

WODEN EARLY CHILDHOOD CENTRE

CONDUCT WITHIN THE CENTRE POLICY

POLICY STATEMENT: *The relationship between parents, staff/staff and children impacts the well-being of all our children and should serve as a role model for healthy, adult interactions. The purpose of this policy is to ensure that all persons using the Centre show respect to each other.*

This policy supports inclusive practices at Woden Early Childhood Centre. Please refer to the Inclusion Policy.

RATIONALE:

The Human Rights and Equal Opportunity commission tells us that : “All employers are required to create a workplace that is free from discrimination and harassment. These responsibilities are set out in a range of state and federal laws which help protect people from unlawful behaviour.”

SCOPE: this policy applies to all family members, staff members, students and volunteers who visit the Centre.

• RELEVANT LEGISLATION:

- *Age Discrimination Act 2004*
- *Disability Discrimination Act 1992*
- *Racial Discrimination Act 1975*
- *Sex Discrimination Act 1984*
- *Human Rights and Equal Opportunity Commission Act 1986*

QUALITY ASSURANCE SYSTEM:

Quality improvement and Accreditation System, Quality Practices Guide 2005, Principle 2.1, 2.2, 2.3, 7.1.

LOCATION OF INFORMATION

This information is made available to all staff and families through the orientation process and the provision of the policy CD. Policies are printed for families and staff on request.

Source Documents

Information for employers. Good Practice, Good business: Eliminating discrimination and

Woden Early Childhood Centre

Existing policy updated to reflect the format of Community Child Care Co-operative Model Policy

harassment in the workplace retrieved from

http://www.hreoc.gov.au/info_for_employers/index.html on November 26 2008

POLICY REVIEW

This policy is reviewed on a biannual basis initially by the Centre's staff and then by families. Once the Policy has been reviewed and any changes are made it goes to the Management Committee for ratification. Please refer to the Policy development and review policy.

Date endorsed by Committee: 24.3.09

Date to be reviewed: 4.3.10

DEFINITIONS ACQUIRED FROM THE HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION

unlawful discrimination : when someone, or a group of people, is treated less favourably than another person or group because of their race, colour, national or ethnic origin; sex, pregnancy or marital status; age; disability; religion; sexual preference; membership of a trade union activity; or some other characteristic specified under anti-discrimination or human rights legislation.

Under federal and state legislation unlawful harassment occurs when someone is made to feel intimidated, insulted or humiliated because of their race, colour, national or ethnic origin; sex; disability; sexual preference; or some other characteristic specified under anti-discrimination or human rights legislation. It can also happen if someone is working in a 'hostile' - or intimidating - environment

The nature of harassment/discrimination

Harassing behaviour can range from serious to a less serious nature; however one-off incidents can still constitute harassment. Also, where continued, such behaviour can undermine the standard of conduct within a work area, which may erode the well being of the individual or group being targeted and lead to lower overall staff performance.

The absence of complaints is not necessarily an indication that no harassment or discrimination is occurring. The person subjected to harassing or discriminating behaviour does not always complain. This is not necessarily because the act is deemed as trivial, but because the person may lack the confidence to speak up on their own behalf or feel too intimidated or embarrassed to complain.

Hostile working environment

Employers also need to be aware of their responsibilities to ensure that the working environment or workplace culture is not sexually or racially 'hostile'. Examples of a potentially hostile working environment are where pornographic materials are displayed and where crude conversations, innuendo or offensive jokes are part of the accepted culture. A person has the right to complain about the effects of a sexually or racially hostile working environment, even if the conduct in question was not specifically targeted at them.

What harassment/discrimination is not

Workplace harassment or discrimination must not be confused with legitimate comment and advice (including relevant negative comment or feedback) from managers and supervisors on the work performance or work related behaviour of an individual or group.

The process of providing feedback to staff during a formal performance appraisal, or counselling staff regarding their work performance, will not always be free of stress. Managers should manage these processes with sensitivity, but they should not avoid their responsibility to provide full and frank feedback to staff.

What is workplace bullying?

One definition of workplace bullying is: "the repeated less favourable treatment of a person by another or others in the workplace, which may be considered unreasonable and inappropriate workplace practice. It includes behaviour that intimidates, offends, degrades or humiliates a worker". (Source ACTUQ/QCCI/Qld Govt Dept of Workplace Health and Safety)

Bullies usually utilise power attributed to their status, skills or position in the workplace, and both men and women can be the targets and/or the perpetrators. Workplace bullying can occur between a worker and a manager or supervisor, or between co-workers.

Bullying behaviour can range from very obvious verbal or physical assault to very subtle psychological abuse. This behaviour may include:

- physical or verbal abuse
- yelling, screaming or offensive language
- excluding or isolating employees
- psychological harassment
- intimidation
- assigning meaningless tasks unrelated to the job
- giving employees impossible jobs
- deliberately changed work rosters to inconvenience particular employees
- undermining work performance by deliberately withholding information vital for effective work performance

Roles and responsibilities of all stakeholders

Family members including parents, guardians and all other adults visiting the Centre are expected to conduct themselves in a courteous and respectful manner towards each other and staff showing that they:

- 1) respect that while staff are on duty, their primary responsibility is to provide care for the children in their care. During this time staff are not authorised to deal with complaints and will ask that a person involved wait until an appropriate time, speak directly to the Centre's Director or, where appropriate, to the Room Leader outside the child's rooms.
- 2) understand that, even though it is policy that issues/complaints involving staff should not be discussed in front of the children, staff members or parents should feel that they can communicate their concerns and complaints directly with a member of staff, provided it is done in a civilised and considerate manner. Please

make staff aware that you have a concern and they will be happy to advise of a convenient arrangement to assist in its resolution

- 3) understand that they may also talk directly to the Director of the Centre if they feel it is appropriate.
- 4) do not display anger or hostility towards anyone in the Centre. These displays are unacceptable and parents are reminded neither the Director nor other staff have the authority to change centre policy. Issues of policy should be brought before the Centre's management committee.

STAFF

Whilst staff members are expected to communicate with families in a respectful way, they do not have to continue the interaction where they feel threatened, harassed, bullied or discriminated against. In this event they should

- 1) encourage the parent to take the conversation away from the children;
- 2) seek advice from a senior staff member or the Director;
- 3) report harassment, discrimination or bullying to the director or senior staff member;
- 4) document in writing the events that have occurred;
- 5) support each other during and after an event ; and
- 6) speak to the Director

Staff members have the right to

- 1) hang up the phone – if the event is occurring over the phone, stating “you are not being reasonable, I am hanging up now. please call back when you are calm.”
- 2) move away from the person causing the event; and
- 3) seek the support of other staff members

Management Committee

As an employer the management committee “is required to create a workplace that is free from discrimination and harassment.” (Human Rights and Equal Opportunity Commission). Where parent conduct within the centre has been unacceptable or of a repeated nature, the committee will become involved.

Consequences of unacceptable conduct

Certain actions are so serious that they will lead to immediate disciplinary action.

Such actions include but are not limited to:

- Comments of a sexual nature;
- Racial, ethnic or religious slurs;
- Violence, threats or inappropriate language;
- Consumption of alcohol or illicit substances on the Centre's property; or
- Disrespect towards the staff, children or other parents

Disciplinary Action

If there is a violation of Centre Policy, this violation will be brought to the attention of the person concerned. First time violations or minor incidences may be discussed verbally with the person by the Director or an Executive Member of Management Committee. The Director or Executive member may give a person formal verbal warning and a written record will be kept in the centre records, a copy of that record will be made available to the person. More serious violations or repeated minor violations will result in a written warning from the Management Committee to the person. The person will be asked to formally acknowledge the warning and corrective actions may be required. As a last resort, Management Committee may ask the person to leave the centre. Timing of the departure will be at the discretion of Management Committee. A person who disagrees with any disciplinary action may submit a complaint through the Centre's complaint process.