


# Policy

## Early Years Policy – Interactions with Children

<b>Date of Adoption</b>	10 April 2013		
<b>Adoption Method</b>	<input type="checkbox"/> Council	<input type="checkbox"/> CEO	<input checked="" type="checkbox"/> Director Community
<b>Director Signature</b>	Signed by:  <small>A4566C08D5B4450...</small>		<b>Date</b> 06-12-2024
<b>Responsible Officer and Unit</b>	Samantha Waymouth, Coordinator Early Years Services		
<b>Nominated Review Period</b>	<input checked="" type="checkbox"/> Annually	<input type="checkbox"/> Every 4 years	<input type="checkbox"/> Other ( <i>please specify</i> )
<b>Last Endorsement Date</b>	October 2020		
<b>Next Endorsement Date</b>	November 2025		

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, present and emerging. Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

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## Purpose/Objective

This policy will provide guidelines to ensure:

- the development of responsive, warm, trusting and respectful relationships with children that promote their wellbeing, self-esteem, sense of security and belonging at Council Early Years Services
- each child at a Council Early Years Service is supported to learn and develop in a secure and empowering environment.

## Scope

This policy applies to the staff, students on placement at kindergartens, volunteers, parents/guardians, children and others attending the programs and activities of Council's Early Years Services.

## Background/Reasons for Policy

The *United Nations Convention on the Rights of the Child*<sup>1</sup> 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. Relationships are the foundation for the construction of identity, and help shape children's thinking about who they are, how they belong and what influences them.<sup>2</sup>

"Constructive everyday interactions and shared learning opportunities form the basis of equitable, respectful and reciprocal relationships between educators and children. Educators who are actively engaged in children's learning and share decision-making with them, use their everyday interactions during play, routines and ongoing projects to stimulate children's thinking and to enrich their learning. These relationships provide a solid foundation from which to guide and support

<sup>1</sup> United Nations Convention on the Rights of the Child: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

<sup>2</sup> Victorian Early Years Learning and Development Framework: <https://www.vic.gov.au/victorian-early-years-learning-development-framework-veyldf>

children as they develop the self-confidence and skills to manage their own behaviour, make decisions and relate positively and effectively to others.”<sup>3</sup>

Child Safe Standard 3<sup>4</sup> requires that *children and young people are empowered about their rights, participate in decisions affecting them and are taken seriously*. When children feel respected and valued, they are much more likely to speak up about issues of safety and wellbeing. Enabling and promoting empowerment and the participation of children within a service has multiple benefits in addition to enhancing the safety of children, including demonstrating a commitment to upholding the rights of children, checking that what the service is doing is what children want, and building the communication and leadership skills of children.

In developing this policy, Council has reflected on the philosophy, beliefs and values of its services, particularly with regard to educators’ relationships with children.

## Gender Impact Assessment

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this policy.

## Definitions

Term	Definition
Regulatory Authority	<p>In Victoria the Regulatory Authority for Early Years is the Quality Assessment and Regulation Division (QARD), Department of Education.</p> <p>Regulatory authorities administer the National Quality Framework (NQF) in each state and territory, usually as part of that state or territory’s education department or agency.</p> <p>In most cases the regulatory authority is the first point of contact for providers. They are responsible for:</p> <ul style="list-style-type: none"> <li>granting approvals, including provider approval and service approvals</li> </ul>

<sup>3</sup> Guide to the National Quality Framework (NQF): <https://www.acecqa.gov.au/national-quality-framework/guide-nqf>

<sup>4</sup> Child Safe Standard 3: <https://ccyp.vic.gov.au/child-safe-standards/the-11-child-safe-standards/standard-3/>

	<ul style="list-style-type: none"> <li>• assessing and rating services against the National Quality Standard</li> <li>• working with ACECQA to promote continuous quality improvement and educating the sector and community about the NQF.</li> <li>• Regulatory authorities also have a range of powers and tools to facilitate continuous improvement and ensure compliance with the NQF, including the ability to issue compliance notices. Quality Assessment and Regulation Division (QARD), Department of Education -</li> </ul>
NQA IT System	<p>The NQA ITS has been developed as the online administrative system for the implementation of the National Quality Framework (NQF).</p> <p>Once registered, providers use the NQA ITS to view records, submit applications and notifications, and pay invoices.</p> <p>Providers meet their administrative obligations under the NQF by using the NQA ITS portal. An approved provider may also arrange access to the NQA ITS for educators who administer these tasks, e.g. a nominated supervisor.</p>
Approved Learning Framework	<p>The Early Years Learning Framework is a national curriculum framework which will ensure quality and consistency in the delivery of early childhood education programs across all early childhood settings. It will cover birth to five years and support transition to formal schooling.</p>
Adequate supervision	<p>Constant, active and diligent supervision of every child at the service, where educators are always in a position to observe each child, respond to individual needs and immediately intervene if necessary. This 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, outdoor play and transition</p>

	<p>routines. Supervision contributes to protecting children from hazards that may emerge in play.</p> <p>Services are required to comply with the legislative requirements for educator-to-child ratios at all times.</p> <p>Variables affecting supervision levels include:</p> <ul style="list-style-type: none"> <li>• number, age and abilities of children</li> <li>• number and positioning of educators</li> <li>• current activity of each child</li> <li>• areas in which the children are engaged in an activity (visibility and accessibility)</li> <li>• developmental profile of each child and of the group of children</li> <li>• experience, knowledge and skill of each educator</li> <li>• need for educators to move between areas (effective communication strategies).</li> </ul>
Behaviour guidance	A means of assisting children in a positive and effective ways to help children gain understanding and learn skills that will help them learn to manage their own behaviour.
Behaviour guidance plan	A plan that documents strategies to assist an educator in guiding a child with diagnosed behavioural difficulties to self-manage their behaviour. The plan is developed in consultation with the nominated supervisor, early childhood teachers and co-educators, parents/guardians and families, and other professional support agencies as applicable.
Challenging behaviour	Behaviour that can be described as:

	<ul style="list-style-type: none"> <li>● disrupting others or causing disputes between children, but which is not part of normal social development</li> <li>● infringing on the rights of others</li> <li>● causing harm or risk to the child, other children, adults or living things</li> <li>● destructive to the environment and/or equipment</li> <li>● inhibiting the child's learning and relationship with others</li> <li>● a child presenting as shy, withdrawn or excessively passive in a way which is inhibiting their learning and/or development</li> <li>● inappropriate relative to the child's developmental age and background.</li> </ul>
Intervention Order	A court order, made by a magistrate or judicial registrar, to protect a person from unwanted behaviour from someone who is not a family member. This can include physical and mental harm. Protection can also be sought for children and property.
Parental Plan	<p>A parenting plan is a written agreement between parents that outlines how they will care for their children. A parenting plan is an alternative to going to court for a parenting order, which is made by a court. While a parenting plan is not legally enforceable, it can be used to change a parenting order unless a court orders otherwise</p> <p>Under the FAMILY LAW ACT 1975 - SECT 63C the meaning of parenting plan is:</p> <p>(1) A parenting plan is an agreement that:</p>

- (a) is in writing; and
  - (b) is or was made between the parents of a child; and
    - (ba) is signed by the parents of the child; and
    - (bb) is dated; and
  - (c) deals with a matter or matters mentioned in subsection (2).
- 1A) An agreement is not a parenting plan for the purposes of this Act unless it is made free from any threat, duress or coercion.
- (2) A parenting plan may deal with one or more of the following:
- (a) the person or persons with whom a child is to live;
  - (b) the time a child is to spend with another person or other persons;
  - (c) the allocation of parental responsibility for a child;
  - (d) if 2 or more persons are to share parental responsibility for a child--the form of consultations those persons are to have with one another about decisions to be made in the exercise of that responsibility;
  - (e) the communication a child is to have with another person or other persons;
  - (f) maintenance of a child;
  - (g) the process to be used for resolving disputes about the terms or operation of the plan;
  - (h) the process to be used for changing the plan to take account of the changing needs or circumstances of the child or the parties to the plan;



	(i) any aspect of the care, welfare or development of the child or any other aspect of parental responsibility for a child.
Parental Order	<p>A parenting order is a legal order (court order) that sets out who has responsibilities for children. It can cover:</p> <ul style="list-style-type: none"> <li>• who the children will live with</li> <li>• who the children spend time and communicate with</li> <li>• any other issues relevant to the care of the children, such as schooling or medical treatment.</li> </ul>
Court Order	<p>Court orders are the way the decisions or judgments of judicial officers are described. They can include:</p> <ul style="list-style-type: none"> <li>• an order made after a hearing by a judicial officer, or</li> <li>• an order made after parties who have reached their own agreement have applied to a court for consent orders. Consent orders, if they become a formal court order, have the same status as if the order had been made after a hearing by a judicial officer.</li> <li>• When an order is made, each person bound by the order must follow it.</li> </ul>

Kindergarten Inclusion Support Program (KIS):	Supports funded kindergartens to plan and implement a program that is responsive to the individual abilities, interests and needs of children with a disability, developmental delay or complex medical needs.
Program support groups (PSG)	<p>Brings together key people to support the inclusion of children with disability or developmental delay, or complex medical needs, from the time of enrolment at kindergarten until they move to school. The group may include:</p> <ul style="list-style-type: none"> <li>• the early childhood teacher</li> <li>• the child's parent/carer(s)</li> <li>• early childhood intervention professionals</li> <li>• a preschool field officer</li> <li>• medical practitioners, therapists or other allied health professionals</li> <li>• a support person – if the child's parent/carer(s) chooses to use one.</li> </ul>
Mental health	In early childhood, a child's mental health is understood as a child's ability to experience, regulate and express emotions; form close and secure interpersonal relationships; and explore the environment and learn – all in the context of family, community and cultural expectations for young children.
Notifiable complaint	<p>A complaint that alleges:</p> <ul style="list-style-type: none"> <li>• A serious incident has occurred or is occurring while a child is being educated and cared for by a service.</li> </ul>

	<ul style="list-style-type: none"> <li>• The <i>Education and Care Services National Law Act 2010</i> (National Law) and/or <i>Education and Care Services National Regulations 2011</i> (Regulations) have been contravened.</li> </ul> <p>Complaints of this nature must be reported by the approved provider to the regulatory authority within 24 hours of the complaint being made (<i>National Law Section 174(2) (b), Regulation 176(2)(b)</i>).</p>
Preschool Field Officer (PSFO) Program	<p>Supports the access and participation of children with additional needs in their kindergarten program. For more information visit: <a href="https://www.vic.gov.au/preschool-field-officer-program">https://www.vic.gov.au/preschool-field-officer-program</a></p>
Serious Incident	<p>A serious incident (<i>Regulation 12</i>) is defined as any of the following:</p> <ul style="list-style-type: none"> <li>• the death of a child while being educated and cared for at the service, or following an incident at the service</li> <li>• any incident involving serious injury or trauma while the child is being educated and cared for, which             <ul style="list-style-type: none"> <li>○ a reasonable person would consider required urgent medical attention from a registered medical practitioner, or</li> <li>○ the child attended or ought reasonably to have attended a hospital e.g. a broken limb*  <i>*In some cases (for example rural and remote locations), a General Practitioner conducts consultation from the hospital site. Only treatment related to serious injury or illness or trauma are required to be notified, not other health matters.</i> </li> </ul> </li> <li>• any incident involving serious illness of a child who is being educated and cared for by a service, for which the child</li> </ul>

	<p>attended, or ought reasonably to have attended, a hospital e.g. severe asthma attack, seizure or anaphylaxis.</p> <ul style="list-style-type: none"> <li>Any emergency for which emergency services attended.<sup>^</sup> <i>^This means an incident, situation or event where there is an imminent or severe risk to the health, safety or wellbeing of a person/s at an education and care service. It does not mean an incident where emergency services attended as a precaution.</i></li> <li>a child appears to be missing, cannot be accounted for at the service</li> <li>a child appears to have been taken or removed from the service in a manner that contravenes the National Regulations</li> <li>a child is mistakenly locked in or out of the service premises or any part of the premises</li> </ul> <p>Examples of serious incidents include amputation (e.g. removal of fingers), anaphylactic reaction requiring hospitalisation, asthma requiring hospitalisation, broken bone/fractures, bronchiolitis, burns, diarrhoea requiring hospitalisation, epileptic seizures, head injuries, measles, meningococcal infection, sexual assault, witnessing violence or a frightening event.</p>
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## References

- > Child Safe Standards: <https://ccyp.vic.gov.au/child-safe-standards/the-11-child-safe-standards/>
- > Belonging, Being & Becoming – The Early Years Learning Framework for Australia: <https://www.acecqa.gov.au/belonging-being-becoming-early-years-learning-framework>

- > Practice Note - Behaviour Guidance, Department of Education:  
<https://www.education.vic.gov.au/Documents/childhood/providers/regulation/pracnotesbehavpol-12-05-2015.doc>
- > Be You, National Mental Health in Education Initiative: <https://beyou.edu.au/>
- > Code of Ethics, Early Childhood Australia: <https://www.earlychildhoodaustralia.org.au/our-publications/eca-code-ethics/>
- > Guide to the National Quality Standard, Australian Children's Education & Care Quality Authority: <https://www.acecqa.gov.au/nqf/about/guide>
- > Inclusion Support Program (ISP), Department of Education:  
<https://www.education.gov.au/early-childhood/inclusion-support-program>
- > United Nations Convention on the Rights of the Child: <https://www.unicef.org/child-rights-convention>
- > Victorian Early Years Learning and Development Framework:  
<https://www.vic.gov.au/victorian-early-years-learning-development-framework-veyldf>
- > Kindergarten funding guide, Department of Education: <https://www.vic.gov.au/kindergarten-funding-guide>
- > Victorian Inclusion Agency (VIA): <https://www.viac.com.au/>

## Related Policies

- > Early Years Policy - Supervision of Children
- > Early Years Policy - Child Safe Environment and Wellbeing
- > Employee Code of Conduct (Council)
- > Early Years Policy – Inclusion and Equity
- > Privacy policy (Council)
- > Complaint and Unreasonable Behaviour Policy (Council)

- > Occupational Health and Safety Policy (Council)

## Related Legislation

- > *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- > *Children, Youth and Families Act 2005 (Vic)*
- > *Child Wellbeing and Safety Act 2005 (Vic)*
- > *Disability Discrimination Act 1992 (Cth)*
- > *Education and Care Services National Law Act 2010: Sections 166, 167, 174*
- > *Education and Care Services National Regulations 2011: Regulations 73, 74, 155, 156, 157, 168(2)(j), 176*
- > *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*

## Responsibilities

Mandatory – Quality Area 5

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
Developing and implementing the Early Years Policy - Interactions with Children in consultation with stakeholders, and ensuring that it reflects the philosophy, beliefs and values of the service	R	✓	✓	✓	✓
Ensuring all stakeholders are provided with a copy of the Early Years Policy - Interactions with Children and comply with its requirements	R	✓	✓	✓	✓
Ensuring all staff are aware of the service's expectations regarding positive, respectful and appropriate behaviour, acceptable responses and warm, trusting and reciprocal interactions when working with children and families	R	✓			
Ensuring children are adequately supervised (refer to Definitions) and that educator-to-child ratios are maintained at all times (refer to Early Years Policy - Supervision of Children)	R	✓	✓		✓
Ensuring the environment at the service is safe, secure, free from any hazards ( <i>National Law: Section 167</i> ) (refer to Early Years policies: Child Safe Environment and Wellbeing; and Adequate Supervision of Children, and Council's Occupational Health and Safety Policy) and promotes the active participation of every child	R	R	✓		✓
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 ( <i>Regulation 156(2)</i> ).	R	✓	✓		✓

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
Developing and implementing educational programs that are delivered in accordance with an approved learning framework (refer to Definitions), are based on the developmental needs, interests and experiences of each child, and take into account the individual differences and strengths of each child (refer to Early Years Policy - Inclusion and Equity)	R	R	✓		✓
Ensuring the educational program contributes to the development of children to have a strong sense of wellbeing and identity, and to be connected, confident, involved and effective learners and communicators ( <i>Regulation 73</i> )	R	✓	✓		✓
Ensuring that the service provides education and care to children in a way that: <ul style="list-style-type: none"> <li>encourages children to express themselves and their opinions</li> <li>allows children to undertake experiences that develop self-reliance and self-esteem</li> <li>maintains the dignity and the rights of each child at all times</li> <li>offers positive guidance and encouragement towards acceptable behaviour</li> <li>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 (<i>Regulation 155</i>)</li> </ul>	R	✓	✓		✓



Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
Ensure that the service provides children with opportunities to interact and develop positive relationships with each other, and with the staff, students and volunteers at the service ( <i>Regulation 156(1)</i> )	R	✓	✓		✓
Recognising the importance of friendships and encourage support from peers, to help children and young people feel safe and be connected	✓	✓	✓		✓
Ensuring clear documentation of the assessment and evaluation of each child's: <ul style="list-style-type: none"> <li>developmental needs, interests, experiences and program participation</li> <li>progress against the outcomes of the educational program (<i>Regulation 74</i>) (refer Early Years Policy – Educational Program )</li> </ul>	R	✓	✓		✓
Ensuring that procedures are in place for effective communication with parents/guardians to share information about children's learning, development, interactions, behaviour and relationships	R	✓	✓		✓
Supporting early childhood teachers/educators/staff to access resources and gain appropriate training, knowledge and skills for the implementation of this policy, including promoting social, emotional and mental health and wellbeing	✓	✓			
Ensuring that staff members who work with children are aware that it is an offence to subject a child to any form of corporal	R	R	R	✓	✓

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
punishment, or any discipline that is unreasonable or excessive in the circumstances ( <i>National Law: Section 166</i> )					
Promoting collaborative relationships between children/families and program support groups (refer to Definitions)(if required), to improve the quality of children's education and care experiences	✓	✓	✓	✓	✓
Ensuring notifications of serious incidents (refer to Definitions) are made to the regulatory authority (refer to Definition) through the NQA IT System (refer to Definitions) as soon as is practicable but not later than 24 hours after the occurrence ( <i>National Law: Section 174(2)(a)</i> , <i>Regulations 176 (2)(a)</i> )	R	✓			
Notifying DET within 24 hours of becoming aware of a notifiable complaint (refer to Definitions) or allegation regarding the safety, health and/or welfare of a child at the service ( <i>National Law: Section 174(2)(b)</i> , <i>Regulations 176 (2)(a)</i> )	R	✓			
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	R	R	✓		✓
Ensuring all staff, students, volunteers and contractors use positive and respectful strategies to assist children to manage their own behaviour, and to respond appropriately to conflict and the behaviour of others	R	✓	✓		□

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
Developing links with and referral pathways to services and/or program support groups to support children experiencing social, emotional and behavioural difficulties and their families	✓	✓	✓		✓
Ensuring that there is a behaviour guidance plan (refer to Definitions) 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 program support groups (as appropriate) are consulted if an individual behaviour guidance plan has not resolved the challenging behaviour (refer to Definitions)	✓	✓	✓	✓	
Working collaboratively with educators/staff and program support groups to develop or review an individual behaviour guidance plan for their child, where appropriate	✓	✓	✓	✓	✓
Setting clear timelines for review and evaluation of the behaviour guidance plan	✓	✓	✓		
Providing information, ideas and practical strategies to families, educators and staff on a regular basis to promote and support health and wellbeing in the service and at home	✓	✓	✓		
Consulting with, and seeking advice from, the Department of Education, if a suitable and mutually agreeable behaviour guidance plan cannot be developed	R	✓	✓		

Responsibilities	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
Investigating the availability of extra assistance, such as KIS (refer to Definitions) or training, by contacting the regional PSFO (refer to Definitions), specialist children's services officers from the Department of Education or other agencies working with the child	R	✓	✓		
Ensuring that additional resources are sourced, if required, to implement a behaviour guidance plan	R	✓			
Ensuring that staff at the service are provided with appropriate training to guide the actions and their responses to a child/children with challenging behaviour	✓	✓			
Informing staff of concerns, events or incidents that may impact on their child's behaviour at the service (e.g. moving house, relationship issues, a new sibling)				✓	
Maintaining confidentiality (refer to Council's Privacy Policy)	R	✓	✓	✓	✓

## Evaluation

In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

- regularly seek feedback regarding the policy's effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up-to-date with current legislation, research, policy and best practice

- revise the policy and procedures as part of the service's policy review cycle, or as required
- Notify all stakeholders, including parents/guardians, at least 14 days before making any significant changes to this policy or its procedures , unless a lesser period is necessary due to risk (*Regulation 172 (2)*).

## Attachments

Nil