

19 December 2019

Early Learning Association of Australia Submission: Review of the VIT Code of Conduct

Early Learning Association Australia (ELAA) is a peak body which works in partnership with early learning providers and parents to deliver our vision of excellence in learning for every child. Our diverse membership base of almost 600 service providers managing services at nearly 1,300 locations includes early years management organisations, independent kindergartens, local governments, long day care services, government and independent schools and out of school hours care programs.

ELAA welcomes the opportunity to provide this submission on the review of the Victorian Institute of Teaching (VIT) Code of Conduct.

General feedback

Members of ELAA observed that the VIT Code of Conduct is one of a number of codes, including the Early Childhood Australia (ECA) Code of Ethics and organisational codes of conduct. In addition, there are Australian Professional Standards for Teachers. We had extensive discussion about the interface of these codes and the role of employers/Approved Providers and became aware that there is a lower level of familiarity with the Code and as a result it is not used as frequently as a tool to guide teacher practice.

ELAA advocates for the establishment of a national teacher registration scheme and would like to see a national code of conduct adopted. National consistency will provide increased protections for children and benefits for teachers moving between jurisdictions. It would also align with the National Quality Framework, the National Child Safe Standards and the Australian Professional Standards for Teachers.

Ongoing professional development

ECA regularly conducts workshops about their Code of Ethics which provide opportunities for professionals to engage with the code, hear and learn from others and discuss ethical dilemmas. Engaging with the code of conduct is a model which is supported and valued by ELAA members and which we would like to see adopted by VIT and perhaps also supported by the professional development activities of the Australian Institute for Teaching and School Leadership. Ongoing professional development about the Code would obviate the need for much of the refinement of the Code based on specific circumstances outlined in the Teacher Conduct Dilemmas in the discussion paper.

Specific feedback about selected teacher conduct dilemmas and 'food for thought' questions is provided on the following pages.

Section 1: Professional conduct

Teacher conduct dilemma 3

ELAA members reflected that the Code of Conduct satisfactorily addressed the behaviour referred to in the scenario outlined as indicated the extracts from the Code below:

- Principle 1.5: A professional relationship will be violated if a teacher touches a learner without a valid reason
- Principle 1.2: Teachers treat their learners with courtesy and dignity. Teachers protect learners from intimidation, embarrassment, humiliation and harm
- Principle 1.4: Teachers maintain objectivity in their relationships with learners. In their professional role, teachers do not behave as a friend or parent/carer.
- Principle 1.1: Teachers provide opportunities for all learners to learn. Communicating well and appropriately with their learners.

Food for thought

1. ELAA members did not agree that additional contextual considerations should be included in the code. The code should contain universal principles. Extending the length of the document can add to its complexity, dilute the principles and become a more cumbersome document for teachers to engage with. ELAA does however support:
 - the provision of opportunities for VIT registered teachers to engage in discussion and debate about the code
 - the development of practise guides.
2. ELAA does not agree that the words identified require further definition. The code is for professionals. Providing definitions for terms which are used in everyday practice risks lowering expectations.
3. The code should be broad enough to reflect all forms of communication, including non-verbal communication and all forms of online communication, including tools used to communicate with families in early childhood education. The code should not replicate Department of Education and Training policies on online communication.

Section 2: Personal conduct

Teacher conduct dilemma 5

The Australian Psychological Society Code of Ethics has two clauses related to reputable conduct which could be adopted to enhance the VIT Code in relation to personal conduct:

- Psychologists avoid engaging in disreputable conduct that reflects on their ability to practise as a psychologist
- Psychologists avoid engaging in disreputable conduct that reflects negatively on the profession or discipline of psychology.

Food for Thought

1. Guidance about the personal and professional use of social media could be provided through workshops or practice guidance.
2. A definition of 'civil obligations' would be helpful. The terms 'boundary' and 'positive role models' are in common usage.
3. No comments.
4. We should rely on the professional commitment of teachers to the Code of Conduct, including the expectations for personal conduct outlined in 2.1. There are many ways that the performance of teachers is assessed, including as part of the assessment and ratings reviews of early childhood services. There is a risk of over scrutiny impacting on the rights and freedoms of teachers.

Section 3: Professional competence

Teacher conduct dilemma 6

The Code of Conduct is clear about the obligations of teachers to maintain standards of competence. This could be better supported through more robust requirements when teachers enter the details of their professional development in the portal. For example, teachers could be required to identify where their practice has improved or professional development may be grouped into different headings such as communication and engagement with families; collegiality etc.

First aid is a mandatory training requirement of teachers' employment and therefore should not be included as part of the required 20 hours of professional development.

Food for thought

1. Teachers are expected to demonstrate their commitment to professionalism through:
 - Commitment to participating in professional networks
 - Strong engagement with the curriculum and quality frameworks
 - Engagement in professional learning and development and evidence of changed practice/continuous quality improvement
 - High quality interactions with all stakeholders
 - Adherence to the VIT Code of Conduct and legislation.
2. The VIT Code of Conduct is, as stated, a critical guiding document for teachers. Their compliance with the code is a demonstration of their registration and their license to operate as a teacher. Approved providers of early childhood services are required under the *Education and Care Services National Regulations* to have a staff code of conduct. In many cases the organisational code of conduct is likely to have been informed by the VIT Code of Conduct and ECA Code of Ethics, however it does not replace the role of these documents. Approved providers also have responsibilities to inform VIT if there has been a breach by a teacher of the VIT code of conduct. The role of employers in relation to the Code could be strengthened, such as through links to the service's Quality Improvement Plan addressing – Quality Area 7.2.3.

3. The Purpose of the Code should include an additional point about maintaining child safety and responding to safety and wellbeing concerns which would provide greater context around child safety. Additionally, under Principle 3.2 the responsibilities should be expanded from 'mandatory reporting' to 'mandatory reporting and responding to child safety and wellbeing concerns'. In light of the introduction of the Child Information Sharing Scheme in 2020, it would be important to also add '...including sharing information to promote child wellbeing'. These changes highlight the importance principles associated with the changed context and responsibilities but do not repeat information which is best found elsewhere.

Other feedback

Teachers across the education spectrum often work in stressful circumstances including with families and children experiencing violence and trauma. Over many years ELAA has advocated for the establishment of an Employee Assistance Scheme and other mental health and wellbeing supports for teachers and educators in the early childhood sector. Mental health supports are readily available in the school system and are critical to retention of staff. VIT's advocacy in this area would be valued and would support teachers to maintain healthy and productive relationships with children and families in line with the Code of Conduct.

ELAA would also like to see the updated Code of Conduct included as part of the curriculum for teachers. Starting off teacher training thinking about ethics and behaviour will contribute to raising professional standards. Additionally, teachers should be expected to engage with the code throughout their careers. One of our members spoke to 24 VIT registered teachers, some of whom had not reviewed the Code of Ethics for over 10 years. We would expect that in renewing their registration each year, teachers are required to review the code, such as through a learning module and thereby acknowledge their commitment to comply with it.

Other feedback received was that having photo identification on VIT cards would be highly valued by employers and align the photo identification provided by the Working With Children Check. When engaging casual staff, photo identification contributes to services providing safe environments for children.

If you have any questions about this submission, please contact Lisa Minchin, ELAA Advocacy and Grants Lead, on:

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Sincerely,



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