

# Early Years Services – QA5.1 Interactions with Children and Behaviour Guidance

TRIM Reference: D15/42638 Due for Review: 21 November 2027  
Responsible Officer: Coordinator Early Years

## Purpose

Surf Coast Shire Early Years is committed to the safety and wellbeing of children and young people. We seek to prevent harm of any kind impacting children and young people and have zero tolerance for racism, child abuse, inappropriate conduct and inequality. Children and young people's rights, relationships, identity, and culture must be recognised and respected, their voices heard, and their concerns acted upon. We aim to foster a culturally safe, child safe and child friendly environment for all children and young people we have contact with, deliver services to, or are impacted by our work.

From 27 February 2026, amendments to the Education and Care Services National Law require that the safety, health, wellbeing, rights and best interests of the child are the paramount consideration in all decisions made under the National Law. Surf Coast Shire Council Early Years Services recognise this legal obligation and ensure that the safety and wellbeing of children is prioritised in all aspects of service delivery, decision-making, operations, and daily practice.

## Policy Principles

National Quality Standards: 1.1, 1.2, 2.2.1, 2.2.3, 4.1.1, 5.1, 5.2, 7.1.1, 7.1.3, 7.2.2

Education & Care Services National Regulations: 73, 84, 115, 117A, 118, 123, 126, 145, 155, 156, 168, 170, 171, 172

Education and Care Services National Law: Sections 165, 166, 168, 169

This policy outlines Surf Coast Shire Council's commitment:

- We believe that positive educator and child interactions are central to ensuring quality outcomes for children's education and care.
- We value the important role our educators and staff play in children's education and care. We equip them with the necessary knowledge and skills to enable them to interact positively with the children and promote relationships between children.
- Our educational program encourages children's self-expression, promotes self-reliance, maintains their dignity and rights, gives positive guidance, and recognises their family and culture values, and abilities. We regularly reflect on and refine the program as needed in this regard.
- We will ensure that children are not subjected to inappropriate conduct while at an education and care service.

## Paramount Consideration of Children's Safety and Wellbeing

Surf Coast Shire Council Early Years Services recognise that under the Education and Care Services National Law, effective from 27 February 2026, the safety, health, wellbeing, rights and best interests of children are the paramount consideration in all decisions made under the National Law.

This requirement establishes a statutory duty for Approved Providers, Nominated Supervisors, educators, staff members, volunteers, contractors and students to ensure that the safety and wellbeing of children is prioritised above all other considerations.

In practice, this means that decisions relating to service operations, staffing arrangements, supervision, environments, risk management, program delivery and interactions with children must always prioritise the safety, rights and wellbeing of children.

Where a decision involves competing considerations, the best interests, safety and wellbeing of the child must take precedence.

Surf Coast Shire Council Early Years Services embed this principle across policies, procedures, daily practice, training and governance to ensure a consistent and proactive approach to child safety.

## Scope

This policy applies to all Surf Coast Shire Council Early Years Services staff members, volunteers, contractors, students and parents/carers/guardians, families and children and other adults attending the services.

## Policy

Research shows relationships are central to children developing acceptance, self-esteem and higher functioning thinking skills that contribute to positive learning and life outcomes (KidsMatter Early Childhood).

### Surf Coast Shire as the Approved Provider will:

- Ensure that obligations under the *Education and Care Services National law and National Regulations* are met.
- Refer to the National Model Code – Taking images in early childhood education and care and related guidelines when planning how often and when to take images and videos of a child during interactions.
- Ensure that the Safe use of digital technologies and online environments policy and procedures is also considered when interactions with children include digital technologies and online environments.
- Prioritise the safety, rights and best interests of children as the paramount consideration in all decision-making, practices and operations. Ensure that the early years services provide education and care to children in a way that:
  - Encourages children to express themselves and their opinions
  - Allows the children to undertake experiences that develop self-reliance and self-esteem
  - Maintains at all times the dignity and rights of each child.
  - Gives each child positive guidance and encouragement toward acceptable behaviour
  - Has regard to the family and culture values, age, and physical and intellectual development and abilities of each child (regulation 155).
- Ensure that the early years services provide children with opportunities to interact and develop respectful relationships with each other and with educators, staff, volunteers, having regard to the size and composition of the groups in which children are being educated and cared for (regulation 156).
- Ensure the early years services meets minimum educator and staff requirements, such as qualifications and educator to child ratios.
- Ensure all educators and staff, including volunteers and students, have undertaken current child protection legislation training, including for the mandatory reporting requirements and obligations in their jurisdiction.
- Ensure no child is subjected to inappropriate conduct while they are being educated and cared for.
- Ensure that no child is subjected to any form of corporal punishment, or any discipline that is unreasonable or inappropriate in the circumstances.
- Take reasonable steps to ensure that nominated supervisors, educators, staff and volunteers follow the *Interactions with children and Behaviour Guidance policy and procedures*.
- Ensure that copies of the policy and procedures are readily accessible to nominated supervisors, coordinators, educators, staff, volunteers and families and available for inspection.

### The Nominated Supervisor will:

- Implement the *Interactions with children and Behaviour Guidance policy and procedures*.
- Devise methods to lead the development and implementation of quality practices across their service that ensure the requirements of regulation 155 and 156 are met.
- Support educators to promote quality practice approaches to interactions with children.
- Ensure minimum educator and staff requirements are met, such as qualifications and educator to child ratios.
- Ensure all educators and staff, including volunteers and students, have undertaken current child protection legislation training, including for the mandatory reporting requirements and obligations in their jurisdiction
- Ensure that no child is subjected to any form of corporal punishment, or any discipline that is unreasonable in the circumstances.

- Prioritise the safety, rights and best interests of children as the paramount consideration in all decision-making, practices and operations.
- Reporting conduct that a reasonable person would consider to be inappropriate in the circumstances while that child is being educated and cared for at an education and care service.

**Educators will:**

- Contribute to the development of, and implement, quality practices that ensure that the requirements of regulations 155 and 156 are met.
- Promote quality practice approaches to interactions with children.
- Be aware of current child protection legislation, including the mandatory reporting requirements and obligations.
- Monitor and maintain staff to child ratios to ensure adequate supervision of children.
- Support children in line with the strategies in the ACECQA Relationships with Children information sheet.
- Support each child to feel secure, confident and included, enabling them to express themselves and their opinions.
- Provide children with opportunities to interact and develop respectful and positive relationships with each other and with educators, staff, and volunteers. In providing these opportunities, the size and composition of groups of children must be considered.
- Provide children with the opportunity to freely choose activities, solve problems, and have access to learning experiences that develop self-reliance and self-esteem.
- Prioritise the safety, rights and best interests of children as the paramount consideration in all decision-making, practices and operations.
- Ensure each child is able to engage with staff/educators in a meaningful way with open interactions that support the acquisition of skills for life and learning.
- Ensure every child's family and cultural values, age, and physical and intellectual development and abilities of each child at the service.
- Ensure no child is subjected to inappropriate conduct while they are being educated and cared for.
- Ensure that no child is subjected to any form of corporal punishment, or any discipline that is unreasonable or inappropriate in the circumstances.
- Ensure interactions with each child are warm, responsive and aim to build trusting relationships.
- Refer to the National Model Code – Taking images in early childhood education and care and related guidelines when planning how often and when to take images and videos of a child during interactions
- Ensure that the Safe use of digital technologies and online environments policy and procedures is also considered when interactions with children include digital technologies and online environments.

**Intentional and Inclusive Strategies**

Educators can support children by:

- being aware of children's abilities, challenges and unique needs, as well as supporting transitions
- creating physical environments, programs and routines that allow children the time and resources needed for positive interactions with their peers
- supporting children to explore reciprocal rights and active community participation, as well as fostering resilience and agency through activities that recognise children as capable and competent learners
- considering the pace and flow of the program that allows a balance of play experiences such as individual and group, quiet and noisy, active and passive experiences
- being intentional in planning and support to scaffold learning
- promoting a range of social skills such as group entry skills and negotiation as a way of considering expectations, diversity and democracy
- implementing flexible arrangements centred around children's routines, interests and offering extended periods of uninterrupted play
- encouraging children to take on different roles within groups
- inviting children to collaborate with educators.

**Behaviour guidance**

Educators can take an active role in nurturing, supporting and promoting children’s relationships and social skills by:

- Having a sound knowledge of child development in order to successfully apply behaviour guidance techniques (Knowledge and skills are updated regularly).
- Maintaining the dignity and rights of the child at all times.
- Being aware of current child protection legislation, including the mandatory reporting requirements and obligations
- Actively seek to prevent harm of any kind impacting children and young people and have zero tolerance for racism, child abuse and inequality.
- Regularly communicating between parents/carers/guardians and staff/educators to develop a broader understanding of the child’s developmental level and individual needs within the context of their home environment.
- Consulting with parents/guardians about developing specific behaviour guidance strategies, when a child does not respond to daily behaviour guidance strategies
- Guiding children towards ‘acceptable’ behaviour, with encouragement freely given.
- Supporting each child to manage their own behaviour, respond appropriately to the behaviour of others and communicate effectively to resolve conflicts.
- Guiding children with clear, consistent, fair limits for behaviour. Children will have positive behaviour acknowledged.
- Providing positive behaviour guidance that includes the use of natural consequences based on the assessment of responses required for each circumstance.
- Understanding punishment is **inappropriate and unacceptable** as a child behaviour guidance technique. No child will be subjected to any form of inappropriate discipline such as corporal punishment, immobilisation or any other frightening or threatening technique.
- Understanding what inappropriate conduct is an unacceptable method of behaviour guidance
- Consulting with both the parent(s)/guardians of the child and the relevant Early Years Team Leader for support and guidance, or further training if staff/educators, volunteers or students experience difficulty in responding to particular behaviours.
- Seeking additional professional assistance and external support at times to help a child and family. Staff/educators and parent(s)/guardians may discuss referrals to specialist services. Specialist services may be undertaken to ensure children and families’ needs are being met.
- Emphasising the importance of supporting families who are experiencing difficulties, through family-friendly practices. This can include linking families into relevant support networks. Staff/educators will initially discuss with the Early Years Team Leader and families where this is applicable.

**Appropriate Physical Contact**

The *National Quality Framework Quality Area 5 - Relationships with Children* is about building relationships with children within Early Years Services that are responsive and respectful and promote children’s sense of security and belonging.

The Following *Standards and Elements* provide the context and foundation for appropriate physical contact; as part of the overall interaction and relationships between children accessing the Surf Coast Shire Council Early Years Services and staff, volunteers and students:

<p><i>Standard 5.1</i> Respectful and equitable relationships are maintained with each child</p>	<p><i>Element 5.1.1</i> Responsive and meaningful interactions build trusting relationships, which engage and support each child to feel secure, confident and included.</p>
	<p><i>Element 5.1.2</i> The dignity and rights of every child are maintained.</p>
<p><i>Standard 5.2</i> Each child is supported to build and maintain sensitive and responsive relationships.</p>	<p><i>Element 5.2.1</i> Children are supported to collaborate, learn from and help each other.</p>
	<p><i>Element 5.2.2</i> Each child is supported to regulate their own behaviour, respond appropriately to the behaviour of others and communicates effectively to resolve conflicts.</p>

## Discipline

The term 'discipline' is often associated with punishment and may suggest inappropriate, unacceptable and damaging methods of attempting to control children's behaviour. It can be understood as action taken by adults towards children to stop or change behaviour that is inappropriate or not desired.

### Examples of inappropriate discipline

The following are some examples of inappropriate discipline which may constitute a serious breach of the National Law and/or National Regulations and could potentially be considered criminal matters:

- hitting, pushing, slapping, pinching or biting a child
- force-feeding a child
- yelling at or belittling a child
- humiliating a child
- physically dragging a child
- locking children away (or isolating them)
- depriving a child of food or drink
- unreasonable restraining of a child (this may include restraint in a high-chair)
- excluding children from events
- consistently moving children to the office or other space away from the play areas
- moving children to another room as punishment
- verbally or physically threatening a child.

### Inappropriate Conduct

- Subjecting children to inappropriate conduct while they are being educated and cared for is an offence under the National Law.
- It is an offence for an approved provider, nominated supervisor, staff member or volunteer (including students) to subject a child to conduct that a reasonable person would consider to be inappropriate in an education and care service.

Conduct that a reasonable person would consider to be inappropriate in the circumstances while that child is being educated and cared for at an education and care service. When determining whether conduct is inappropriate, consideration may be given to:

- whether it is likely to cause harm (physical, emotional or psychological) to the child
- whether it transgresses expectations about what is acceptable in an education and care service
- the child's age and developmental stage
- whether the behaviour is sexual, violent or aggressive.

The legislation also makes it clear that certain factors are not relevant in determining whether conduct is inappropriate. These include:

- whether or not the child consented to the conduct, and
- whether the person accused of the offence is related to the child.

### Other examples of inappropriate practice are:

- negative labelling of child or family
- criticising a child's actions or behaviours
- discouraging a child from taking part in activities
- blaming or shaming a child
- making fun of or laughing at or about a child
- using sarcastic or cruel humour with or to a child
- excessive use of negative language to a child, such as, "no", "stop that!", "don't...", "you never..."

As Early Years Staff, you have a **Duty of Care** to report inappropriate conduct and behaviour in the early year's programs. If at any time you witness inappropriate conduct or behaviour by other staff members, you are obligated to:

1. Address the inappropriate behaviour immediately (away from children)
2. If it is harmful behaviour as described in the above list, it needs to be stopped straight away.
3. Follow up the inappropriate behaviour with the staff member at the end of the session – find out why this has happened, suggest more appropriate strength-based approaches to guiding children's behaviour.
4. Complete the *Early Years Staff – Incident Report Form* – D24/112060- email this to the [teamleaderkindergarten@surfcoast.vic.gov.au](mailto:teamleaderkindergarten@surfcoast.vic.gov.au) or for Occasional Care [chub@surfcoast.vic.gov.au](mailto:chub@surfcoast.vic.gov.au)
5. Once the team leader receives the *Early Years Staff - Incident Report Form* they will follow it up if required and put in strategies to support staff and children. Disciplinary action may be taken depending on report and VECRA informed

### Role of the adult

- Adults play a critical role in guiding children's behaviour.
- They support children to find positive ways to express their interests, needs, views and feelings.
- Children's wellbeing depends on adults understanding the child's behaviour and responding appropriately.
- Children who lack a sense of self-worth or have low self-esteem are often more likely to behave in challenging ways. Children may at times display challenging behaviour when they are having difficulty in expressing their interests, needs and a range of emotions or when they are not getting enough attention from adults.
- It may be appropriate, at times, to involve children in decision making and discussions about their behaviour, however this must be done sensitively with careful forethought.
- Some examples of inappropriate conversations with young children regarding their behaviour include demanding answers to questions such as 'Why did you do that?' and insisting that children apologise for their behaviour.

## Definitions

### 'Acceptable' behaviour

An important aspect of children's belonging, being and becoming involves them learning how their behaviours and actions affect themselves and others and developing skills to regulate these independently. Developing an understanding of 'acceptable' behaviour and being able to manage their own behaviour (self-regulation) are important aspects of a child's social and emotional development.

Children's appropriate behaviours are acknowledged so children know they have acted appropriately. Positive behaviours are encouraged by diverting children to more appropriate experiences, showing appreciation for appropriate behaviour and building on each child's strengths and achievements.

### Inappropriate Conduct

The legislation references conduct that a reasonable person would consider to be inappropriate in the circumstances while that child is being educated and cared for at an education and care service. When determining whether conduct is inappropriate, consideration may be given to:

- whether it is likely to cause harm (physical, emotional or psychological) to the child
- whether it transgresses expectations about what is acceptable in an education and care service
- the child's age and developmental stage
- whether the behaviour is sexual, violent or aggressive.

The legislation also makes it clear that certain factors are not relevant in determining whether conduct is inappropriate. These include:

- whether or not the child consented to the conduct, and
- whether the person accused of the offence is related to the child.

## Behaviour Guidance

Behaviour guidance is an integral part of the educational or recreational program in a children's service. Staff members are guiding children's behaviour through their interactions and communication at all times. Behaviour guidance consists of a variety of ways that adults help children learn to guide or 'self-manage' their behaviour. This contrasts with the more traditional 'behaviour management' or 'discipline' approaches that generally imply an adult 'managing' children's behaviour or using punishment, or any discipline which is unreasonable in the circumstances, to control them.

## Bullying

Bullying is when someone or a group of people with more power repeatedly and intentionally causes hurt or harm to another person or group of people who feel helpless to respond. Bullying can continue over time, is often hidden from adults and will probably continue if no action is taken.

Bullying is not:

- Single episodes of social rejection or dislike
- Single episode acts of nastiness or spite
- Random acts of aggression or intimidation
- Mutual arguments, disagreements or fights.

## Dignity and rights of the child

Element 5.1.2 of the National Quality Standard (Dignity and rights of the child) aims to achieve the United Nations Convention on the Rights of the Child, a universally agreed set of non-negotiable standards and obligations founded on respect for the dignity and worth of each child, regardless of race, colour, gender, religion, opinions, origins, wealth, birth status or ability. Article 19 of the Convention states that children have the right to be protected from being hurt and mistreated, physically, or mentally.

## Discipline

The term 'discipline' is often associated with punishment and may suggest inappropriate, unacceptable and damaging methods of attempting to control children's behaviour. It can be understood as action taken by adults towards children to stop or change behaviour that is inappropriate or not desired.

## Family-friendly Practices

Collaborative relationships with families are fundamental to achieving quality outcomes for children. Families have an opportunity to be involved in the service and contribute to service decisions. Respectful and supportive relationships with families are developed. The expertise of families is recognised and utilised; families are supported in their parenting role, and their values and beliefs about child rearing are respected.

## Positive interaction between educators and children

Involves educators viewing each child as capable and competent, with a right to a voice, and able to contribute to decisions that affect them. This enables educators to focus their practices on children's strengths and inclusion in the group environment.

Educators who are responsive to children's thoughts and feelings are supporting them to develop a strong sense of wellbeing. By interacting positively and meaningfully with children, educators help each child to feel accepted and to develop a sense of attachment and trust.

### Relationships between children

When educators create supportive environments in which children experience mutually enjoyable, caring and respectful relationships, children respond accordingly.

Positive relationships provide children with the confidence and agency to explore and learn about their world.

Developing effective relationships with others is a key part of children's social development and these relationships also provide a base for children's learning.

### Relationships between educators and children

When children experience nurturing and respectful reciprocal relationship with educators, they develop an understanding of themselves as competent, capable and respected. Consistent emotional support contributes to children developing a strong sense of wellbeing and belonging.

Relationships are the foundation for the construction of identity, and help shape children's thinking about who they are, how they belong and what influences them.

### Paramount Consideration

Paramount consideration means that the safety, health, wellbeing, rights and best interests of the child must be the primary and overriding factor in all decisions and actions taken by the service.

### Related Procedure

Nil.

### References

#### Related Surf Coast Shire Council and Early Years Services Policies

D14/70701	Educational Programs Policy
D16/75844	Child Safe Organisation Policy
D15/35312	Child Safe Environment Policy
D16/36657	Early Years The safe use of digital technologies and online environments Policy
D15/15724	Early Years Employment of Qualified/Staff and Ratios Policy
D15/33004	Early Years Supervision of Children Policy
D15/54262	Early Years Governance and Management

#### Related Surf Coast Shire Council and Early Years Services Work Instructions and Forms

D24/112060	Early Years Staff Incident – Report Form
D23/104577	Early Years – Child Safe Code of Conduct – Child Safe Standards
D25/141004	Electronic device agreement
D24/59499	Child Safety Officers Contact List - PDF
D17/54211	Child Safe Reporting Form
Online Child Safe Reporting Form <a href="https://au.openforms.com/Form/7cd6aa02-f3c2-4a53-8da4-61ca2e4d30eb">https://au.openforms.com/Form/7cd6aa02-f3c2-4a53-8da4-61ca2e4d30eb</a>	
D26/38386	Surf Coast Shire Child Safe Reporting Process – PDF
D25/65185	Serious Incident Register
D26/63091	Visitor registration in Early Years Services via SISO

#### Other References

Education and Care Services National Law 2010  
Education and Care Services National Regulations 2011  
National Quality Standard 2011  
ACECQA National; Quality Framework Resource Kit  
ACECQA – Quality Area 5 – Relationships with Children – information sheet  
Childcare Service Handbook (Department of Education)  
Victorian Early Years Learning & Development Framework,

Early Years Learning Framework for Australia,  
 My Time Our Place  
 Victorian Children’s Services Regulations 2020  
 National Quality Framework Policy

**Document History**

Version	Document History	Approved by – Date
Approval Date		General Manager Culture and Community – 1 April 2014
1	<i>Amended</i>	Manager Aged and Family – 8 June 2017
2	<i>Amended</i>	Manager Community Strengthening – 6 December 2018
3	<i>Amended</i>	Manager Community Strengthening – 22 May 2020
4	<i>Amended</i>	Manager Community Strengthening – 22 November 2021
5	<i>Amended</i>	Manager Community Strengthening – 11 April 2023
6	<i>Amended</i>	Manager Community Strengthening – 5 September 2024
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