

CHILDREN'S BATHROOM POLICY

QUALITY AREA 2 – VERSION 1.0



PURPOSE

This policy outlines clear expectations regarding **non-staff adult access** to children's bathroom spaces at **Denzil Don Kindergarten**, ensuring children's safety, privacy, dignity, and wellbeing are protected at all times.

RATIONALE

Children express discomfort when non-staff adults are present in bathroom spaces. This feedback identified the need to establish clear and consistent boundaries regarding who may access children's bathroom areas, to ensure children feel safe, secure, and able to toilet freely and without interruption at all times. This approach also reinforces to children that their voices are valued at kindergarten, and that their opinions have the power to inform meaningful change within the service environment - a core principle of child safe practice.

As a **Child Safe Organisation**, Denzil Don Kindergarten understands its legal and ethical responsibility to create an environment that actively protects children from harm, upholds their rights, and reduces risk in spaces where children are particularly vulnerable.

POLICY STATEMENT

The aim of this policy is to protect children's **safety, privacy, dignity, and wellbeing**, and to minimise risk within bathroom environments.

Denzil Don Kindergarten will achieve this by ensuring that:

- Only staff members are permitted to enter children's bathrooms.
- Non-staff adults, including family members and visitors, must not enter children's bathrooms under any circumstances.
- Children have the right to use the bathroom freely, privately, and without interruption or observation by non-staff adults.
- All toileting support is provided by their educators or a familiar staff member.

This policy applies to all service staff, students, volunteers, parents/carers, children, and others attending the programs and activities of Denzil Don Kindergarten.

PROCEDURES

To ensure consistent implementation of this policy:

- Educators will encourage and support children to toilet independently.
- Educators will provide assistance respectfully and sensitively when required, using consent-based language to ensure children are informed and feel safe.
- Supervision will be maintained at all times while also protecting children's privacy and personal boundaries.
- Families are informed that once children are signed into the program, it is our responsibility to support children with toileting. They are reminded that their child can seek educator support if toileting assistance is required.
- Clear signage will be displayed to reinforce staff-only access to children's bathroom areas.
- Agency staff must not assist children with toileting or intimate care needs. These tasks may only be undertaken by permanent staff members.
- Additional Assistants may assist with toileting and intimate care only if the teaching team agrees, with decisions made on a case-by-case basis.
- Staff have the authority and responsibility to ask non-staff adults to leave bathroom spaces immediately.

ROLES AND RESPONSIBILITIES

MANAGEMENT TEAM

The Educational Leader and Coordinator will:

- Ensure this policy is clearly communicated, understood and consistently implemented.
- Provide guidance and support to educators on implementing this policy.
- Regularly review the policy as part of ongoing risk management and continuous improvement.

EDUCATORS AND OTHER SERVICE STAFF

Once children are signed into the program, educators and service staff only:

- Support children respectfully during toileting routines.
- Must uphold children's right to privacy, safety, and dignity in the bathroom
- Maintain consistent boundaries with families and visitors in line with this policy.

FAMILIES, VOLUNTEERS, VISITORS AND OTHER ADULTS ATTENDING THE SERVICE

Families, volunteers, visitors and other adults attending the service must:

- Respect this policy and follow service staff direction at all times.
- Support and respect children's independence, privacy, and dignity by **not entering bathroom areas**.

STANDARDS AND RELATED POLICIES

ALIGNMENT WITH CHILD SAFE STANDARDS

Standard 1: Child safety and wellbeing embedded in organisational leadership, governance and culture

- Children's voices directly informed this policy
- Leadership took proactive action to reduce risk and strengthen protective practices

Standard 2: Children are informed, safe and empowered

- Children's expressed discomfort was acknowledged and responded to and guided practice change.
- This policy supports children's right to privacy and bodily autonomy

Standard 3 – Families and communities are informed and involved

- Families are clearly informed of expectations and the rationale for the policy.
- Communication is transparent and centred on children's rights

Standard 9: Physical and online environments minimise the opportunity for abuse

Restricting adult access to bathroom spaces reduces risk in a vulnerable environment.

ALIGNMENT WITH THE NATIONAL QUALITY STANDARD (NQS)

NQS Quality Area 2 – Children's Health and Safety

2.2: Effective policies minimise risks and support children's safety

This policy actively minimises unsafe or distressing situations for children, and upholds their rights

NQS Quality Area 3 – Physical Environment

3.1: The environment is safe, inclusive, and promotes independence

Clear boundaries support children's safe access to bathroom facilities and respect their bodily autonomy

NQS Quality Area 6 – Collaborative Partnerships with Families and Communities

6.1 & 6.2: Respectful, transparent communication supports shared understanding

Educators work in partnership with families while prioritising children's rights and safety

RELATED POLICIES

- Child Safe Environment and Wellbeing
- Inclusion and Equity
- Interactions with Children
- Privacy and Confidentiality
- Staffing

DEFINITIONS

For regularly used terms, see the Definitions File located online: <https://denzildonkinder.org.au/policies/> OR in the Policies Folder in the kindergarten office.

EVALUATION

To assess whether the values and purposes of the policy have been achieved, we will:

- seek feedback from all parties affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify all stakeholders affected by this policy at least 14 days before any significant change is made to the policy or its procedures, unless a lesser period is necessary due to risk (*Regulation 172 (2)*).

ATTACHMENTS

NIL

AUTHORISATIONS

This policy was adopted by the approved provider of Denzil Don Kindergarten on **16/04/2028**

REVIEW DATE: 16 / APRIL / 2028

ATTACHMENT 2: CODE OF CONDUCT - AGENCY STAFF, ADDITIONAL ASSISTANTS, STUDENTS ON PLACEMENT AND VOLUNTEERS WHEN WORKING WITH CHILDREN

Agency Staff, Additional Assistants, students on placement and volunteers, commit to contributing to creating an environment at Don Kindergarten that:

- respects the rights of children and values diversity and upholds the rights of children to feel safe, be heard and be taken seriously
- acknowledges the vulnerability of Aboriginal children, children from culturally and linguistically diverse backgrounds, and children with disability, and maintains zero tolerance for discrimination
- recognises and respects the cultural rights, identities and strengths of Aboriginal children and their families
- maintains a duty of care towards all children at the service by supporting the service's child safe policies and practices
- is committed to the safety and wellbeing of every child at the service
- is committed to the safety and wellbeing of all staff at the service
- provides a safe, secure, and supportive environment for all, including physical and online environments
- fosters an open and welcoming environment where all contributions are valued and respected
- is committed to open, honest, and respectful communication
- is committed to ongoing learning to strengthen inclusivity and respect for cultural needs
- encourages parents/carers, volunteers, students, and community members to support and participate in the service's program and activities.
- supports a culture where concerns about child safety can be raised without fear of blame or reprisal.

I WILL:

- behave kindly, courteously, and ethically towards children
- listen to and value the ideas, views, and opinions of children
- treat all children fairly and with equity, dignity, and respect

Code of Conduct Policy – Date reviewed: **10/05/2026**

Denzil Don Kindergarten – admin@denzildonkindergarten.org.au

- have regard for each child's cultural identity and values
- provide children with positive guidance and encourage appropriate, respectful, and kind behaviour
- recognise and respect the diverse backgrounds, abilities, and needs of children, and supporting the abilities and needs of all children
- create a welcoming, culturally safe, and inclusive environment that promotes participation and belonging
- speak to children in a positive, supportive, and encouraging manner
- encourage children to express themselves and share their ideas and opinions and listening and responding respectfully to their views
- support children to engage in experiences that build self-reliance, confidence, and self-esteem
- act as a positive role model at all times
- be mindful and avoiding any behaviour that could be perceived as grooming, intimidating, discriminatory or unsafe
- understand children's right to be heard and believed by providing time for them to express themselves, seek their views in their preferred communication method
- reporting any concerns about a child's safety, wellbeing or conduct of others to the management team as soon as possible
- Model consent and appropriate personal boundaries with children by seeking consent before comforting children through physical contact (e.g. "Would you like a hug?")
- maintain a safe environment for all children at all times.

I WILL NOT:

- raise my voice or speak harshly to children
- discipline a child in any way - through berating, threatening, embarrassing, belittling, or chastising
- physically grab a child; if a child's safety is at risk, I will seek immediate support from a staff member
- carry a personal device on my person or take photographs of children participating in the program
- enter the children's bathroom, unless I have been given prior permission to do so (may be the case with Additional Assistants, due to their ongoing role with the children)
- engage in any unlawful activity with or in relation to a child
- engage in any activity that could physically, sexually, or emotionally harm a child
- unlawfully discriminate against any child
- be alone with a child unnecessarily
- disclose personal or sensitive information about a child, including images, unless consent has been provided by the parent/carer or disclosure is required by law or service policy
- use inappropriate language in the presence of children
- attend work or engage with children while under the influence of alcohol or prohibited drugs
- ignore or disregard any suspected or disclosed harm or abuse of a child
- ignore a child who requires adult support or comfort.

IN MY INTERACTIONS WITH SERVICE STAFF AND MANAGEMENT I WILL:

- read, understand, and comply with the [Code of Conduct Policy](#)
- develop professional relationships based on mutual respect and trust
- work collaboratively in a courteous, respectful, and supportive manner
- value the input, expertise, and perspectives of others
- share knowledge and expertise in a thoughtful and considered way
- respect the rights of others as individuals
- provide constructive and encouraging feedback and respect differing professional approaches
- respect the privacy and confidentiality of children and families, only sharing information on a need-to-know basis in accordance with the [Privacy and Confidentiality Policy](#)
- follow all reasonable directions given by service staff
- treat the early childhood environment, resources, and property with respect
- raise concerns, including safety concerns, promptly with staff to support timely resolution
- raise complaints or grievances in accordance with the service's [Complaints Policy](#).
- raise concerns, including concerns about safety, as soon as possible with staff to ensure they are resolved efficiently and in line with the service's complaint handling procedures

- complying with visitor sign in requirements, supervision arrangements and any risk management measures implemented by the service, to protect children

On commencing work at Denzil Don Kindergarten and before working with children, all Agency Staff, Additional Assistants, students on placement and volunteers in the classroom (such as work experience volunteers) read this **Code of Conduct** and sign the **Code of Conduct Policy Acknowledgement** to convey that they understand and agree with their expectations and requirements when working and interacting with children at Denzil Don Kindergarten.



ATTACHMENT 3: CODE OF CONDUCT – PARENT/CARERS

I commit to contributing to creating an environment at Denzil Don Kindergarten that:

- respects the rights of the child and values diversity
- acknowledges the vulnerability of Aboriginal children, children from a culturally and linguistically diverse background and children with a disability and has zero tolerance of discrimination
- maintains a duty of care towards all children at the service
- is committed to the safety and wellbeing of each child at the service
- is committed to the safety and wellbeing of all staff at the service
- is committed to communicating openly and honestly
- is committed to continually learning how to be inclusive and respectful of cultural needs.

WHEN ENGAGING WITH THE CHILDREN AS A VOLUNTEER IN THE PROGRAM, I WILL:

- Provide a valid Working with Children Check (WWC) before volunteering or spending longer periods of time in the presence of children at the service (including on excursions and Discovery).
- Be warm and kind to all children in the program I am volunteering in.
- Speak to children in an encouraging and positive manner.
- Regard all children equally and with respect and dignity.
- Have regard to each child's cultural values.
- Respect children's individual differences.
- Be a positive role model at all times.
- Always use inclusive and respectful language, including avoiding gendered language where possible.
- Encourage children to express themselves and their opinions.
- Help maintain a safe environment for children.

I WILL NOT:

- Reprimand or speak harshly to a child, including if they are in conflict or negotiation with my child.
- Critique or question the educators regarding their program or the experiences they are providing unless I have genuine concerns.
- Have a mobile phone on my person.
- Assist children in the bathroom or getting changed (helping with shoes, coats, and hats is fine).
- Bring younger children with me, particularly when helping on excursions, including Discovery.
- Ask about or comment on a child or group of children.
- Ask staff personal or inappropriate questions.
- Enter the children's bathroom.

IN MY INTERACTIONS WITH SERVICE STAFF AND MANAGEMENT I WILL:

- Follow the teacher's and educator's directions and seek guidance on supporting the group and how they would like me to assist in the room.
- Treat the early childhood environment with respect
- Work in partnership in a courteous, respectful and encouraging manner
- raise concerns, including concerns about safety, as soon as possible with staff to ensure that they can be resolved efficiently
- Read and abide by the [Code of Conduct policy](#).

Prior to allowing parents/carers to volunteer in the program, all parents/carers are sent this **Code of Conduct** so they understand expected behaviours when engaging with the children and staff of Denzil Don Kindergarten. This **Code of Conduct** is also placed outside of the classrooms to ensure families are reminded of this if they are not reading digital communication.

ATTACHMENT 4: CODE OF CONDUCT – COMMITTEE OF MANAGEMENT

I WILL:

- Provide a valid *Working with Children Check (WWCC)*.
- Support the Centre Coordinator and Educational Leader (management team) and service more broadly with decisions at a high level – strategic planning - or providing family input.
- Offer measured, considered and community-minded advice in the best interest of all, as required.
- Assist with fundraising and events as required and within my scope and availability.
- Respond to community conversation, misunderstandings, and concerns, including encouraging direct communication with the management team or staff (depending on the circumstances). I will see the President if/when staff are not the appropriate people to address the matter.
- Respect the sensitive nature of agenda items at Committee meetings and ensure non-disclosure of all items discussed during meetings.
- Respect the management and staff as the leaders and decision makers for the service. This includes curriculum design, staffing, policy and process writers etc.
- Advise of conflict of interests.
- Adhere to all service policies.

I WILL NOT:

- Instruct, review, or critique the work of management or the educational team unless I have cause for serious concern. In this case, I will follow the requirements of the *Complaints Policy* or speak to the President.
- Raise personal issues impacting my child at committee meetings. I understand these conversations should be had with my child's teaching team, the Centre Coordinator and/or the Educational Leader. I can also see the *Complaints Policy*.
- Discuss Committee matters with the broader Denzil Don Kindergarten community.

On accepting a position on the Committee of Management, all members are required to read this **Code of Conduct** and sign the **Code of Conduct Policy Acknowledgement** to convey that they understand and agree with the expectations and requirements when working with the staff, children and families of Denzil Don Kindergarten. A record of their acknowledgment is held on the Committee of Management Teams page.



ATTACHMENT 5: DEFINING TYPES OF BEHAVIOUR, MISCONDUCT AND CRIMINAL CONDUCT IN A CODE OF CONDUCT

APPROPRIATE BEHAVIOUR includes, but is not limited to:

- Treating all children and young people with respect with regard to the dignity and rights of each child regardless of race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status
- Listening to and valuing children and young people's ideas and opinions
- Creating a positive, non-confrontational environment where the child feels safe and comfortable to interact.
- Putting in place clear professional boundaries so interactions with children cannot be misinterpreted
- Welcoming all children and their families and carers by being inclusive
- Actively promoting cultural safety and inclusion
- Listening to children and responding to them appropriately
- Welcoming parents/carers to participate in decisions about their child's education and care
- Reporting any conflicts of interest (such as an outside relationship with a child)
- Adhering to all relevant Australian and Victorian legislation and our child safe policies and procedures
- Working within a team to ensure that the needs of the child (and their family) remain the paramount focus
- Participating in all compulsory training
- Raising concerns with management if risks to child safety are identified, including cultural, environmental and operational risks
- Reporting and acting on any concerns or observed breaches of this Code of Conduct
- Taking all reasonable steps to protect children from abuse
- Respecting the privacy of children and their families by keeping all information about child protection concerns confidential
- Informing parents and carers if there are situations that need to be safely managed but are outside the boundaries of this Code of Conduct
- Taking a child seriously if they disclose harm or abuse
- Ensuring breaches of this Code are reported immediately
- Upholding the rights of the child and always prioritise their needs.

INAPPROPRIATE BEHAVIOUR includes, but is not limited to:

- Disciplining or correcting a child or young person in an unreasonable manner
- Making excessive and/or degrading demands of a child
- Taking photos of a child who is in the care of the organisation outside of official duties
- Creating situations to be alone with a child
- Repeatedly visiting a child/young person and/or their family at their home for no professional reason
- Providing gifts or favours to a child or their family
- Wearing inappropriate clothing around children or young people (for example, clothing with sexually explicit images or messages or clothes that expose or accentuate the genitals or breasts)
- Ignoring or disregarding concerns, suspicions or disclosures of child abuse, harm and family violence
- Ignoring or disregarding an adult's overly familiar behaviour, that is not justified by an educational or professional context, towards a child or young person
- Disregarding or failing to consider the views of children, especially about their physical and emotional safety, cultural safety, or issues or decisions that are important to them
- Initiating unnecessary physical contact with a child or do things of a personal nature for them that they can do themselves.

Examples of inappropriate conduct towards children and young people

- Humiliating and threatening children and young people
- Using physical contact that could be construed as sexualised or intrusive
- Making physical threats
- Engaging in and using any touching that is intimate, sexualised or overly personal
- Initiating, requesting or encouraging kissing
- Using retaliatory, insulting or humiliating remarks (could include shouting or yelling in a hostile tone)
- Force-feeding
- Photographing and recording children in a state of undress or during toileting and hygiene care routines

- Engaging in one-to-one personal direct online or digital messages to children and young people
- Following children's and young people's accounts and tagging in a social media post, including online 'friend requests' and personal messaging (noting social media age restrictions)

Examples of inappropriate conduct in the presence of children and young people

- Using disrespectful language and behaviours between adults, for example yelling and shouting in a hostile tone
- Using threatening or intimidating body language between adults, for example getting in someone's face or following them while continuing to yell at them
- Engaging in sexualised or racially charged conversations
- Engaging with inappropriate images, videos or written content
- Discussing children and young people in a derogatory manner
- Talking disrespectfully about children's and young people's families, culture or home environments
- Talking about or initiating experiences that are inappropriate for children's age and development, and may negatively shape thoughts and behaviour

The following will be taken into consideration when deciding if practice or behaviour is inappropriate conduct:

- Is inconsistent with professional standards or codes of conduct.
- Causes, or is likely to cause emotional, psychological, or physical harm.
- Has violent, aggressive or sexual connotations.
- Is ill treatment of a child that is not disciplinary in nature, ie: behaviour that is not in response to, or intended to address, a child's behaviour, in which case inappropriate discipline offences may instead apply.

It is also important to note that not all of the conduct considerations listed above need to be met in order for the conduct to be deemed inappropriate by a reasonable person.

MISCONDUCT may be, but is not limited to:

- Condoning or participating in illegal, unsafe, abusive or harmful behaviour towards children
- Using sexual language or gestures
- Making written or verbal sexual advances
- Sharing sexual photos or videos or other photos of a child
- Sharing details of one's own sexual experiences with a child
- Taking a child to one's home to be alone with them
- Sharing phone numbers with a child except as allowed by the organisation's policies and procedures
- Engaging with a child or young person via social media
- Asking children to keep a relationship secret
- Showering or dressing/undressing with the door open (ie: on excursions and in residential situations)
- Not respecting the privacy of children when they are using the bathroom or changing (ie: on excursions and in residential situations).

Examples of conduct, which if proven, is criminal includes, but is not limited to:

- intentionally or recklessly applying physical force against a child
- obscene exposure
- having, attempting to have or facilitating any kind of sexual contact with a child
- possessing, creating or exposing children to pornography
- giving goods, money, attention or affection in exchange for sexual activities or images
- sexting
- grooming offences (as defined by law in most jurisdictions)
- trafficking, possession, supply, or use of a prohibited drug
- manufacture or cultivation of a prohibited drug.