

## SCOPE

This policy applies to the Approved Provider, Persons with Management or Control, Nominated Supervisor, Persons in day-to-day Charge, educators, students on placement, volunteers, parents/guardians, children and others attending the programs and activities of the Early Years Services, including during offsite excursions and activities.

## STATEMENT

### Values

The Early Years Services are committed to:

- Maintaining the dignity, agency and rights of each child at the service.
- Promoting fairness, respect and equity.
- Encouraging children to express themselves and their opinions, and to undertake experiences that develop self-reliance and self-esteem.
- Considering the health, safety and wellbeing of each child, and providing a safe, secure and welcoming environment in which they can develop and learn.
- Maintaining a duty of care (refer to *Definitions*) towards all children at the service.
- Considering the diversity of individual children at the service, including family and cultural values, age, gender, and the physical and intellectual development and abilities of each child.
- Building collaborative relationships with families to improve learning and development outcomes for children.
- Encouraging positive, respectful and warm relationships between children, families and educators/staff at the service.

## PURPOSE

This policy will provide guidelines to ensure:

- The development of positive and respectful relationships with each child at the Early Years Services.
- Each child at the Early Years Services is supported to learn and develop in a secure and empowering environment.

RESPONSIBILITIES	Early childhood teacher Educators All other staff	Nominated supervisor Persons in day-to-day charge	Approved provider Persons with management or control	Parents/guardians	Contractors Volunteers Students
Developing and implementing the <i>Interactions with Children Policy</i> in consultation with stakeholders, and ensuring	Ö	Ö	Ö	Ö	Ö

that it reflects the philosophy, beliefs and values of the service					
Ensuring all stakeholders are provided with a copy of the <i>Interactions with Children Policy</i> and comply with its requirements	Ö	Ö	Ö	Ö	Ö
Ensuring all staff are aware of the service's expectations regarding positive, respectful and appropriate behaviour, and acceptable responses and warm, trusting and reciprocal interactions when working with children and families ( <i>refer to Code of Conduct Policy</i> )	Ö	Ö			
Ensuring children are adequately supervised ( <i>refer to Definitions</i> ) and that educator-to-child ratios are maintained at all times ( <i>refer to Supervision of Children Policy</i> )	Ö	Ö	Ö		Ö
Ensuring the environment at the service is safe, secure, free from any hazards ( <i>National Law: Section 167</i> ) ( <i>refer to Child Safe Environment Policy, Occupational Health and Safety Policy and Supervision of Children Policy</i> ) and promotes the active participation of every child	Ö	Ö	Ö		Ö
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> ). Smaller group sizes are considered optimal, to promote intentional teaching strategies and responsive engagement opportunities.	Ö	Ö	Ö		Ö
Developing and implementing educational programs that are delivered in accordance with an approved learning framework ( <i>refer to Definitions</i> ), are based on the developmental needs, interests and experiences of each child, and take into account the individual differences and strengths of each child ( <i>refer to Inclusion and Equity Policy</i> )	Ö	Ö	Ö		Ö
Ensuring the educational program contributes to the development of children to have a strong sense of wellbeing and identity, and to be connected, confident,	Ö	Ö	Ö		Ö

involved and effective learners and communicators ( <i>Regulation 73</i> ) ( <i>refer to Curriculum Development Policy</i> )					
Ensuring that the service provides education and care to children in a way that:  encourages children to express themselves and their opinions allows children to undertake experiences that develop self-reliance and self-esteem maintains the dignity and the rights of each child at all times offers positive guidance and encouragement towards acceptable behaviour 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> ) ( <i>Refer to Behaviour Guidance Procedure</i> )	Ö	Ö	Ö		Ö
Ensure that our Early Years Services provide children with opportunities to interact and develop positive relationships with each other, and with the staff and volunteers at the service ( <i>Regulation 156(1)</i> )	Ö	Ö	Ö		Ö
Ensuring clear documentation of the assessment and evaluation of each child's:  developmental needs, interests, experiences and program participation progress against the outcomes of the educational program ( <i>Regulation 74</i> ) ( <i>refer to Curriculum Development Policy</i> )	Ö	Ö	Ö		Ö
Ensuring that procedures are in place for effective daily communication with parents/guardians to share information about children's learning, development, interactions, behaviour and relationships	Ö	Ö	Ö		Ö
Supporting ECT/educators/staff to access resources and gain appropriate training, knowledge and skills for the implementation	Ö	Ö			

of this policy, including promoting social, emotional and mental health and wellbeing					
Ensuring that staff members at our Early Years services who work with children are aware that it is an offence to subject a child to any form of corporal punishment, or any discipline that is unreasonable or excessive in the circumstances ( <i>National Law: Section 166</i> )	Ö	Ö	Ö	Ö	Ö
Promoting collaborative relationships between children/families and program support groups (if required) ( <i>refer to Definitions</i> ), to improve the quality of children's education and care experiences	Ö	Ö	Ö	Ö	Ö
Ensuring notifications of serious incidents ( <i>refer to Definitions</i> ) are made to the regulatory authority (DET) ( <i>refer to Definition</i> ) through the NQA IT System ( <i>refer to Definitions</i> ) as soon as is practicable but not later than 24 hours after the occurrence ( <i>National Law: Section 174(2)(a), Regulations 176 (2)(a)</i> )	Ö	Ö			
Notifying DET within 24 hours of becoming aware of a notifiable complaint ( <i>refer to Definitions</i> ) or allegation regarding the safety, health and/or welfare of a child at the service ( <i>National Law: Section 174(2)(b), Regulations 176 (2)(a)</i> )	Ö	Ö			
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	Ö	Ö	Ö		Ö
Ensuring all staff, 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  ( <i>Refer to Behaviour Guidance Procedure</i> )	Ö	Ö	Ö		Ö
Developing links with and referral pathways to services and/or program support groups ( <i>refer to Definitions</i> ) to support children	Ö	Ö	Ö		Ö

experiencing social, emotional and behavioural difficulties and their families <i>(Refer to Behaviour Guidance Procedure)</i>					
Ensuring that there is a behaviour guidance plan <i>(refer to Definitions)</i> 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 <i>(Refer to Behaviour Guidance Procedure)</i>	Ö	Ö	Ö	Ö	
Ensuring that parents/guardians and program support groups <i>(refer to Definitions)</i> (as appropriate) are consulted if an individual behaviour guidance plan has not resolved the challenging behaviour <i>(Refer to Behaviour Guidance Procedure)</i>	Ö	Ö	Ö	Ö	
Working collaboratively with educators/staff and program support groups <i>(refer to Definitions)</i> to develop or review an individual behaviour guidance plan for their child, where appropriate. <i>(Refer to Behaviour Guidance Procedure)</i>	Ö	Ö	Ö	Ö	Ö
Setting clear timelines for review and evaluation of the behaviour guidance plan. <i>(Refer to Behaviour Guidance Procedure)</i>	Ö	Ö	Ö		
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 <i>(Refer to Behaviour Guidance Procedure)</i>	Ö	Ö	Ö		
Consulting with, and seeking advice from, DET if a suitable and mutually agreeable behaviour guidance plan cannot be developed <i>(Refer to Behaviour Guidance Procedure)</i>	Ö	Ö	Ö		
Investigating the availability of extra assistance, such as Kindergarten Inclusion Support <i>(refer to Definitions)</i> or training, by contacting the regional Preschool Field Officer <i>(refer to Definitions)</i> , specialist	Ö	Ö	Ö		

children's services officers from DET or other agencies working with the child					
Investigating the availability of extra assistance, financial support such as Inclusion Support Program ( <i>refer to Definitions</i> ) or training, by contacting their regional Inclusion Agency ( <i>refer to Sources</i> )	Ö	Ö	Ö		
Ensuring that additional resources are sourced, if required, to implement a behaviour guidance plan	Ö	Ö			
Ensuring that educators/staff at the service are provided with appropriate training to guide the actions and their responses to a child/children with challenging behaviour.  ( <i>Refer to Behaviour Guidance Procedure</i> )	Ö	Ö			
Informing educators/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)				Ö	Ö
Maintaining confidentiality ( <i>refer to Privacy and Confidentiality Policy</i> )	Ö	Ö	Ö	Ö	Ö
<b>BOLD</b> tick Ö indicates legislation requirement					

## DEFINITIONS

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the [Glossary of Terms – Early Years](#).

**Adequate supervision:** 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 and transition routines. Services are required to comply with the legislative requirements for educator-to-child ratios at all times. Supervision contributes to protecting children from hazards that may emerge in play, including hazards created by the equipment used.

Adequate supervision refers to constant, active and diligent supervision of every child at the service. Adequate supervision requires that educators are always in a position to observe each child, respond to individual needs and immediately intervene if necessary. Variables affecting supervision levels include:

- Number, age and abilities of children.
- Number and positioning of educators.
- Current activity of each child.

- Areas in which the children are engaged in an activity (visibility and accessibility).
- Developmental profile of each child and of the group of children.
- Experience, knowledge and skill of each educator.
- Need for educators to move between areas (effective communication strategies).

**Behaviour guidance:** A means of assisting children in a positive and effective way 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 or challenging behaviours to self-manage their behaviour. The plan is developed in consultation with the Nominated Supervisor, Early Childhood Teachers, Educators, parents/guardians and families, and other professional support agencies as applicable.

**Challenging behaviour:** Behaviour that:

- Disrupts others or causes disputes between children, but which is part of normal social development.
- Infringes on the rights of others.
- Causes harm or risk to the child, other children, adults or living things.
- Is destructive to the environment and/or equipment.
- Inhibits the child's learning and relationship with others.
- A child presenting as shy, withdrawn or excessively passive in a way which is inhibit their learning and/or development
- Is inappropriate relative to the child's developmental age and background.

**Inclusion Support Program (ISP):** is a key component of the Government's Child Care Safety Net. The program provides support for eligible mainstream Early Childhood Education and Care services to build their capacity and capability to include children with additional needs, alongside their typically developing peers, so all children have genuine opportunities to access, participate and achieve positive learning outcomes. For more information visit: [www.dese.gov.au](http://www.dese.gov.au)

**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. Long Day Care services can apply for the KIS program for their Victorian Government-funded kindergarten programs.

**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. Infant mental health is synonymous with healthy social and emotional development. <https://beyou.edu.au/>

**Notifiable complaints:** The Regulatory Authority is required to be notified of a complaint that alleges:

- A serious incident has occurred or is occurring while a child is being educated and cared for by a service.
- The National Law and/or National Regulations have been contravened.

Complaints of this nature must be reported by the Approved Provider to the Regulatory Authority within 24 hours of the complaint being made (Section 174(2) (b), Regulation 176(2)(b)). If the Approved Provider is unsure whether the matter is a notifiable complaint, it is good practice to contact DET for confirmation.

Notification of complaints must be submitted within 24 hours through either the NQA IT System portal: <http://www.acecqa.gov.au> or where this is not possible, the Regulatory Authority must be contacted directly.

**Physical restraint:** Educators have a responsibility to provide a safe environment for children and adults. The use of physical restraint is not a behaviour guidance strategy but a response to protect the immediate safety of a child and others. Physical restraint is only appropriate where all other non-physical interventions have been exhausted. Physical restraint should involve minimal force for the shortest possible time.

**Preschool Field Officer (PSFO) Program:** The role of the PSFO Program to support the access and participation of children with additional needs in their kindergarten program. For more information visit: [www.education.vic.gov.au](http://www.education.vic.gov.au)

**Program Support Groups (PSG):** A program support group 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:

- the early childhood teacher
- the child's parent/carer(s)
- early childhood intervention professionals
- a preschool field officer
- medical practitioners, therapists or other allied health professionals
- a support person – if the child's parent/carer(s) chooses to use one.

**Self-regulation:** "the ability to understand and manage your behaviour and your reactions to feelings and things happening around you. It includes being able to:

1. Regulate reactions to emotions like frustration or excitement
2. Calm down after something exciting or upsetting
3. Focus on a task
4. Refocus attention on a new task
5. Control impulses

6. Learn behaviour that helps you get along with other people.

<https://raisingchildren.net.au/.../understanding-behaviour/self-regulation>

**Serious incident:** A serious incident (regulation 12) is defined as any of the following:

- The death of a child while being educated and cared for at the service or following an incident at the service.
- Any incident involving serious injury or trauma while the child is being educated and cared for, which:
  - a reasonable person would consider required urgent medical attention from a registered medical practitioner; or
  - The child attended or ought reasonably to have attended a hospital e.g. a broken limb\*.
- Any incident involving serious illness of a child while that child is being educated and cared for by a service for which the child attended, or ought reasonably to have attended, a hospital e.g. severe asthma attack, seizure or anaphylaxis\*.

\*NOTE: 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.

- Any emergency for which emergency services attended. NOTE: 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.
- A child appears to be missing or cannot be accounted for at the service.
- A child appears to have been taken or removed from the service in a manner that contravenes the National Regulations.
- A child was mistakenly locked in or out of the service premises or any part of the premises.

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.

If the approved provider is not aware that the incident was serious until sometime after the incident, they must notify the regulatory authority within 24 hours of becoming aware that the incident was serious.

Notifications of serious incidents should be made through the NQA IT System portal (<http://www.acecqa.gov.au>). If this is not practicable, the notification can be made initially in whatever way is best in the circumstances.

#### **Unsettled Child:**

Any child not presenting with challenging behaviours, but who is visibly distressed or withdrawn from the learning environment and unable to be calmed, comforted or redirected by early childhood teachers, educators, volunteers or students

**Unacceptable practices:** Section 28 of the Victorian Act provides protection for children in that it specifies practices that may not be used in a children's service.

The following examples of corporal punishment and unreasonable discipline are considered serious breaches of the Act:

- Hitting or slapping
- Force feeding
- Yelling at or belittling
- Humiliating a child
- Physically dragging a child
- Depriving a child of food or drink. E.g. saying to a child 'if you don't eat your vegetables you can't have dessert'.

Other examples of unacceptable practice are:

- Negative labelling
- Criticising
- Discouraging
- Blaming or shaming
- Making fun of or laughing at
- Using sarcastic or cruel humour
- Excessive use of negative language, such as, "no" "stop that!" "don't..." "you never..." .

## **EVALUATION**

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

- Regularly seek feedback from everyone affected by the policy regarding its 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 parents/guardians at least 14 days before making any changes to this policy or its procedures unless a lesser period is necessary because of a risk.

## **Forms & Records:**

[Behaviour Guidance Plan](#)

## **Related MTHCS Policy / Procedure:**

[Child Safe Environment Policy](#)

[Code of Conduct – Early Years](#)

[Complaints and Grievances Policy](#)

Curriculum Development Policy

Inclusion and Equity Policy

Occupational Health and Safety Policy

[Privacy and Confidentiality Policy](#)

Prompt Doc No: MTH0142160	Reviewed by:	Page 10 of 12
Version Number: 4.0		Last Reviewed: 28/01/2026
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**Supervision of Children Policy**

**Behaviour Guidance Procedure**

**References:**

- Belonging, Being & Becoming – The Early Years Learning Framework for Australia: <https://www.education.gov.au/>
- Child Safe Standards [www.ccyp.vic.gov.au](http://www.ccyp.vic.gov.au)
- Early Childhood Australia Code of Ethics: <http://www.earlychildhoodaustralia.org.au/>
- Guide to the National Quality Framework, ACECQA: [www.acecqa.gov.au](http://www.acecqa.gov.au)
- Inclusion Support Program (ISP), Department of Education and Training: <https://www.education.gov.au/>
- Kids Matter, an Australian mental health and well-being initiative set in primary schools and early childhood education and care services: <https://beyou.edu.au/>
- [Strategies to Guide Children's Behaviour](#)
- The Kindergarten Funding Guide (DET): <http://www.education.vic.gov.au>
- United Nations Convention on the Rights of the Child: <https://www.unicef.org/>
- [Understanding Children's Behaviour](#)
- [Unacceptable Practises - Discipline and Punishment](#)
- Victorian Early Years Learning and Development Framework: <http://www.education.vic.gov.au>
- Victorian Inclusion Agency (VIA): [www.viac.com.au](http://www.viac.com.au)

**BACKGROUND AND LEGISLATION**

The United Nations Convention on the Rights of the Child 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. When children experience nurturing and respectful reciprocal relationships with educators, they develop an understanding of themselves as competent, capable and respected. 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 [*Early Years Learning Framework*, p. 20; *Framework for School Age Care*, p. 19].

'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 children as they develop the self-confidence and skills to manage their own behaviour, make decisions and relate positively and effectively to others.' (*Guide to National Quality Framework* – refer to Sources)

Child Safe Standard 7 requires services to have strategies to promote the participation and empowerment of children. When children feel respected and valued, they are much more likely to speak up about issues of safety and wellbeing. Enabling and promoting the participation of children

Prompt Doc No: MTH0142160	Reviewed by:	Page 11 of 12
Version Number: 4.0		Last Reviewed: 28/01/2026
<b>UNCONTROLLED WHEN DOWNLOADED</b>	Authorised by:	Next Review Due: 28/01/2029

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.

### **Legislation and Standards**

Relevant legislation and standards include but are not limited to:

- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Children's Service Regulations 2020
- Children's Services Act 1996
- Child Wellbeing and Safety Act 2005 (Vic)
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic)
- Disability Discrimination Act 1992 (Cth)
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- Equal Opportunity Act 2010 (Vic)
- National Quality Standard, Quality Area 5: Relationships with Children