

HDKA promotes a commitment to child safety, wellbeing, participation, empowerment, cultural safety and awareness including children with a disability, Aboriginal and Torres Strait Islander children and/or communities and children from cultural and/or linguistically diverse backgrounds.

HDKA has a zero tolerance of child abuse and a duty of care to prevent and manage child abuse risks including physical and online environments.

Purpose

This policy will provide guidelines to ensure:

- The development of positive and respectful relationships with each child at services administered by HDKA.
- Each child at services administered by HDKA is supported to learn and develop in a secure and empowering environment.

Values

HDKA is committed to:

- Maintaining the dignity and rights of each child at the service.
- Encouraging children to express themselves and their opinions, and to undertake experiences that develop self-reliance and self-esteem.
- Considering the health, safety and wellbeing of each child, and providing a safe, secure and welcoming environment in which they can develop and learn.
- Maintaining a duty of care (refer to *Definitions*) towards all children at the service.
- Considering the diversity of individual children at the service, including family and cultural values, age, and the physical and intellectual development and abilities of each child.
- Building collaborative relationships with families to improve learning and development outcomes for children.
- Encouraging positive, respectful and warm relationships between children and educators and staff at the service.

Scope

This policy applies to the Approved Provider (HDKA), Nominated Supervisor, Certified Supervisor, educators, staff, students on placement, volunteer s, parents or guardians, children and others attending the programs and activities of services administered by HDKA.

Background

The United Nations Convention on the Rights of the Child is founded on respect for the dignity and worth of each individual, regardless of race, colour, gender, language, religion, opinions, wealth, birth status or ability. Developing responsive, warm, trusting and respectful relationships with children promotes their wellbeing, self-esteem and sense of security. Positive interactions between educators/adults and children can empower children to feel valued, competent and capable.

Actively engaging in children's learning and decision-making during play, daily routines and ongoing activities can stimulate children's thinking, enrich their learning and encourage them to explore and manage their feelings and behaviour.

"Having supportive relationships with the nominated supervisor, educators, co-ordinators and staff members enables children to develop confidence in their ability to express themselves, work through differences, learn new things and take calculated risks" (*Guide to the National Quality Standard – refer to Sources*).

Regulation 155 of the National Regulations requires an Approved Provider of children’s services to take reasonable steps to ensure that the service provides education and care to children in a way that encourages them to express themselves, and develop self-reliance and self-esteem, maintains their dignity and rights, provides positive guidance and encouragement towards acceptable behaviour, and respects their cultural and family values.

Regulation 156 requires the Approved Provider to ensure that the service provides children with opportunities to interact and develop positive relationships with each other, and with the staff and volunteers at the service. To meet these requirements, the Approved Provider is expected to consider the size and composition of the groups in which the children are educated and cared for.

In developing an *Interactions with Children Policy*, early childhood education and care services must review and reflect on the philosophy, beliefs and values of the service, particularly with regard to the relationships with children. The development of this policy should also be informed by the service’s *Code of Conduct Policy* (particularly Attachment 1 – Professional standards for staff).

Legislation and standards

Relevant legislation and standards include but are not limited to:

- *Charter of Human Rights and Responsibilities Act 2006* (Vic)
- *Children, Youth and Families Act 2005* (Vic), as amended 2011
- *Child Wellbeing and Safety Act 2005* (Vic), as amended 2012
- *Disability Discrimination Act 1992* (Cth)
- *Education and Care Services National Law Act 2010*: Sections 166, 167
- *Education and Care Services National Regulations 2011*: Regulations 73, 74, 155, 156, 157, 168(2)(j)
- *Equal Opportunity Act 2010* (Vic)
- *National Quality Standard, Quality Area 5: Relationships with Children*
 - Standard 5.1: Respectful and equitable relationships are developed and maintained with each child
 - Standard 5.2: Each child is supported to build and maintain sensitive and responsive relationships with other children and adults

Definitions

Adequate supervision: (In relation to this policy) **supervision** entails all children (individuals and groups) in all areas of the service, being in sight and/or hearing of an educator at all times including during toileting, sleep, rest and transition routines. Services are required to comply with the legislative requirements for educator-to-child ratios at all times. Supervision contributes to protecting children from hazards that may emerge in play, including hazards created by the equipment used.

Adequate supervision refers to constant, active and diligent supervision of every child at the service. Adequate supervision requires that educators are always in a position to observe each child, respond to individual needs and immediately intervene if necessary. Variables affecting supervision levels include:

- number, age and abilities of children
- number and positioning of educators
- current activity of each child
- areas in which the children are engaged in an activity (visibility and accessibility)
- developmental profile of each child and of the group of children
- experience, knowledge and skill of each educator
- need for educators to move between areas (effective communication strategies).

Behaviour guidance: A means of assisting children to self-manage their behaviour. It differs from traditional 'behaviour management' or 'discipline' which generally implies that an adult is 'managing' children's behaviour or using punishment to control children. Behaviour guidance applies to all forms of behaviour, not just behaviours labelled as 'negative'.

Behaviour guidance plan: A plan that documents strategies to assist an educator in guiding a child with diagnosed behavioural difficulties to self-manage his/her behaviour. The plan is developed in consultation with the Nominated Supervisor, educators, parents/guardians and families, and other professional support agencies as applicable.

Challenging behaviour: Behaviour that:

- disrupts others or causes disputes between children, but which is part of normal social development
- infringes on the rights of others
- causes harm or risk to the child, other children, adults or living things
- is destructive to the environment and/or equipment
- inhibits the child's learning and relationship with others
- is inappropriate relative to the child's developmental age and background.

Notifiable complaint: A complaint that alleges a breach of the Act or Regulation, or alleges that the health, safety or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by the Approved Provider to the secretary of DET within 24 hours of the complaint being made (Section 174(2)(b), Regulation 176(2)(b)). If the Approved Provider is unsure whether the matter is a notifiable complaint, it is good practice to contact DET for confirmation. Written reports to DET must include:

- details of the event or incident
- the name of the person who initially made the complaint
- if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)
- contact details of a nominated member of the Grievances Subcommittee/investigator
- any other relevant information.

Written notification of complaints must be submitted using the appropriate forms, which can be found on the [ACECQA](#) website.

Preschool Field Officer (PSFO) Program: Early intervention outreach services that are universally available within state-funded preschools for any child with developmental concerns. The primary role of the PSFO Program is to support the access and participation of children with additional needs in preschool.

Serious incident: An incident resulting in the death of a child, or an injury, trauma or illness for which the attention of a registered medical practitioner, emergency services or hospital is sought or should have been sought. This also includes an incident in which a child appears to be missing, cannot be accounted for, is removed from the service in contravention of the Regulations or is mistakenly locked in/out of the service premises (Regulation 12). A serious incident should be documented in an *Incident, Injury, Trauma and Illness Record* (sample form available on the ACECQA website) as soon as possible and within 24 hours of the incident. The Regulatory Authority (DET) must be notified within 24 hours of a serious incident occurring at the service (Regulation 176(2)(a)). Records are required to be retained for the periods specified in Regulation 183.

Supervision: see **adequate supervision** in *Definitions* above.

Sources

- [Belonging, Being & Becoming – The Early Years Learning Framework for Australia:](#)
- [Early Childhood Australia \(ECA\) Code of Ethics \(2006\):](#)
- [Guide to the National Quality Standard, ACECQA](#)
- [Guiding children’s behaviour in child care – a NCAC Factsheet for Families:](#)
- [Inclusion and Professional Support Program \(IPSP](#)
- Rothwell, Philip (2008), ‘Guiding Children’s Behaviour’, from *Putting Children First*, Newsletter of the National Childcare Accreditation Council, 25 March, p16–18
- [United Nations Convention on the Rights of the Child:](#)
- [Victorian Early Years Learning and Development Framework:](#)
- [Victorian kindergarten policy, procedures and funding criteria, DET](#)

Service policies

- *Child Safe Environment Policy*
- *Code of Conduct Policy*
- *Complaints and Grievances Policy*
- *Curriculum Development Policy*
- *Inclusion and Equity Policy*
- *Occupational Health and Safety Policy*
- *Privacy and Confidentiality Policy*
- *Supervision of Children Policy*

Procedures

The Approved Provider (Hdka) is responsible for:

- Developing and implementing the *Interactions with Children Policy* in consultation with the Nominated Supervisor, Certified Supervisor, educators, staff and parents/guardians, and ensuring that it reflects the philosophy, beliefs and values of the service.
- Ensuring parents/guardians, the Nominated Supervisor and all staff are provided with a copy of the *Interactions with Children Policy* and comply with its requirements.
- Ensuring the Nominated Supervisor, educators and all staff are aware of the service’s expectations regarding positive, respectful and appropriate behaviour, and acceptable responses and interactions when working with children and families (refer to *Code of Conduct Policy*).
- Ensuring children are adequately supervised (refer to *Definitions*) and that educator-to-child ratios are maintained at all times (refer to *Supervision of Children Policy*).
- Ensuring the size and composition of groups is considered to ensure all children are provided with the best opportunities for quality interactions and relationships with each other and with adults at the service (Regulation 156(2)). Smaller group sizes are considered optimal.
- Ensuring educational programs are delivered in accordance with an approved learning framework, are based on the developmental needs, interests and experiences of each child, and take into account the individual differences of each child (refer to *Inclusion and Equity Policy*).
- Ensuring the educational program contributes to the development of children who have a strong sense of wellbeing and identity, and are connected, confident, involved and effective learners and communicators (Regulation 73) (refer to *Curriculum Development Policy*).
- Ensuring that the service provides education and care to children in a way that:
 - encourages children to express themselves and their opinions
 - allows children to undertake experiences that develop self-reliance and self-esteem
 - maintains the dignity and the rights of each child at all times
 - offers positive guidance and encouragement towards acceptable behaviour

- has regard to the cultural and family values, age, and the physical and intellectual development and abilities of each child being educated and cared for (Regulation 155)
- Ensuring clear documentation of the assessment and evaluation of each child's:
 - developmental needs, interests, experiences and program participation
 - progress against the outcomes of the educational program (Regulation 74) (refer to *Curriculum Development Policy*)
- Supporting educators/staff to gain appropriate training, knowledge and skills for the implementation of this policy.
- Ensuring the environment at the service is safe, secure and free from hazards for children (refer to *Child Safe Environment Policy, Occupational Health and Safety Policy and Supervision of Children Policy*).
- Ensuring that the Nominated Supervisor, educators and all staff members at the service who work with children are aware that it is an offence to subject a child to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances (National Law: Section 166).
- Promoting collaborative relationships between children/families and educators, staff and other professionals, to improve the quality of children's education and care experiences.
- Referring notifiable complaints (refer to *Definitions*), grievances (refer to *Definitions*) or complaints that are unable to be resolved appropriately and in a timely manner to the Grievances Subcommittee/investigator (refer to *Complaints and Grievances Policy*).
- Informing DET, in writing, within 24 hours of receiving a notifiable complaint (refer to *Definitions*) (Section 174(4), Regulation 176(2)(b)).
- Notifying DET, in writing, within 24 hours of a serious incident (refer to *Definitions*) occurring at the service (Section 174(4), Regulation 176).
- Ensuring that where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, such contact does not occur while the child is on the service premises.
- Ensuring educators and staff use positive and respectful strategies to assist children to manage their own behaviour, and to respond appropriately to conflict and the behaviour of others.
- Ensuring that individual behaviour guidance plans (refer to Attachment 1 – Procedures recommended for the development of a behaviour guidance plan) are developed for children with diagnosed behavioural difficulties, in consultation with the Nominated Supervisor, educators, parents/guardians and families, and other professionals and support agencies (refer to *Sources*).
- Developing links with other services and/or professionals to support children and their families, where required.
- Maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*).

The Nominated Supervisor is responsible for:

- Implementing the *Interactions with Children Policy* at the service.
- Ensuring educators, staff and parents/guardians are provided with access to a copy of the *Interactions with Children Policy* and comply with its requirements.
- Ensuring all staff are aware of the service's expectations regarding positive, respectful and appropriate behaviour, and acceptable responses and reactions when working with children and families (refer to *Code of Conduct Policy*).
- Ensuring children are adequately supervised (refer to *Definitions*), that educator-to-child ratios are maintained at all times (refer to *Supervision of Children Policy*) and the environment is safe, secure and free from hazards (refer to *Child Safe Environment Policy, Supervision of Children Policy and Occupational Health and Safety Policy*).

- Considering the size and composition of groups when planning program timetables to ensure all children are provided with the best opportunities for quality interactions and relationships with each other and with adults at the service. Smaller group sizes are considered optimal.
- Developing and implementing educational programs, in accordance with an approved learning framework, that are based on the developmental needs, interests and experiences of each child, and take into account the individual differences of each child (refer to *Inclusion and Equity Policy*).
- Ensuring the educational program contributes to the development of children who have a strong sense of wellbeing and identity, and are connected, confident, involved and effective learners and communicators (refer to *Curriculum Development Policy*).
- Ensuring that educators provide education and care to children in a way that:
 - encourages children to express themselves and their opinions
 - allows children to undertake experiences that develop self-reliance and self-esteem
 - maintains the dignity and the rights of each child at all times
 - offers positive guidance and encouragement towards acceptable behaviour
 - has regard to the cultural and family values, age, and the physical and intellectual development and abilities of each child being educated and cared for
- Ensuring clear and straightforward documentation of the assessment and evaluation of each child's:
 - developmental needs, interests, experiences and program participation
 - progress against the outcomes of the educational program (Regulation 74) (refer to *Curriculum Development Policy*).
- Organising appropriate training for educators/staff to assist with the implementation of this policy.
- Ensuring educators and all staff members at the service who work with children are aware that it is an offence to subject a child to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances (National Law: Section 166).
- Ensuring that procedures are in place for effective daily communication with parents/guardians to share information about children's learning, development, interactions, behaviour and relationships.
- Informing the Approved Provider of any notifiable complaints (refer to *Definitions*) or serious incidents (refer to *Definitions*) at the service.
- Ensuring that where the service has been notified of a court order prohibiting an adult from contacting an enrolled child, such contact does not occur while the child is on the service premises.
- Ensuring educators and staff use positive and respectful strategies to assist children to manage their own behaviour, and to respond appropriately to conflict and the behaviour of others.
- Ensuring that individual behaviour guidance plans (refer to Attachment 1 – Procedures recommended for the development of a behaviour guidance plan) are developed for children with diagnosed behavioural difficulties, in consultation with educators, parents/guardians and families, and other professionals and support agencies (refer to *Sources*).
- Cooperating with other services and/or professionals to support children and their families, where required.
- Maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*).

Certified Supervisors and other educators are responsible for:

- Assisting with the development and implementation of the *Interactions with Children Policy*, in consultation with the Approved Provider, Nominated Supervisor, parents/guardians and families.
- Ensuring access to the *Interactions with Children Policy* for parents/guardians and families.

- Complying with the requirements of the *Interactions with Children Policy*.
- Being aware of service expectations regarding positive, respectful and appropriate behaviour, and acceptable responses and reactions when working with children and families (refer to *Code of Conduct Policy*).
- Providing adequate supervision of children at all times (refer to *Definitions and Supervision of Children Policy*).
- Communicating and working collaboratively with parents/guardians and families in relation to their child's learning, development, interactions, behaviour and relationships.
- Delivering educational programs, in accordance with an approved learning framework, that are based on the developmental needs, interests and experiences of each child, and take into account the individual differences of each child (refer to *Inclusion and Equity Policy*).
- Delivering programs that develop a sense of wellbeing and identity, connection to community, and provide skills for lifelong learning in all children (refer to *Curriculum Development Policy*).
- Providing education and care to children in a way that:
 - encourages children to express themselves and their opinions
 - allows children to undertake experiences that develop self-reliance and self-esteem
 - maintains the dignity and the rights of each child at all times
 - offers positive guidance and encouragement towards acceptable behaviour
 - has regard to the cultural and family values, age, and the physical and intellectual development and abilities of each child being educated and cared for
- Developing warm, responsive and trusting relationships with children that promote a sense of security, confidence and inclusion.
- Supporting each child to develop responsive relationships, and to work and learn in collaboration with others.
- Using positive and respectful strategies to assist children to manage their own behaviour, and to respond appropriately to conflict and the behaviour of others.
- Developing individual behaviour guidance plans (refer to Attachment 1 – Procedures recommended for the development of a behaviour guidance plan) for children with diagnosed behavioural difficulties, in consultation with parents/guardians and families, and other professionals and support agencies (refer to *Sources*).
- Documenting assessments and evaluations for each child to inform the educational program (Regulation 74).
- Being aware that it is an offence to subject a child to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances.
- Maintaining confidentiality at all times (refer to *Privacy and Confidentiality Policy*).

Parents or guardians are responsible for:

- Reading and complying with the *Interactions with Children Policy*.
- Engaging in open communication with educators about their child.
- Informing educators/staff of events or incidents that may impact on their child's behaviour at the service (e.g. moving house, relationship issues, a new sibling).
- Informing educators/staff of any concerns regarding their child's behaviour or the impact of other children's behaviour.
- Working collaboratively with educators/staff and other professionals/support agencies to develop or review an individual behaviour guidance plan for their child, where appropriate.

Volunteers and students are responsible for following this policy and its procedures while at the service.

Attachments

Attachment 1: Procedures recommended for the development of a behaviour guidance plan

Attachment 1**Procedures recommended for the development of a behaviour guidance plan**

These procedures recommend steps that services can follow to develop a behaviour guidance plan for a child exhibiting challenging behaviour. These procedures should be adapted to suit individual services.

A caring relationship with an adult, who can provide the learning and emotional support required, is pivotal to dealing with a child's challenging behaviour (refer to *Definitions*). Challenging behaviour is best managed through a collaborative strategy developed between service staff and parents/guardians.

Excluding a child from the service should only be as a last resort. This decision should be made as part of the collaborative management of a child's behaviour, and based on a joint decision by the parents/guardians and family, and the Approved Provider, Nominated Supervisor, educators and other professionals involved in the education and care of the child (refer to *Inclusion and Equity Policy*).

Procedures**Step 1 – Observe**

- Observe children exhibiting challenging behaviour, including in the broader context of their environment, the culture of the service, and the interactions of the whole group and other educators working with the child.
- Identify, based on observations, whether there is a need to develop an individual behaviour guidance plan for the child.

Step 2 – Discuss

Invite parents/guardians to a meeting to discuss:

- The ongoing behaviour displayed by the child, including highlighting improvements and celebrating successes.
- Their aspirations as well as the service's aspirations for the child.
- The child's individual characteristics, including interests, temperament, age and cultural background.
- Recommended strategies to support the child's development, and how these strategies will be reviewed and evaluated.
- Resources or changes to the environment/program that may be required for a behaviour guidance plan to be implemented e.g. Changes to routines and transitions.
- The support already accessed by the family to assist with managing the child's behaviour
- Other support available, such as a preschool field officer (refer to *definitions*), referral for specialist assessment and additional adult support (written consent is required from parents/guardians before any intervention/assessment is undertaken).
- Any other matter that will assist with the development of a behaviour guidance plan.

Step 3 – Consult

- If appropriate, and with the permission of parents/guardians, consult with other support agencies or service providers who are already working with the child, to assist with the development of a behaviour guidance plan.

Step 4 – Develop

Develop an individual behaviour guidance plan, based on consultation with the child's parents/guardians and other support agencies, that is:

- Appropriate to the needs of the child and accepted/agreed to by parents/guardians and other professionals involved in the education and care of that child.

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- Clear and easy to follow for all educators, staff, parents/guardians and/or volunteers/students working with the child.

Step 5 – Monitor and review

- Continually review, reflect, evaluate and revise the strategies that have been implemented.
- Communicate with the parents/guardians regarding the child's progress and involve them in evaluating and revising the strategies.

Roles and responsibilities

The following are the roles and responsibilities of the various individuals working with the child at the service.

The Approved Provider (HDKA) is responsible for:

- Ensuring that there is a behaviour guidance plan developed for a child if educators are concerned that the child's behaviour may put the child themselves, other children, educators/staff and/or others at risk.
- Ensuring that parents/guardians and other professionals (as appropriate) are consulted if an individual behaviour guidance plan has not resolved the challenging behaviour.
- Consulting with and seeking advice from DET if a suitable and mutually agreeable behaviour guidance plan cannot be developed.
- Ensuring that they are notified if a complaint is received about a child's interactions or behaviour e.g. when the safety of other children is in question.
- Ensuring that if a complaint is received every attempt is made to resolve the issue by consultation and investigation as soon as possible.
- Ensuring that additional resources are sourced if required to implement a behaviour guidance plan.
- Ensuring that educators/staff at the service are provided with appropriate training to guide the actions and responses of a child/children with challenging behaviour.

The Nominated Supervisor is responsible for:

- Developing the behaviour guidance plan in consultation with the Certified Supervisor, educators and the parents/guardian of the child, and other professionals and services as appropriate.
- Consulting the *Complaints and Grievances Policy* to ensure compliance with service procedures, and regulatory and legislative requirements.
- Consulting educators for their professional evaluation of the situation, and drawing on their expertise in relation to developing strategies and identifying resources required.
- Meeting with the parents/guardians of the child concerned to develop and implement a behaviour guidance plan.
- Supporting educators by assessing skills and identifying additional training needs in the area of behaviour guidance.
- Investigating the availability of extra assistance, financial support or training, by contacting the regional Preschool Field Officer (refer to *Definitions*), specialist children's services officers from DET or other agencies working with the child.
- Setting clear timelines for review and evaluation of the behaviour guidance plan.

Certified Supervisors and other educators/staff are responsible for:

- Observing children's challenging behaviour and identifying the need to develop a behaviour guidance plan to support a child in self-managing their own behaviour.
- Assisting the nominated supervisor to develop a behaviour guidance plan in consultation with parents/guardian and other professionals as appropriate.
- Implementing a behaviour guidance plan and incorporating identified strategies and resources into the service program.

- Undertaking relevant training that will enable them to guide children who exhibit challenging behaviour.
- Maintaining ongoing communication and consultation with parents/guardians.
- Providing regular progress reports to the Approved Provider and Nominated Supervisor on the implementation and effectiveness of the agreed strategies contained in an individual behaviour guidance plan.
- Maintaining the confidentiality of information provided by parents/guardians unless written consent is provided to disclose information to relevant parties.
- Providing their observations, professional evaluation and expertise in reviewing individual behaviour guidance plans.
- Providing other information, as relevant, to the Approved Provider and Nominated Supervisor to assist with the resolution of any issues.