

Family Rights and Responsibilities Policy

Policy number: CS-11-2021

Version: 3

Responsible person: BoG Chair

Approved by BoG on: 26th January 2023

Schedule review date: -January 2024

Purpose

This policy provides a clear set of guidelines and procedures for Hampton Park Care Group Inc. (Hampton Park Community House- HPCH) to:

- provide a safe environment for all children which ensures their safety, health and wellbeing
- promote the cultural safety of all children
- make staff aware of their legal and duty of care obligations to report child abuse and neglect
- ensure practices at HPCH respect ' rights of families.
- ensure practices at HPCH support and make families aware of their responsibilities
- identify, reduce and remove risks of child abuse
- intervene when a child may be at risk of abuse or neglect
- involve children in child safety including listening to children and incorporating their views about how to provide a safe environment
- responding to requests, sharing and requesting information to promote child wellbeing or safety and/or manage risk of family violence.

Policy Statement

Hampton Park Community House (HPCH), recognises children, staff and families' rights to a safe and positive environment at HPCH Services.

Values





Hampton Park Care Group Inc. is committed to the rights of all children to feel safe, and be safe at all times, including:

- promoting the cultural safety of Aboriginal children
- promoting the cultural safety of children from culturally and linguistically diverse backgrounds
- promoting the safety of children with a disability
- promoting the (right to) safety of trans and gender diverse children and their families in ECEC settings
- ensuring that LGBTIQ+ children and families feel included
- values, respects and cares for children
- fosters opportunities for each child to participate, express their views and to learn and develop
- always acts in the best interests of each child and has zero tolerance of child abuse
- takes all reasonable steps to ensure the health, safety and wellbeing of children at all times, whilst also promoting their learning and development
- actively manages the risks of abuse or harm to each child, including fulfilling our duty of care (*refer to Definitions*) and legal obligations to protect children and prevent any reasonable, foreseeable risk of injury or harm
- continuously improves the way our service identifies risks of and responds to child abuse and encourages reporting and improved responses to allegations of abuse.
- proactively sharing information with relevant authorities to promote the wellbeing and/or safety of a child or a group of children, consistent with their best interests.

Scope

This policy applies to the approved provider (HPCH Board), persons with management or control (EO), nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, staff, students, volunteers, parents/guardians, children and others attending the programs and activities of HPCH, including during offsite excursions and activities.

Responsibilities:

This policy is to be implemented by the approved provider (HPCH Board), persons with management or control (EO), nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, staff, students, volunteers, parents/guardians

Definitions

The terms defined in this section relate specifically to this policy.

Children: Each baby, toddler, three-five-year-old and school age child; children as individuals and as members of a group in the education and care setting, unless otherwise stated. It is inclusive of children from all social, cultural and linguistic backgrounds and of their learning styles, abilities, disabilities, gender, family circumstances and geographic locations (Guide to the National Quality Standard, 2011).

Families in relation to a child;

- A parent, grandparents, sibling, uncle, aunt or cousin of the child, whether that relationship arises by birth, marriage (including a de facto relationship) or by adoption or otherwise; or



Your child



- A relative of the child according to Aboriginal or Torres Strait Islander tradition; or
- A person with whom the child resides in a family-like relationship; or
- A person who is recognised in the child's community as having a familial role in respect of the child (National Law) (Guide to the National Quality Standard, 2011).

HPCH is committed to respectful and collaborative relationships with families and communities, as we work together to create a positive environment for children - both where they live and where they learn - to actively promote children's wellbeing, learning and development.

Family rights:

HPCH staff (educators) and volunteers are required to ensure practices in the Centre respect families' rights.

At HPCH families have a right to:

- Receive a quality early learning and care service that actively promotes their children's wellbeing, learning and development
- Have their privacy and confidentiality respected
- Know what personal information is being collected, why it is being collected and have access to their records
- Visit HPCH at any time during operating hours (subject to the requirements of Regulation 157 of the Education and Care Services National Regulations)
- Provide feedback, have any concerns addressed promptly and have issues resolved in a way that respects their privacy and complies with regulatory requirements.
- Receive regular communications about the Service's operations and their child's wellbeing, learning and development

Be kept informed about:

- HPCH policies and procedures in accordance with section 168 of the Education and Care Services National Regulations (the Regulations)
- HPCH employees' obligation to act to protect any child who is at risk of harm through reporting to regulatory authorities
- their child's educational program in accordance with regulation 73 - 76 of the Regulations
- the Service rating under the National Quality Standard Assessment and Rating
- the Service Quality Improvement Plan in accordance with regulation 31 of the Regulations

Be supported to understand documents, processes, policies and procedures at the HPCH, including accessing interpreting services.



Family responsibilities:

HPCH educators are required to ensure practices at the Centre support families' responsibilities. At HPCH our families have a responsibility to:

- Ensure a safe and positive environment in the Centre by being in control of their behaviour at all times and conducting themselves in a lawful, safe and responsible manner that respects the rights of others. Families must use appropriate language and volume of speech. The following behaviour towards any person are unacceptable: all forms of bullying, harassment, abuse, discrimination, actions that put another person at risk of harm, or threats of any kind. All unlawful actions will be reported to the appropriate authorities.
- Respect the confidentiality of sensitive information and photographs relating to the Centre, other families, children, and staff, at all times including on social media
- Sign the attendance record each day your child is enrolled including days your child is absent
Ensure a suitably fit, authorised nominee collects your child from the Centre within operating hours and inform the Centre if alternative arrangements are made prior to collection
Participate in emergency procedures as directed by HPCH employees
- Immediately notify the Centre Manager of any changes to your child's:
 - personal details
 - emergency contact information or authorised nominees (see Emergency Contacts)
 - enrolment (see Enrolment Form)
 - health, medication or dietary requirements (see Medical Management Plan)
- Raise any concerns about the Centre, learning and care services, staff or other families directly with the Assistant Director / Manager or Program Leader (NS)
- Share relevant information with educators to support the wellbeing, learning and development of your children
- Not smoke and not consume or bring alcohol, illegal drugs or other dangerous goods to HPCH at any time
- Respect the property of HPCH and of children, families and staff
- Pay fees on time in accordance with the payment terms and conditions outlined in the Enrolment Form
- Understand the HPCH Family Handbook and Enrolment Form and comply with HPCH policies and procedures.

HPCH will work with families to resolve issues and remind family members that they have agreed to comply with these responsibilities by signing the HPCH Enrolment Form. HPCH can exclude individual adults from HPCH. If an adult is excluded from HPCH, the child's enrolment will not be affected, and families would be required to make arrangements for the safe delivery and collection of the child to HPCH by another person.

Using this Policy with families:

These rights and responsibilities can be used by Service and Domain Area Managers to set expectations with families about behaviour at HPCH and for dealing with unsafe or irresponsible behaviour by a family member.

If the Service Manager or Program Leader (NS) needs support in dealing with the behaviour of family members that fails to meet these responsibilities, contact the Executive Officer for advice.

Sources

- Australian Human Rights Commission: www.humanrights.gov.au
- Betrayal of Trust Implementation: www.justice.vic.gov.au
- Charter of Human Rights and Responsibilities Act 2006 (Vic): www.legislation.vic.gov.au
- Child Information Sharing Scheme Ministerial Guidelines: www.vic.gov.au/guides-templates-tools-for-information-sharing
- Commission for Children and Young People (CCYP): [Generic learning or training action plan and training materials](#)
- Commission for Children and Young People (CCYP): <https://ccyp.vic.gov.au>
- Cultural safety for Aboriginal children and combatting racism: [Keeping our kids safe: Understanding cultural safety in Child Safe Organisations](#)
- Department of Education and Training Mandatory Reporting eLearning Module: <https://www.vic.gov.au/child-protection-early-childhood-online-learning>
- Ministerial Guidelines for the Family Violence Information Sharing Scheme: www.vic.gov.au/family-violence-information-sharing-scheme
- National Children's Commissioner: <https://humanrights.gov.au/our-work/commission-general/national-childrens-commissioner-anne-hollonds>
- Quality Assessment and Regulation Division's online guidance: [Early Childhood Guidance on the Child Safe Standards](#)
- [Rights of Parents and Children Attorney General](#)
- Service Agreement Information Kit for Funded Organisations: <https://fac.DFFH.vic.gov.au/service-agreement-requirements>
- Star Health's 'Being Equal' model for change in early childhood services: [Gender Equality and Respect in Early Learning Services](#)
- The United Nations Convention on the Rights of the Child: www.unicef.org
- Victorian Institute of Teaching: www.vit.vic.edu.au
- Working with Children (WWC) Check: www.workingwithchildren.vic.gov.au

Related Policies

- Acceptance and Refusal of Authorisations
- Code of Conduct
- Compliments and Complaints
- Child Safe Environment and Wellbeing Policy

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, particularly in relation to identifying and responding to child safety concerns
- monitor the implementation, compliance, complaints and incidents in relation to this policy

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- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of HPCH's policy review cycle, or as required
- notifying all stakeholders affected by this policy 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)).

Authorisation

Signature of BoG Chair:

A handwritten signature in black ink, appearing to read "R. [unclear]".

Date: 26 January 2023

