



# Out of Hours Babysitting Policy

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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 the Childcare 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	
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

Confidentiality Policy

Child Protection Policy

Supervision Policy

Code of Conduct Policy



## **PURPOSE**

We aim to provide clear guidelines to Educators and families regarding babysitting enrolled children of the Service 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 the Service.

## **IMPLEMENTATION**

We work to develop a positive and supportive relationship with children and families. We understand that families may request individual educators to babysit or nanny for them outside the service hours of operation. We pride ourselves on employing educators of a high standard who are suitable for our Service. 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 Service.

Due to possible legal implications, and child protection legislation and privacy legislation, we strongly discourage employees from babysitting children outside of work hours. However, we acknowledge the educators right to financial expansion. Therefore, Educators undertaking babysitting or nanny positions in their personal time must ensure the following:

- Educators must advise the Nominated Supervisor/Management of the Service that a request has been made by a family.
- Babysitting must not interfere with the Educators job/work, or availability at the Service.
- Confidentiality must be adhered to at all times.
- Educators will ensure favouritism does not result in external relationships with children and families outside of the Service.
- Families must be made aware that other adults who may accompany the babysitter may not have the relevant working with children checks, which may render them inappropriate persons to care for children.
- The service will not be made accountable for any health and safety issues that may arise within the private arrangement being made.
- Families understand that our Service 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 the Service. However, Educators do have a duty to report any health, safety, and/or wellbeing 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 the Service.
- If an Educator is to collect a child from the Service, they must be authorised and/or listed as having authority to do so on the child's enrolment form.



- Educators and families will complete the 'Out of Hours Babysitting Agreement Waiver' acknowledging that they waive the right to hold the Service liable and/or accountable should a child be harmed whilst an Educator is in their employment outside of the Service.

#### BABYSITTING EXCEPTION

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 the Service will not be held responsible for any health, safety, or wellbeing 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).

Education and Care National Regulations. (2011).

*Education and Care Services National Law Act 2010.* (Amended 2018).

NSW Office of the Children's Guardian.

*Privacy Act 1988.*

Revised National Quality Standard. (2018).

#### Review

Policy Reviewed	Modifications	Next Review Date
October 2017	New Policy created	October 2018
October 2018	<ul style="list-style-type: none"> <li>- Minor changes made to comply with changes to the Education and Care National Regulations.</li> <li>- Added related policy section</li> </ul>	October 2019



October 2019	<ul style="list-style-type: none"> <li>- Minor formatting</li> <li>- Inclusion of Management/Nominated Supervisor role</li> </ul>	October 2020
April 2021	<ul style="list-style-type: none"> <li>- No changes made</li> </ul>	April 2022
April 2022	<ul style="list-style-type: none"> <li>- Policy reviewed as part of Annual review cycle</li> <li>- No major changes</li> </ul>	April 2023

Signature of Director: \_\_\_\_\_

Busy Kids Child Care