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 the Education and Care 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
170	Policies and procedures to be followed
171	Policies and procedures to be kept available

RELATED POLICIES

Child Protection Policy Code of Conduct Policy Delivery of children to, and collection from Education and Care Service Premises Policy	Privacy and Confidentiality Policy Supervision 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 children, families, educators, staff, approved provider, nominated supervisor, management, students, volunteers and visitors 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 who are suitably qualified, experienced, reliable and 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. Families engaging an educator in private babysitting are not eligible to claim additional Child Care Subsidy (CCS) for this care.

Due to possible legal implications, and child protection legislation and privacy, we strongly discourage employees from babysitting children outside of work hours. However, we acknowledge the educator's 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
- any babysitting arrangements must be recorded in a *Out of Hours Babysitting Agreement-Waiver*
- babysitting must not interfere with the educator's 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 (a record of written authorisation is to be kept in the child's enrolment record)
- educators will complete a private agreement with families in regard to expectations and use of personal mobile phones and devices, 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 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 by parents/guardians 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/ NOMINATED SUPERVISOR WILL:

- keep a record of the babysitting arrangement on the educator's staff file
- remind educators of Service's policies and procedures regarding confidentiality and code of conduct

CONTINUOUS IMPROVEMENT/REFLECTION

Our *Out of Hours Babysitting Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

SOURCE

Australian Children's Education & Care Quality Authority. (2014).
Care for Kids. (2016). *https://www.careforkids.com.au/child-care-articles/article/59/an-overview-on-babysitting*
Education and Care Services National Regulations. (Amended 2023).
NSW Office of the Children's Guardian. (2023). https://ocg.nsw.gov.au
Privacy Act 1988.

REVIEW

POLICY REVIEWED BY	Krystle Hills	Centre Manager	11/02/2025
POLICY REVIEWED	February 2025	NEXT REVIEW DATE	February 2026
MODIFICATIONS	• annual policy maintenance • additional information regarding confidentiality and code of conduct added • sources checked and updated as required		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		NEXT REVIEW DATE
Dec 2023	• policy maintenance - no major changes to policy sources checked and updated as required		DECEMBER 2024