



Big Fat Smile Code of Conduct

1. Policy Statement

The Organisation is committed to responsible professional, social and ethical behaviour. The conduct of the Organisation's employees, officers and workplace participants contributes to the credibility and success of the Organisation and the families we work with. Unlawful, unprofessional and unethical practices puts the organisation, employees and clients at risk and undermines integrity and trust.

2. Purpose

This policy aims to give effect to the National Principles for Child Safe Organisations.

The aim of the Code of Conduct is to provide an overview of acceptable standards of behaviour that are expected of all workplace participants in the performance of their duties in line with the Organisation's vision to enrich the lives and minds of our children and families in their communities, and values of Safety, Leadership, Integrity, Inclusion, Child-Centric and Collaboration.

This Code is intended to highlight important areas of conduct where employees and other workplace participants may encounter personal and ethical decisions in, or relating to, their work, and thereby manage possible risks that may undermine the integrity and reputation of the Organisation.

The Code of Conduct is a document which all workplace participants can refer to and use to reflect on their behaviour and that of their colleagues.

3. Scope

This Code applies to all of the Organisation's workplace participants within all the Organisation's services, venues and events. It covers interactions at work, at work functions, and communications via email and social media.

In this Code "workplace participant" means any employee, volunteer, or student on placement with the Organisation, and where the context permits includes an officer of the Organisation such as a board director or person providing services at officer level.

4. Responsibilities

It is the responsibility of the CEO to ensure all workplace participants are aware of, have access to, and are trained in, the Code of Conduct to ensure compliance.

5. Code of Conduct

The Organisation expects all workplace participants to conduct themselves in a professional, respectful, ethical and socially acceptable manner, maintaining the highest standards at all times to contribute to a positive working environment. This includes:

5.1 Professional Conduct

- a) Complying with all relevant laws, regulations and Organisation policies and procedures.



- b) Demonstrating the Organisation's values of Safety, Leadership, Integrity, Inclusion, Child-Centric and Collaboration in our interactions with employees, workplace participants, clients and the community.
- c) Following any lawful directions that relate to your engagement with the Organisation and the care of children.
- d) Acting to minimise and prevent risks and ensure a safe workplace by complying with the Organisation Workplace Health and Safety policies and procedures.
- e) Ensuring your capacity to perform your duties is not impaired by the use of alcohol or drugs (including prescription, illegal or restricted substances), and that the use of such substances does not put at risk you or any other person's health or safety.
- f) Supporting diversity and not unlawfully discriminating against any workplace participant, children and their families, stakeholders or members of the public on the basis of their age, gender, race, culture, religion, sexual orientation or disability.
- g) Acting to ensure the workplace is free of unfair treatment, bullying and harassment against the Organisation's workplace participants, children and their families, stakeholders or members of the public.
- h) Acting with honesty, fairness, courtesy and equity in workplace and professional relationships, respecting the dignity, diversity and rights of others.
- i) Performing duties professionally, with skill, honesty, care and diligence, ensuring decisions and actions are reasonable, fair and appropriate.
- j) Performing duties in a responsible manner, ensuring decisions and actions are reasonable, fair and appropriate to the circumstances.
- k) In exercising rights, workplace participants must not make complaints or report grievances that are untrue, malicious or vexatious.

5.2 Reputation of the Organisation

- a) Acting in the best interests of the Organisation, protecting its reputation and promoting confidence in the Organisation in all interactions with clients, stakeholders and the community.
- b) Not engaging in communication, inside or outside of the Organisation that may bring the Organisation into disrepute, including via social media, or other public forums or interactions.

5.3 Public Comment

- a) Not making unauthorised public comment about the Organisation including but not limited to, public speaking, media comment, and views expressed in books, journals or social media.
- b) Not making public comment or entering into public debate on political and social issues in a way that may be interpreted as an official comment on behalf of the Organisation, unless authorised to do so.
- c) Comments that are made on behalf of the Organisation should be made only with permission, be confined to factual information and should not express any negative opinion about the Organisation's policy or practice unless required to do so (e.g. by direction of a court order).

5.4 Ethical Conduct

- a) Acting ethically and professionally at all times.
- b) Avoiding any personal, financial or other interests which may be deemed unethical, illegal or unprofessional and which could compromise the Organisation or workplace participant impartiality in performing their duties.



5.5 Managing Conflicts of Interest

- a) Disclosing any potential, perceived or actual conflict of interest to their Manager or an Executive Leadership Team member. If a workplace participant is uncertain whether a conflict exists, they must seek clarification from their Manager or an Executive Leadership Team member.
- b) Ensuring private interests (including business, financial and personal relationships) do not give rise to any actual or perceived conflict of interest, and if they do these must be disclosed to an Executive Leadership Team member.
- c) Not engaging in a private business or other employment that is in direct or indirect competition with the Organisation, and/or uses materials or knowledge gained in the course of employment with the Organisation.
- d) Under no circumstances undertaking a private business (paid or unpaid) where a conflict of interest occurs including casual babysitting which involves children currently or previously in the care of the Organisation.
- e) Ensuring that any participation in party-political activities does not conflict with duties at the Organisation, and is not undertaken with any reference to the Organisation.

5.6 Acceptance of Gifts or Benefits

- a) Not offering or accepting money, or entering into business transactions influenced by accepting money, gifts or benefits.
- b) Accepting token gifts or benefits only as permitted per the Conflicts of Interest Policy.

5.7 Corrupt Conduct

- a) Reporting any actual or perceived corrupt or illegal conduct by other employees, officers, contractors or agency partners engaged by the Organisation to the CEO, or in the event the conduct relates to the CEO, to the Board Chair.

5.8 Information Security

- a) Maintaining the confidentiality, integrity and security of confidential information by not disclosing, disseminating or making use of any confidential information without prior authorisation.
- b) Taking reasonable steps to ensure that any organisational information in any form cannot be accessed, misused or modified by any unauthorised people.
- c) Acting immediately to report any actual or suspected misuse of the Organisation's information or unauthorised disclosure of confidential information.

5.9 Corporate Facilities and Equipment

- a) Using corporate facilities, funds, resources and credit cards responsibly and scrupulously, in accordance with policy and not for private purposes without official permission.

5.10 Child Supervision

- a) Actively and diligently supervising children in the care of the Organisation, including knowing where all children are at all times in accordance with supervision procedures in the Safeguarding Children Policy and Procedures and the Operations Manuals.
- b) Being familiar with the service supervision plan where applicable and understanding the risks and controls.



- c) Ensuring that individuals or groups of children are never withdrawn into areas where they are unable to be seen or heard by other employees or adults, or taken into a room which is then locked.
- d) Ensuring that nappy changing, bathing and toileting takes place within sight and/or sound of other employees or adults.
- e) Regularly checking physical controls to ensure gates are secure, doors and other potential exit points are secure and fences are free of climbable objects.
- f) Accurately and regularly recording head counts of the children in your care.
- g) Actively monitoring the collection of children in your care and ensuring that only authorised persons collect those children.
- h) Avoiding being alone with children and, if unavoidable, alerting another employee.
- i) Identifying and reporting all supervisory breaches and near misses to your supervisor.

5.11 Child Safety and Wellbeing Standards of Behaviour

All Big Fat Smile workplace participants are required to observe child safe principles and exhibit exemplary professional behaviour at all times.

All Big Fat Smile workplace participants will do this by:

- a) Complying with all child safe principles embedded in the Organisation's policies, procedures and practices.
- b) Maintaining a working knowledge of, and uphold the Principles of the United Nations Convention on the Rights of the Child (appropriate to their role).
- c) Always acting in the best interest of children.
- d) Taking all reasonable steps to protect children from abuse or harm (including physical, psychological, sexual and verbal), neglect, bullying and grooming.
- e) Respecting and supporting the diverse needs and inclusion of children and families including those who are Aboriginal or Torres Strait Islander, are from culturally and or linguistically diverse backgrounds, have additional needs or who identify as lesbian, gay, bisexual, transgender, questioning or intersex (LGBTQI+).
- f) Promptly and without hesitation reporting:
 - (i) Complaints from children, young people or their families
 - (ii) Allegations or disclosures of child harm, abuse or neglect
 - (iii) Concerns about child safety, health or wellbeing
 - (iv) Any breaches of this section in the code of conduct.
- g) Listening to and responding to the views of children, young people and their families, and encourage their participation and meaningful contributions.
- h) Actively and diligently supervising children and young people in the care of the Organisation at all times in accordance with supervision procedures.
- i) Avoiding any unnecessary or potentially harmful physical contact with children or young people, unless necessary for their safety and wellbeing.
- j) Demonstrating positive role modelling, respectful caregiving practice, guidance and appropriate behaviour support strategies.
- k) Protecting the privacy of children, young people and their families.
- l) For employees and others required by law to do so, maintaining a working with children check clearance and register up-to-date clearances with People and Culture.
- m) Disclosing any or all potential conflicts of interest that may result in blurred professional boundaries to their Manager for approval and implement strategies to manage potential risks.



All Big Fat Smile workplace participants will not:

- a) Put children or young people at risk of abuse or neglect.
- b) Disregard or ignore any suspected or disclosed child abuse or neglect.
- c) Use words or actions (such as yelling, swearing, name calling, sarcasm or mocking) intended to threaten, intimidate, shame, humiliate, belittle, embarrass or degrade children.
- d) Use corporal punishment or inappropriate discipline of any type including but not limited to hitting, smacking, biting, pinching, pulling or dragging children by their hand/wrist/arms/legs or clothing, unsafe movement of children or other actions resulting in physical discomfort, pain or distress to the child.
- e) Do things of a personal nature that a child or young person can do for themselves including toileting/changing.
- f) Exhibit any form of favouritism towards a child or young person or their family.
- g) Discriminate against any child, young person or family on the basis of their gender identification, sexual orientation, race, religion, additional needs or background.
- h) Transport, babysit/nanny or tutor an unrelated child or young person enrolled at a Big Fat Smile service unless specifically approved by the organisation, in writing.
- i) Expose children or young people directly or indirectly to mature/adult/inappropriate language, imagery or content for any reason.
- j) Have any contact outside of Big Fat Smile with a child or young person or their family who participates in a Big Fat Smile program or service, with the exception of pre-existing, declared relationships managed through conflict of interest policy and process. This includes direct contact such as socialising, or indirect contact such as through personal devices, online interactions or social media applications including but not limited to Facebook, Instagram, Messenger, Kids Messenger, What's App, Snapchat, TikTok.
- k) Use, or have on their person, personal mobile devices while actively engaged in supervision of children.
- l) Use personal devices to capture or store images of children while in the care of Big Fat Smile.

6. Procedure

All employees should refer to the relevant People and Culture policies in this manual and other Organisation policies which provide details on procedures relating to the Code of Conduct including:

- Conflict of Interest Policy
- Whistleblower Policy
- Fair Treatment Policy
- Bullying Policy
- Workplace Investigations Policy
- Grievance Policy
- Work Health & Safety Policy & Procedure Manual
- Confidentiality, Intellectual Property & Information Security Policy
- Internet, Mobile Device, Email, Social Media Use Policy
- Underperformance Policy
- Safeguarding Children Policy and Procedures
- Operations Manual

All workplace participants should report any actual or suspected breaches of this Code of Conduct to the relevant Manager, General Manager or the CEO or the Chair of the



Board. If the report relates to the CEO, the report should be made to the Chair of the Board.

Breaches of the Code of Conduct may be dealt with in accordance with the Workplace Investigations Policy and may be made under the Whistleblower Policy.

All reports will be dealt with in a timely and confidential manner.

Should a workplace participant have doubts about any aspect of the Code of Conduct, they must seek clarification from their Manager, Executive Manager, People and Culture, or relevant General Manager or Chair of the Board, whichever is appropriate.

This policy will be regularly reviewed by the Organisation and any necessary changes will be implemented by the CEO.

7. Non-compliance

Breaches of the Code of Conduct may result in disciplinary proceedings and could require disclosure to regulators or law enforcement.

Any employee in breach of this Code may be subject to disciplinary action, including dismissal.

Any other workplace participant in breach of this Code may be subject to remedies relevant to that person's activities within the Organisation.

8. Relevant legislation

- Fair Work Act 2009
- National Employment Standards 2010
- Work Health and Safety Act 2011 (NSW)
- Workplace Surveillance Act 2005 (NSW)
- Surveillance Devices Act 2007 (NSW)
- Anti-Discrimination Act 1977 (NSW)
- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Children's Guardian Act 2019 [NSW]
- Child Protection (Working with Children) Act 2012
- Children (Education and Care Services National Law) Act 2010
- Education and Care Services National Regulations (2016)
- Corporations Act 2001 (Cth)
- Australian Charities and Not for Profit Commissions Act 2012 (Cth)

9. Related documents

- Workplace Health & Safety Management Policy & Procedure Manual
- Early Education and Care Operations Manual
- Fun Club Operations Manual
- Safeguarding Children Policy & Procedures
- Finance Management Policy & Procedure Manual
- People and Culture policies and procedures



- Board Charter including Board Code of Conduct

Jenni Hutchins
CEO

10. Version Control and Change History

Version	Effective Date	Responsible Position	Description	Next Review
001	December 2017	CEO	New format policy	
002	August 2018	CEO	Section 1.5.11, officers and further legislation added	
003	12 October 2020	CEO	Re-numbered and terminology aligned with other policies	Oct 2021