

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 approved Out of School Hours venue, 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

PURPOSE

We aim to provide clear guidelines to educators, staff and families regarding babysitting enrolled children of the Out of School Hours Care (OSHC) Service out of approved hours for education and care, which is a separate arrangement to the care and education we provide as a service.

SCOPE

This policy applies to children, families, staff, management, approved provider, nominated supervisor, students, volunteers and visitors of the OSHC.

IMPLEMENTATION

We work to develop a positive and supportive relationship with children and families. We understand that families may request educators or staff at their child's OSHC Service 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, engaging educators in a private agreement for babysitting is not part of the service agreement between the OSHC Service and families. Families engaging an educator or staff member in private babysitting is not eligible to claim additional Child Care Subsidy (CCS).

Due to possible legal implications, child protection legislation and privacy laws, 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 or staff member, must advise 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 usual work engagements or availability
- 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 OSHC 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
- families understand that our OSHC 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
- the OSHC Service will not be made accountable for any health and safety issues that may arise within the private arrangement being made
- if an educator is to collect a child from the OSHC 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 must understand that an incident whilst babysitting could have an impact on their suitability to work at the Service
- 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 OSHC 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 OSHC 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 OSHC Service
- understand that the Service will not be held responsible for any health, safety, or wellbeing issues that may arise from private arrangements.

THE APPROVED PROVIDER/ MANAGEMENT/ NOMINATED SUPERVISOR WILL:

- keep a record of the babysitting arrangement on the educator/staff member's personal 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 a regular basis in consultation with children, families, staff, educators and management.

SOURCES

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](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.

[Western Australian Legislation Education and Care Services National Regulations \(WA\) Act 2012](#)

REVIEW

POLICY REVIEWED BY	CATHY MORALLEE	NOMINATED SUPERVISOR AND OSHC DIRECTOR	JANUARY 2025
POLICY REVIEWED	DECEMBER 2024	NEXT REVIEW DATE	OCTOBER 2025
VERSION NUMBER	V6.12.24		
MODIFICATIONS	<ul style="list-style-type: none"> • annual policy maintenance • additional information regarding confidentiality and code of conduct added • sources checked for currency and updated as required 		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
DECEMBER 2023	<ul style="list-style-type: none"> • policy maintenance - no major changes to policy • sources checked and updated as required 	DECEMBER 2024	

