

Education and Care Services References

National Quality Standard

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 safety and protection	Management, educators and staff are aware of their roles and responsibilities regarding child safety, including the need 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
172	Notification of change to policies or procedure

Policy Statement

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.

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 an 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/staff members personal file
- remind educators of Service's policies and procedures regarding confidentiality and code of conduct where staff are unable to discuss any issues regarding the Service, other staff members, parents/families or other children.

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

Policy Review

- The Service will review the Out-of-Hours Babysitting Policy and related documents regularly or as current information arises.
- Families are encouraged to collaborate with the Service to review the Policies and Procedures.
- Educators and staff are essential stakeholders in the policy review process and will be encouraged to be actively involved.

Policy Version

Version	Version changes
1.0	• New policy created • Updated the references to comply with the revised
2.0	• Further information added to 'purpose.' • Additional information added to points. • Sources/references corrected and alphabetised.
3.0	• Minor formatting • Inclusion of Management/Nominated Supervisor role • References checked for currency. • Minor grammatical changes.
4.0	• additional information regarding confidentiality and code of conduct added

Source Acknowledgments

- Consultation with management, educators, staff, and families
- **Australian Children's Education & Care Quality Authority. (2025). *Guide to the National Quality Framework***
- 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*.