usernames and passwords.

### **Intellectual property**

- Understand that all intellectual property rights will belong to Peak for any work such as documents, programs, systems, created or developed by you in connection with your employment.

- Understand and ensure all documents, resources and materials related to Peak belong to Peak and cannot be copied or reproduced in any way for use outside Peak.

### **Use of Peak's Property**

- Ensure the use of all Peak property is used carefully, lawfully, honestly and not misappropriated. Resources may include but not be limited to physical assets, motor vehicles, mobile phones, laptops, cash and Peak information.
- Not remove any Peak property from the workplace without permission
- Not use Peak property for personal use without permission
- Ensure that on termination of your employment, all property belonging to Peak including but not limited to confidential information, intellectual property, mobile phone, laptop, keys, documents, diaries is returned.

### **Unacceptable conduct** includes and is not limited to:

- Being adversely affected by or under the influence of drugs or alcohol while performing duties, representing Peak Sports and Learning or when driving a vehicle for work purposes.
- Misusing prescription drugs or using, possessing or selling illegal or unprescribed drugs while performing duties and or at any workplace location.
- Using unprofessional or offensive language or gestures towards fellow colleagues, children or families or engaging in unprofessional or unsolicited conversations
- Behaving in a fraudulent or dishonest manner
- Breaching any laws that govern the workplace
- Breaching Peak Sports and Learning confidentiality or privacy guidelines
- Working in a way that places yourself and/or others at risk
- Failing to comply with Child Protection Framework and/or Child Protection Policy
- Disregarding or failing to follow lawful and reasonable directions of management
- Engaging in any behaviour that may be considered or constitute bullying, discrimination or harassment.
- Making unauthorised statements or providing unauthorised information to the media or government officials.
- Inappropriate use of company information, systems or resources.
- Positing on social media, emailing or text messaging inappropriate, false or malicious comments or materials online regarding Peak Sports and Learning, the workplace, colleagues, children or families.

**Sources:** *Children (Education and Care Services) National Law Act 2010* (NSW).

*Education and Care Services National Regulations 2010* (NSW).

*Code of Conduct*, Office of the Children's Guardian NSW, 2020 <<https://www.kidsguardian.nsw.gov.au/children-s-employment/code-of-conduct>>.

*Early Childhood Australia*, Code of Ethics, 2006 <<http://www.earlychildhoodaustralia.org.au/our-publications/eca-code-ethics/>>.

**Related Documents:** Peak Sports & Learning Policies; Communication with Community Policy, Confidentiality Policy, Tobacco Drug & Alcohol-Free environment Policy  
Peak Employment Contract  
Peak Employment Services Human Resources Policies



## Version Control Table

Version Control	Date Released	Next Review	Approved by	Amendment
1	Jan 2014	March 2018	Directors	Amendments to procedures as needed annually.
2	March 2018	August 2019	Directors	Version Control table introduced. Rewritten and edited to reflect 2018 updated Quality Standards.
3	October 2020	December 2020	Directors	Reviewed with no amendments. Moved to new document review timeline.
4	December 2020	December 2022	Directors	Updated and forms part of new document 'Our Guiding Principles that includes our Philosophy, Values, Child Safe Commitment, and our Children's values.
5	December 2022	December 2023	Directors	Nil