

# 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 would apply whether at the School or situations that may arise outside of operating hours.

## EDUCATION AND CARE SCHOOLS NATIONAL REGULATIONS

| Children (Education and Care Schools) National Law NSW |   |
|--|---|
| 84   | Awareness of child protection law                           |
| 145  | Staff record  |
| 147  | Staff members   |
| 168  | Education and care school must have policies and procedures |

## PURPOSE

We aim to provide clear guidelines to Educators and families regarding babysitting enrolled children of the Farmhouse Montessori School out of hours, which is a separate arrangement to the care and education we provide at either of the school campuses.

## SCOPE

This policy applies to staff, families, children and management of the school.

## IMPLEMENTATION

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

Due to possible legal implication, child protection legislation and privacy, we strongly discourage employees to 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 undertake the following:**

- Educators must advise the Nominated Supervisor/Management of the School that a request has been made by a family.
- Babysitting must not interfere with the Educators job/work at the School
- 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 School
- 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.
- The school will not be made accountable for any health and safety issues that may arise within the private arrangement being made
- Families understand that our School 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 School. 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 the School.
- If an Educator is to collect a child from the School, they must be authorised and/or listed as an emergency contact.
- Educators will complete an agreement/Waiver with families in regards to expectations and use of personal mobile phones and photography to ensure privacy and confidentiality is maintained whilst babysitting. Please see Appendix 1.
- Appendix 1 Out of Hours Babysitting agreement -Waiver must be completed and then returned to the school. This will be kept in the staff members file.
- Educators and families will complete the 'Babysitting Agreement Waiver' acknowledging that they choose to waive the right to hold the school liable should a child be harmed whilst an Educator is waiting outside of work hours.

### Babysitting Exemption

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

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

### Source

- ACECQA
- Child Care Desktop
- Education and Care Schools National Regulation
- NSW Office of the Children's Guardian
- Privacy Act
- Revised National Quality Standards

### Review

| Policy Review Date        | Modification   | Reviewed |
|---------------------------|--|----------|
| Nov 2017                  | Reformatted  | 2018     |
| March 2018                | New school logo  | 2020     |
| 12 <sup>th</sup> May 2020 | Appendix 1 added<br>Information about completing waiver and added to staff folder added as bullet points | 2024     |
| May 2021                  | Source index reorganized alphabetically  | 2024     |

Appendix 1

**FARMHOUSE MONTESSORI SCHOOL**

**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 the School outside of normal operating hours.

\_\_\_\_\_ [Enter Staff Members Name] is employed by The Manly Warringah Montessori Society T/A The Farmhouse Montessori School and has been asked to provide care in a social relationship with

\_\_\_\_\_ [Enter Child/children’s Full Name] outside of School operating hours. Having read the School’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 Parents Name] to enter into an agreement, which protects the School.

\_\_\_\_\_ [Insert Parents Name] understands the risk associated with an outside social relationship with and Educator/Staff member of the School. Families understand that as a school 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 School operational hours. The Farmhouse Montessori School is not responsible for any private arrangements or agreements made between families. However, we do expect Educators/Staff members to inform the School if they are babysitting or caring for a child/children who attends the School. Out of hours work arrangements must not interfere with the staff member’s employment at the School.

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 upheld their duty of care to children and maintain their professionalism. This includes, interviews, reference checks, and working with children checks.

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. 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.

Our School 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 school hours. The member of staff will not be covered by the School’s insurance whilst babysitting as a private arrangement.

All staff are bound by contract of the School’s privacy and confidentiality policy which outlines that they are unable to discuss any issues regarding the School, other employees, families, or children.

|             |           |      |
|-------------|-----------|------|
| Parent Name | Signature | Date |
|-------------|-----------|------|

|                 |           |      |
|-----------------|-----------|------|
| Educators Name  | Signature | Date |
| Management Name | Signature | Date |