

Out of Hours Babysitting Policy

The Approved Provider and Management are responsible for any actions or activities that staff members may engage in that could breach confidentiality protocols. This applies whether at a REED Service, or in situations that may arise outside of operating hours.

National Quality Standard (NQS)

Quality Area 2: Children's Health and Safety		
2.2	Safety	Each child is respected
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard
2.2.2	Incident and emergency management	Plans to effectively manage incidents and emergencies are developed in consultation with relevant authorities, practiced and implemented
2.2.3	Child Protection	Management, educators and staff are aware of their roles and responsibilities to identify and respond to every child at risk of abuse or neglect

Education and Care Services National Regulations

Education and Care Services National Law (WA) Act 2012	
84	Awareness of child protection law
145	Staff record
147	Staff members
168	Education and care service must have policies and procedures

RELATED POLICIES

Arrival and Departure Policy Child Protection Policy Code of Conduct Policy	Privacy and Confidentiality Policy Supervision Policy
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PURPOSE

We aim to provide clear guidelines to REED Educators and families regarding babysitting enrolled children out of hours, which is a separate arrangement to the care and education we provide.

SCOPE

This policy applies to staff, families, children and management of REED Services.

IMPLEMENTATION

REED works to develop positive and supportive relationships with children and families. We understand that families may request individual educators to babysit or nanny for them outside REED Services hours of operation. We pride ourselves on employing educators who are suitably qualified, experienced, reliable and suitable for our Services. However, we are unable to provide assurance to families of an Educator's suitability to look after a child or children unsupervised in a babysitting environment away from our services.

Due to possible legal implication, child protection legislation and privacy, we strongly discourage employees to babysit children outside of work hours. However, we acknowledge the educators' right to financial expansion and recognise that our educators and families live in small rural communities. Therefore, Educators undertaking babysitting or nanny positions in their personal time must undertake the following:

- Educators must advise the Team Leader that a request has been made by a family.
- The Team Leader must advise the Cluster Manager
- Babysitting must not interfere with the Educators job/work at the service.
- Confidentiality must be adhered to at all times.
- Families must be made aware that other adults who may accompany the babysitter may not have the relevant working with children checks, resulting in the inappropriateness for them to care for children.
- REED will not be made accountable for any health and safety issues that may arise within the private arrangement being made.
- Families understand that REED has a duty of care to protect children whilst on the premises and in our care, this duty of care does not extend to private arrangements between Educators and Families outside of REED Services. However, Educators do have a duty to

report any safeguarding concerns in and outside of work, including child protection concerns.

- Educators must understand that an incident whilst babysitting could have an impact on their suitability to work at a REED Service.
- If an Educator is to collect a child from a REED Service, they must be authorised and/or listed as having authority to do so on the child's enrolment form (or a record of written authorisation is to be kept in the child's enrolment record).
- Educators will complete an agreement with families in regard to expectations and use of personal mobile phones and photography to ensure privacy and confidentiality is maintained whilst babysitting.
- Educators and families will complete the '*Out of Hours Babysitting Agreement Waiver*' acknowledging that they choose to waive the right to hold REED liable should a child be harmed whilst an Educator is babysitting outside of work hours.

BABYSITTING EXEMPTION

If an employee has a pre-existing relationship prior to the child's enrolment at the service (relative, family friend, etc.) babysitting is not discouraged. However, to ensure the children's health and safety employees will:

- Disclose the relationship to management.
- Be authorised or provided with written permission to take a child from the Service.
- Understand that REED will not be held responsible for any health or safety issues that may arise from private arrangements.

MANAGEMENT/ APPROVED PROVIDER WILL:

- Keep a record of the babysitting arrangement on the educator's staff file.

Source

Australian Children's Education & Care Quality Authority. (2014).
 Care for Kids <https://www.careforkids.com.au/child-care-articles/article/59/an-overview-on-babysitting>
Education and Care Services National Law Act 2010. (Amended 2018).
 Education and Care National Regulations. (2011).
 NSW Office of the Children's Guardian <https://www.kidsguardian.nsw.gov.au/>
Privacy Act 1988.
 Revised National Quality Standard. (2018).

Review

Policy Reviewed	Modifications	Next Review Date
March 2024		March 2025
March 2023	Minor editing	March 2024
April 2022	Contact team leader – team leader contact cluster manager has been added. Small grammatical errors edited.	April 2023
February 2021	Related policies added Appendix added: Out of Hours Babysitting Agreement Waiver	November 2021
February 2020	Minor grammatical errors edited Sources updated and alphabetised	February 2021
January 2019	Policy developed by REED management	January 2020

Appendix 1:

OUT OF HOURS BABYSITTING AGREEMENT - WAIVER

Due to possible legal implication, child protection legislation and privacy, we strongly discourage employees to babysit children outside of work hours. However, we acknowledge the educator's right to financial expansion. This waiver has been arranged to permit educators and staff members to babysit children/families enrolled at REED Services outside of normal operating hours.

[Enter educator/staff member's Name] is employed by REED [Service Name] and has been asked to provide care in a social relationship with [Enter Child/children's Full Name] outside of REED operating hours. Having read REED's *Out of Hours Babysitting Policy*, which outlines the reasoning for this restriction, it is still the desire of the educator/staff member named above and parents [Insert Parent's Name] to enter into an agreement, which protects REED.

[Insert Parent's Name] understands the risk associated with an outside social relationship with an educator/staff member of REED. Families understand that as an Early Education and Care Service we cannot anticipate or control the situation that may arise as a result of allowing the educator/staff member to engage with children outside of REED operational hours. REED is not responsible for any private arrangements or agreements made between families. However, we do expect educators/staff members to inform REED management if they are babysitting or caring for a child/children who attends a REED Service. Out of hours work arrangements must not interfere with the staff member's employment with REED.

Families understand that we have a thorough recruitment and suitability process in place to ensure that we employ competent and professional educators/staff members who uphold their duty of care to children and maintain their professionalism. This includes, interviews, reference checks, and Working With Children Check (WWCC) clearance.

Whilst in our employment all educators/staff are subject to ongoing supervision, observation and assessment to ensure that standards of work and behaviour are maintained in accordance with our policies and national legislation requirements. We have no such control over the conduct of staff outside of their position of employment. Parents should make their own checks as to the suitability of a member of staff for babysitting.

REED will not be held responsible or accountable for any health and safety issues, conduct, grievances or any other claims arising out of the educator's/staff member's private arrangements outside of service hours. The member of staff will not be covered by the REED's insurance whilst babysitting as a private arrangement.

All staff are bound by contract of REED's *Privacy and Confidentiality Policy* which outlines that they are unable to discuss any issues regarding REED Services, other employees, families or children.

Parent Name:	Signature:	Date:
Educator's Name:	Signature:	Date:
Management Name:	Signature:	Date: