

## APPENDIX C: CEEC SV PERFORMANCE STANDARDS

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Related policy documents	Archdiocese Of Brisbane Code Of Conduct CEEC SV POL Conflict Of Interest Policy CEEC SV POL Blue Card Policy
Related legislation	Education And Care Services National Law Act 2010 Education And Care Services National Regulations 2011 Education And Care Services National Amendment Regulations 2017 Guide To The National Quality Framework NSW Children And Young Person's (Care And Protection) Act 1998 Commission For Children And Young People Act 1998 Child Protection (Prohibited Employment) Act 1998 Ombudsman Act 1974 (With Relevant Child Protection Amendments)

### PURPOSE

The Code of Conduct for the Archdiocese of Brisbane sets out the principles and standards that apply to all church workers and workplaces. This appendix to the Code of Conduct outlines the expected performance standards and requirements for employees and volunteers of Catholic Early EdCare (CEEC) to ensure that they fulfil the requirements of the Code of Conduct and other relevant legislation in the course of their duties.

### SCOPE

This document applies to all employees and volunteers of Catholic Early EdCare (CEEC).

The Performance Standards and the Archdiocese Code of Conduct do not exclude or replace any rights and obligations of employees under common and statute law.

## OBJECTIVES

The Performance Standards have been developed to promote the compliance of Catholic Early EdCare with the following Education and Care related legislation and standards:

### 1. PRINCIPLES AND PROCEDURES

1.1 All Catholic Early EdCare employees are required to:

- Refrain from acting in a way or behaving in a manner that has the potential to damage the good reputation of a Service, Catholic Early EdCare, Centacare, the Archdiocese of Brisbane, colleagues, children in care of Catholic Early EdCare and their Parents/Carers;
- Ensure that communications sent via e-mail, via the internet (including socializing websites such as Facebook, Twitter, Instagram etc.) or via mobile phones (including cameras, videos and text messages) do not have the potential to damage the good reputation of a Service, Catholic Early EdCare, Centacare, the Archdiocese of Brisbane, colleagues, children in care of Catholic Early EdCare and their Parents/Carers. This is irrespective of whether personal or Service equipment is utilized and irrespective of whether or not the communication occurs outside work hours;
- Respect confidences shared by colleagues in the course of professional relationships;
- Undertake all reasonable efforts to develop and maintain the appropriate skills to fairly, impartially and respectfully work alongside and support people who are different in their backgrounds, experiences, personalities, gender, age, families, race, culture, abilities and beliefs consistent with Catholic Early EdCare, Centacare and Archdiocese of Brisbane policies and procedures;
- Know and understand the duties of their position; work toward the attainment of the agreed objectives and outcomes established with their line management through the performance planning and review process; carry through any agreed plans of improving work performance; carry out tasks according to agreed timeframes; and fulfil their conditions of employment with regard to hours of duty and leave provisions;
- Be familiar with and be able to follow any operations directives, policies and procedures that apply to their workplace;
- Endeavour to continue to develop the skills and knowledge necessary to perform their job by keeping up-to-date with advances and changes. They should participate in relevant learning and development opportunities to increase their skills and enhance organisational performance;
- Not provide false or misleading information to a request for information that is made for official purposes;
- Not ask for or encourage the giving or receiving of personal gifts or benefits for themselves or colleagues;

- Avoid the use of personal rewards cards in conjunction with purchases made by or on behalf of Catholic Early EdCare, nor to retain any gifts with purchases for personal use (not only as a matter of conduct, but also due to potential fringe benefit tax implications);
- Ensure that resources are managed in a way that maintains and enhances their value and are secured against theft or misuse;
- Ensure the gathering, storage and disclosure of information complies with the privacy principles of the Privacy Act 1988. A Catholic Early EdCare employee must not give or disclose, directly or indirectly, any information about our business without the Director/Coordinator and/or the Area Manager's authority;
- Not use their position to promote personal, political, religious or business loyalties unless this is clearly stated as a goal of the program and is in accordance with the mission and values of Catholic Early EdCare, Centacare and the Archdiocese of Brisbane; and
- Adhere to the Confidentiality Agreement signed by all employees on commencement, respect the confidentiality of client and Service related information available to them in the course of their duties and follow any other relevant Catholic Early EdCare, Centacare and/or Archdiocese policies relating to Privacy and Confidentiality.

## **2. POLITICAL/PROFESSIONAL/TRADE UNION ACTIVITIES**

- 2.1 Catholic Early EdCare employees may engage in party-political, professional or trade union activities outside of working hours as a 'member of the public' provided that it does not result in a conflict of interest with their official duties nor negatively reflect on the mission, values and image of Catholic Early EdCare, Centacare and the Archdiocese of Brisbane.

## **3. INSTRUCTION AND REFUSALS**

- 3.1 Catholic Early EdCare employees are required to adhere to all reasonable and lawful instructions related to work given by a person with authority to give the instruction. Disagreeing with a reasonable or lawful instruction from an authorised person is not a sufficient reason in itself to not comply with the instruction.
- 3.2 Employees should carry out instructions unless:
- A life threatening or serious health and safety risk exists;
  - A conflict of interest exists;
  - It involves an unlawful or criminal act or response; or
  - It does not comply with Catholic Early EdCare, Centacare and/or Archdiocese of Brisbane policies and/or procedures, or is approved to act outside policy.

#### **4. EMPLOYEES WITH SUPERVISORY RESPONSIBILITIES**

- 4.1 All Catholic Early EdCare employees with supervisory responsibilities are expected to:
- 4.2 Adopt a leadership role that promotes and models ethical and appropriate conduct and at all times assist with creating working conditions that support Catholic Early EdCare mission and values.
- 4.3 Provide timely and appropriate support and guidance to colleagues, on standards of behaviour in the performance of their duties and in performing their supervisory duties which reflect principles of equity, honesty and transparency;
- 4.4 Understand and meet obligations of the relevant financial, technological, information, human and physical asset management legislation and policies, maintaining the principles of accountability, continuous improvement, client service, fairness, flexibility and equity in the workplace;
- 4.5 Ensure that all Catholic Early EdCare employees who report to them are familiar with the requirements and objectives of their job and have access to the information, training, supervision, feedback and work conditions needed to achieve these; and
- 4.6 Ensure that they are able to justify their instructions and decisions, based on their delegations, authorisations and relevant policies and procedures. They must be able to respond openly and promptly to constructive questions.

#### **5. PROFESSIONAL BOUNDARIES**

- 5.1 Catholic Early EdCare believes:
- That maintaining appropriate boundaries promotes professional relationships and assists with creating a safer workplace for employees, children in the care of Catholic Early EdCare and all other stakeholders;
  - The primary concern in establishing and managing boundaries must always be the best interest of the child; and
  - Employees have the ultimate responsibility for managing boundary issues and are therefore accountable should issues or violations occur.
- 5.2 To assist with maintaining professional boundaries, employees are not permitted to:
- Act in conflict with Catholic Early EdCare, Centacare and/or Archdiocese of Brisbane policies and procedures;
  - At any time give their personal/home address and/or telephone number to children and/or Parents/Carers;
  - Claim, pretend or purport to hold any qualification that they do not possess;
  - Attempt to assess, provide counsel or advise on matters outside the scope of their professional training or role expertise and experience;
  - Misuse the power imbalance that is inherent in the child/adult (employee) relationship;

- Accept invitations to meet children and/or Parents/Carers after work for social purposes without the prior permission of Catholic Early EdCare senior management;
- Form inappropriate personal relationships with Parents/Carers; or
- Engage in any physical contact that could be in any way interpreted as sexual or inappropriate.

## **6. OUT OF HOURS FUNCTIONS/EVENTS**

- 6.1 Service based employees are required to seek authorisation from an Area Manager to attend an out-of-hours function or event as part of their paid work duties. It must be demonstrated that attending an out-of-hours function or event specifically relates to a work program objective.
- 6.2 Employees are permitted to attend out-of-hours functions in their own time however employees are required to ensure their conduct does not negatively impact on the reputation of Catholic Early EdCare, Centacare and the Archdiocese of Brisbane at all times.
- 6.3 Services are to seek the approval from an Area Manager to host a function or event after hours within a Services environment and/or to host a function or event outside of the Service for the Service employees, children and/or Parents/Carers (for example, Christmas parties, retirement and/or leaving gatherings, birthday parties etc.).

## **7. OUTSIDE/SECONDARY EMPLOYMENT**

- 7.1 Generally, employees may undertake private employment outside of normal working hours however this is required to be declared to the relevant Director/Coordinator and Area Manager.
- 7.2 Unless requested otherwise, employees agree that Catholic Early EdCare will be considered the employees' primary employer
- 7.3 Employees are required to ensure the following:
- They have approval from management to undertake outside and/or secondary employment prior to commencement;
  - That any outside or secondary employment does not adversely affect the performance of their duties for Catholic Early EdCare;
  - That there is no conflict of interest now or in the future (e.g. babysitting/tutoring arrangement created through association with Catholic Early EdCare); and
  - That the Archdiocese Conflict of Interest Policy is adhered to (along with any other relevant Centacare policies and procedures) and appropriate notifications are made to their line manager in accordance with this policy.

## **8. CONFIDENTIALITY & INFORMATION SECURITY**

- 8.1 Employees are required to ensure:

- The use, disclosure, storage and destruction of service-related information will be adhered to as per relevant Catholic Early EdCare, Centacare and Archdiocese of Brisbane policies and procedures;
- Adherence to the guidelines for the retention and destruction of information is fulfilled at all times;
- Understand that all documentation, notes, emails etc. can potentially encompass legal privilege (i.e. legal documents) and as such care must be taken when writing reports, storing documentation/information and the retention of documentation/information;
- That no information or documentation can be destroyed without written consent of the Area Manager and without adherence to all relevant policy and procedure and legislative requirements;
- That all Service related information, be it in hard copy or computer based, with the exception of current back up files, must be stored at the Service premises until advised otherwise. No copies are to be stored at any other premises, including employees' homes, without the permission of the Area Manager and Director, Catholic Early EdCare;
- Any personal information on a child/family or employee is to be kept secure and not discussed with anyone who does not have a legitimate right to know. To protect the privacy and personal safety of children/families and employees, personal information such as home addresses or telephone numbers must not be revealed to people who enquire;
- That confidentiality is applied to private communications (including private conversations) relating to Catholic Early EdCare, a Service and/or Catholic Early EdCare clients (children, Parents/Carers, contractors, other colleagues etc.) held in public places, and including but not limited to postings made on socialising websites, e-mails or messages transmitted via mobile phones. This point relates to Catholic Early EdCare, a Service, and all employees of Catholic Early EdCare including volunteers and students.

8.2 Child, Parent/Carer and employee confidentiality is not in breach if an individual informs a Catholic Early EdCare employee of an act that has been committed or they believe a person intends to commit, which is against the law. This must be escalated immediately to the relevant Area Manager, General Manager, Operations Manager, HR Manager and/or the Catholic Early EdCare Director.

## 9. RESPONDING TO ALLEGATIONS OF MISCONDUCT

9.1 Directors/Coordinators and Area Managers who receive reports of misconduct and/or unprofessional conduct relating to an employee must ensure that they respond promptly and that the matter is investigated thoroughly, according to Catholic Early EdCare policies and procedures.

- 9.2 Employees are obliged to respect the obligation of colleagues to disclose information on alleged misconduct and unprofessional conduct.
- 9.3 When an employee is the subject of an allegation, they must not make any contact with the reporting person to discuss any allegation, or act in any way towards that person which might otherwise be in breach of these Performance Standards.
- 9.4 Where a process and/or investigation has been instigated, an employee must be given the opportunity to respond to any allegations made against them or related to them.

**SUPPORTING DOCUMENTS**

N/A

**COMPLIANCE**

Breaches of this policy will be dealt with under Centacare’s misconduct provisions, as stated in the Employment Guidelines Code of Conduct.

All employees have an obligation to report to their line manager or above any fraud, corrupt conduct (including official misconduct) or misadministration that they are aware of, or any conduct that breaches the standards contained in these Performance Standards or the Archdiocese Code of Conduct. If it involves a possible criminal offence, employees/educators may report it directly to the police. (For more information, refer to the CEEC SV POL Grievance Policy and related Centacare and Archdiocese of Brisbane policies.)

**IMPLEMENTATION**

Centacare will place this policy on the Archdiocesan Intranet (AI). Directors and managers are responsible for ensuring that the appropriate communication of policies and supporting documents to staff has occurred. All staff are responsible for understanding and complying with this policy. Contact the Policy Sponsor for further interpretation of this policy.

**DEFINITIONS**

Employee/s	<p>In relation to an education and care service, means any individual (other than a volunteer) employed, appointed or engaged in paid work in or as part of an education and care service, whether as an:</p> <ul style="list-style-type: none"> <li>▪ Educator</li> <li>▪ Director/Coordinator</li> <li>▪ Nominated Supervisor;</li> <li>▪ Or otherwise.</li> </ul>
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	<p>“Employee” means the ordinary meaning of that term and is a “contract of service” which would be recognised by the Australian Taxation Office as an “employment relationship”.</p>
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**10. RECORD KEEPING**

- 10.1 Catholic Early EdCare will maintain all records as required by AOB and Centacare policies and procedures relating to record keeping
- 10.2 All Catholic Early EdCare Services are required to maintain all records in their Service folder on the L:\ drive.
- 10.3 All Catholic Early EdCare Services will adhere to Division 3 – Information and record keeping requirements, Education and Care Services National Regulations; specifically Subdivision 4 – Confidentiality and Storage of Records (181, 182, 183, 184).
- 10.4 Catholic Early EdCare will ensure all privacy provisions are implemented in relation to record keeping in accordance with the Archdiocese of Brisbane (AOB) privacy statement and AOB privacy policy available on the AI portal this extends to storing records in a secure and confidential manner.
- 10.5 Service records will be maintained (stored and preserved) in conditions suitable to the length of time they need to be kept and made available for use. This applies regardless of the format of the records or the media they are stored on.
- 10.6 Catholic Early EdCare will coordinate the removal, archiving and disposal of records as required.