

POLICY NO. 28 EMPLOYEE CODE OF CONDUCT POLICY**REV: 6 DATE: 16.08.2021****Purpose of Policy**

The purpose of this policy is to ensure clarity for all employees of Killorglin Community Childcare Centre Ltd in relation to what conduct is expected from them both inside and outside of the work place.

Killorglin Community Childcare Centre is committed to providing a welcoming and enjoyable work setting that is professional and adheres to the relevant regulations and national policies for taking care of children.

Employees are expected to be familiar with the HSE/Tusla Pre-school Regulations 2006, the Childcare First Act (2010) and the Childcare Regulations of 2016. Staff must also sign a Confidentiality Agreement and sign an agreement to say that they have read and understand all Policies and Procedures of the Centre.

Conduct that is considered unacceptable:

Openly discussing a child in-front of a child. These discussions should only take place if they are of a professional nature and relate to a specific incident and the child is not aware on them.

Examples of undesired behavior would include the following:

- Foul language
- Holding private or adult discussions in-front of children
- Slamming doors
- Poor manners
- Speaking about others in a negative way
- In appropriate mobile phone use
- Breach of confidential information
- Disrespecting other employees and/or their position

The welfare of the child comes before any other consideration and staff, management and others engaging with children must adhere to this principle. You must not do anything that will in anyway endanger a child.

Staff should treat children at all times in line with the positive behaviour management policy and in line with recognised best childcare practice. Where anyone has a concern as to the welfare of the child they must act on that concern in line with the child protection policy of the Service or alternatively by contacting the Tusla duty social worker.

Please note that under the terms of The Protection for Persons Reporting Child Abuse Act, 1998 immunity is provided from civil liability to persons who report child abuse “reasonably and in good faith” to Tusla or the Gardaí. This means that, even if a reported suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the reporter had not acted reasonably and in good faith in making the report. This Act came into operation on 23rd January, 1999.

It also means that you cannot be victimised by your employer for reporting a child abuse concern if you did so in good faith. ‘Employees please note that where an organisation decides not to report concerns to the HSE or An Garda Síochána the individual employee who raised the concern should be given a clear written statement of the reasons why the employer is not taking such action.

The employer should further be advised that if they remain concerned about the situation, they are free as individuals to consult with, or report to, the HSE or An Garda Síochána.’ (Children First, National Guidance for the Protection and Welfare of Children, p.16)

The Service requires all staff and management to display a duty of care to the Service in respect of business ethics and to protect confidential information. It is the policy of the Service to consistently conduct its business with honesty and integrity and in compliance with all legal and ethical standards, together with established Service policies.

Each employee is also required to conform to a high standard of ethics in relation Service activities with parents, staff of other agencies, suppliers and visitors to the Service. The Service is committed to policies and practices that promote diversity and provide equality of opportunity for all, protect the dignity of employees and promote respect for others at work.

All employees and members of the Service are required to take personal and individual responsibility to comply with these policies and behave in a non-discriminatory way and not to participate in any acts of inappropriate behaviour, harassment or bullying.

All employees and members of the Service must have due regard for the health and safety of themselves, their colleagues and the company’s workplace in general. Employees must declare in writing any potential conflict of interest that might affect their impartiality in carrying out their duties. Employees pursuing other business activities are asked to inform the Service so the Service is not in breach of the Organisation of Working Time Act 1997.

Employees must not accept gifts or favours from parents, or suppliers which could compromise them. If they deem it prudent to accept such gifts, such as at Christmas, due to illness or at the end of the year, they must give them to the Manager who will give them a note acknowledging they received the same.

All persons employed by the Service have a duty to promptly report to the manager/employer, any evidence of any improper conduct or practice of which they are or become aware. (Improper conduct means any illegal, fraudulent, dishonest, negligent or otherwise unethical action arising in connection with the Service).

Employees are required to protect confidential information and not disclose it to others. You may not remove any documents or items belonging to the company or which contain any confidential information from the Service's premises at any time without proper advance authorisation. Employees should not discuss the children who attend the Service, their parents/carers and other staff with others in the community in a manner that is not professional and in the best interest of any of these parties.

Employees must not discuss the Service, its employees, children, parents or anyone with whom they come in contact with on any social media, or transfer any images of the service or those involved using such media.

At all times employees and employers must behave with honesty and integrity and respect the rights and privacy of others in relation to electronic communication and information.

It is the responsibility of each person who utilises electronic communications to safeguard Service information by understanding and complying with all policies in this area. The Service reserves the right to monitor all electronic communication and files.

Staff members must treat each other with dignity and respect and in a professional manner. Staff members are expected to work & communicate together, as a team for the benefit of the children.

Where issues arise among staff members these should be dealt with in accordance with the procedures laid out, such as staff support and supervision and if necessary the grievance, bullying and other relevant procedures.

Parents must be treated at all times with dignity and respect – any issues relating to the behaviour of the parent should be referred to the Manager immediately. Upon termination of employment, employees shall return all material related to the service such as the employee handbook, letters, notes, notebooks, reports and all other materials of a secret or confidential nature or under the control of employees and management. They remain at all times the property of the Service.

Breaches of this code of conduct, other employee policies and procedures, and other company procedures will be regarded as a breach of discipline and will be dealt with in accordance with the Service's employee disciplinary procedure.

This code of conduct applies to all work related activities including activities outside of the service such as training and social events. If you are aware of any factor that will improve the health, welfare and job satisfaction in the workplace please bring this to our attention.

Behavioural management – please remember always to be very careful how you deal with a child regardless of their age. Remember to use age appropriate techniques and language. If you are unsure of what is suitable then it should be raised at a section meeting with other team members and your supervisor.

Always be aware of how you physically interact with a child, and this should always be age appropriate. If a staff member is unsure of the parameters/ standards that apply to this area, they should seek advice from a more senior staff member or supervisor.

We recognise that there may be occasional times when a child's behaviour presents particular challenges that may require physical handling. There is some guidance set out below for the use of physical handling for all adults in our setting.

Definitions of physical intervention and physical handling

There are three main types of physical intervention:

Positive handling

The positive use of touch is a normal part of human interaction. Touch might be appropriate in a range of situations:

- Giving guidance to children (such as how to hold a paintbrush or when climbing).
- Providing emotional support (such as placing an arm around a distressed child).
- Physical care (such as first aid or toileting).

Staff must exercise appropriate care when using touch. There are some children for whom touch would be inappropriate, such as those with a history of physical or sexual abuse. The setting's policy is not intended to imply that staff should no longer touch children.

Physical intervention

Physical intervention can include mechanical and environmental means such as high chairs, stair gates or locked doors. These may be appropriate ways of ensuring a child's safety.

Restrictive physical shielding / intervention

This is when a member of staff uses physical force intentionally to restrict a child's movement against his or her will, reducing any risk to the child, other children or adults in the immediate area. In most cases this will be through the use of the adult's body rather than mechanical or environmental methods. This guidance refers mainly to the use of restrictive bodily physical intervention that will only be utilised if a danger is posed to the child in question or other children in the area.

This normally takes the form of a staff member intervening and using their body as a shield to prevent the child from striking out, breaking out etc and causing harm to themselves or others. It does **not** mean that staff restrain a child physically with their hands or other bodily parts.

Adults will only use restrictive physical shielding / intervention in extreme circumstances. It must not be the preferred way of managing children's behaviour. We recognise that physical intervention shielding should only be used in the context of a well-established and well implemented positive framework structure.

We aim to do all we can in order to avoid using restrictive physical shielding intervention. However there are clearly rare situations of such extreme danger that create an immediate need for the use of restrictive physical shielding intervention e.g. a child about to run onto a road. Restrictive physical shielding intervention in these circumstances can be used with other strategies such as saying 'stop'.

When physical shielding intervention is used, it is used within the principle of reasonable minimal force. Staff should use as little restrictive force as necessary in order to maintain safety. Staff should use this for as short a period as possible.

Restrictive physical shielding intervention can only be justified when:

- Someone is injuring themselves or others
- Someone is damaging property which could lead to injury
- There is suspicion that although injury or damage has not yet happened, it is at immediate risk of occurring.

In General

If you feel that something is not appropriate in how a staff member deals with a child then you must voice with your colleagues or your supervisors / manager. This a part of your role and responsibility to ensuring that our standards are maintained and benefit all children in our care. All staff must remain professional at all times. If you have any concerns you must speak with your supervisor or manager immediately.

Staff should also remember that under the Children First legislation that if you are a childcare acre worker you are a mandated person and have a legal onus to report any behaviour that is inappropriate for the children in our care.

1. Behavioural issues – Always remember that you have a Supervisor to hand to help you out but ultimately you must try and resolve issues yourself as a child will have more respect for you if this is the case.

(please refer to policy no.10 on Behavior Management)

2. Talking through issues – The pod meetings are held monthly or bi-monthly to allow staff to discuss issues that may have arisen over that period. Staff are also able to access your direct supervisor and/or manager should it be necessary to do so.
3. Nurturing of children – A priority at Scamps & Scholars. If a child does not want to take part in an activity then never force this. All children must choose for themselves. This can be discussed with a parent if it is an issue.
4. Relief staff & CE/RSW workers – These staff members provide a necessary service for Scamps & Scholars and enhance our ability to provide a quality service. This posts will not be included in ratio's. Relief staff and CE/RSW workers are seen as full staff members and should be treated accordingly.
5. Leaving the room – All staff have a collective obligation to work together to ensure that we are maintaining correct ratios at all times. This means that staff should respect break times and return to the room on time. Other requirements that involve leaving the room should be managed carefully and **minimised**. It also should be respectful and considerate to the children in your care and indeed your fellow colleagues in the room.
6. Working alone – it is unlikely that any room will be operated by one staff member however it is possible that this may occur depending on numbers. In such a case staff members should make themselves aware of the CCTV coverage in the room in question. Further concerns should be discussed with the manager.
7. Confidentiality – It is imperative to our business, which has trust at the centre of all work that we do, that all staff respect our clients confidentiality and that of fellow staff members as well. Breaches of confidentiality will incur disciplinary procedures as per your contract of employment. You have defined responsibilities under the General Data Protection Regulation (GDPR) and you should understand your role in maintaining the standards in this area in full.
8. Kitchen and breaks – The kitchen may not be used to facilitate a break and the kitchen is not to be used as an area where staff congregate. Staff are welcome to utilise the staff room for this purpose.

9. Use of phones and smart watches – As a staff member at Scamps & Scholars Childcare it is not permissible or appropriate to have a phone on your person while you are operating in a room with children. Phones can be used in the staff room at break times. Smart watches can be an extension of the phone and as such are not permissible to be utilised as a smart watch while you are operating in a room with children. Full focus and attention should be afforded to the children in your care at all times.
10. Structure of Centre – clarification
- Early Years Educators– to mind the children, work together in teams in each section under the supervisor for support, carry out daily routines / planning / observations / liaise with parents etc. Your supervisor should be the first person that you discuss any problem / issue / concern with regarding your job or time off or any other issue.
 - *Early Years Educators* – all workers are equal regardless of how long or short they have spent on the staff. Everyone is entitled to give ideas for activities and the person leading an activity should rotate so that all staff can get to be involved.
 - *Early Years Educators*- required to engage in best practise at all times and involve themselves, when requested to do so to improving the standards in the centre in-line with legislation and best practise.
 - *Early Years Educators* – to cooperate and interact with external providers such as AIM’s reps, Better Start reps and other external providers that may be engaged to enhance the services at our centre.
 - *Supervisors* - are the senior team leaders within the centre. They are responsible for the day to day running of each section and for the planning / organisation of each section, this includes setting up rotas for different things. Supervisors have to see the ‘bigger picture’ and help staff to co-ordinate activities.
 - Supervisors must be approachable for staff. Weekly meetings are very important to help communication between staff and Supervisors must try to make sure that communication lines are always open so that issues do not build up. Supervisors can always come to Manager to discuss any issues. Supervisors also will have a role in the development of the centre and may be the “person in Charge” when called upon to do so.
 - Team Leaders - this role has a specific function of operating the room and staff within a room to the required standard. The same attributes apply as would be associated with a supervisor.
 - *Administrator* – this section deals with all queries from staff relating to wages / tax / time in lieu / holidays still to take / sick hours. Sign in out sheets / rolls. Administrator has access to all staff files and keeps confidentiality on everything.
 - *Deputy Manager* – main responsibilities are for rostering of holidays / sick leave / time in lieu and general time management. If staff members are off sick it is important to phone the Centre in the afternoon to let the deputy manager know if you are coming in the next day or not. This is to facilitate cover, if required for the following day. Texting is not an appropriate

means of communication in this situation. This role also provides support & supervision to the staff members of the centre

- *Manager* – Is responsible for making sure that everything runs smoothly!! That includes every section and staff, all the positions mentioned above. To make sure that we are compliant with HSE/Tusla regulations; Child protection regulations; health and safety; all finances, government funding, audits from government, grants; general budgets; human resources; waiting list and registration; fundraising; policies; liaison with Board of Directors..... The manager must make sure that staff have a platform if there are problems or issues but mostly these must be referred to Supervisors. The Manager is also responsible for ensuring that the business is profitable.

You should always remember that you are on show for the children in your care and as such should be the best role model that you can be for them.

APPROVAL DATE: _____

IMPLEMENTATION DATE: _____

SIGNED: _____
(On behalf of the Board of Directors)