



Law & Regs

Law section 166 Offence to use inappropriate discipline

(1) and (2) The **approved provider and nominated supervisor** ... must ensure that no child ... is subjected to—

- (a) any form of corporal punishment; or
- (b) any discipline that is unreasonable in the circumstances. Penalty: \$10 000, in the case of an individual. \$50 000 if provider is not an individual.
- (3) **A staff member of, or a volunteer at,** an education and care service must not subject any child ... to—
 - (a) any form of corporal punishment; or
 - (b) any discipline that is unreasonable in the circumstances. **Penalty: \$10,000.**

Regulation 155 Interactions with children

An approved provider must take reasonable steps to ensure that the education and care service provides education and care to children in a way that—

- (a) encourages the children to express themselves and their opinions; and
- (b) allows the children to undertake experiences that develop self-reliance and self-esteem; and
- (c) maintains at all times the dignity and rights of each child; and
- (d) gives each child positive guidance and encouragement toward acceptable behaviour; and
- (e) has regard to the family and cultural values, age, and physical and intellectual development and abilities of each child being educated and cared for by the service.

Evidence to show compliance – policies and procedures are in place that reflect these requirements and we ensure that all educators, staff members and volunteers are trained to understand and implement them. Regular monitoring and review of practices ensure ongoing compliance.

Why is the element important?

Element 5.1.2 could help address several fears and behaviours that children may establish specifically if their dignity and rights are not met. For example:

Impact on Self-Esteem and Well-Being: Children who are not treated with dignity and respect may suffer from low self-esteem and poor overall well-being. This can result in feelings of worthlessness, depression, and anxiety, potentially affecting their mental health long-term.

Disengagement from Learning: When children feel undervalued and unsupported, they may become disengaged from learning and lose interest in school. This disengagement can lead to poor academic performance and a lack of motivation to succeed.

Social Exclusion: Children who are not treated with dignity and respect may be excluded from social activities and peer groups, leading to feelings of isolation and loneliness. This can hinder their social development and sense of belonging.

Vulnerability to Bullying: Children who are not recognised as individuals with inherent dignity and rights may be more susceptible to bullying. Without proper support and respect, their concerns may be overlooked, making them easy targets for bullies.

Disruption of Social and Emotional Development: Children who do not feel respected and valued may experience disruptions in their social and emotional development. This can lead to difficulties in forming healthy relationships and coping with stress and challenges.

Increased Behavioural Issues: Children who are not treated with respect and dignity may exhibit increased behavioural problems. These issues can arise as a form of expressing their frustrations and unmet needs, leading to conflicts and disciplinary actions.

Loss of Trust in Adults: When children are not treated respectfully, they may lose trust in adults and authority figures. This loss of trust can make it difficult for them to seek help or guidance in the future, further isolating them and compounding their difficulties.

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To eliminate these children's fears, or potential behaviours we use what the element is requesting us to do and become meeting.



Addressing Children's Fears and Potential Behaviours

You must practice **To eliminate children's fears or potential behaviours, it is crucial to acknowledge and address these concerns effectively. Here is a step-by-step guide on how to do so:**

Help Children Make Choices and Experience Consequences

Educators provide opportunities for decision-making in various areas, such as choosing an activity, selecting a toy, or deciding what to eat. For example, during free play, an educator could ask a child which activity they want to engage in and then offer guidance and support as the child navigates any challenges that arise. The educator could also reflect with the child on the consequences of their choices, such as how sharing toys can lead to positive interactions with peers.

Acknowledge Positive Behaviour

Educators provide specific praise and feedback when a child demonstrates positive behaviour, such as sharing, helping, or showing empathy. For example, an educator could say, "I noticed how you helped your friend clean up after afternoon tea. That was really kind and helpful!" This helps to reinforce positive behaviours and encourages children to continue to act in positive ways.

Recognise Growing Maturity and Grant More Independence

Educators gradually increase children's responsibilities and provide opportunities for decision-making and problem-solving. For example, you could teach children how to prepare the room for activities or run an activity and give them more responsibility for this task over time. You could also provide opportunities for children to make decisions about their daily routine, such as which games to play.

Manage Potential Conflicts

Educators observe and identify potential triggers for conflict, such as a limited number of games, toys, or different play styles. They can then provide positive support and guidance to prevent conflicts from escalating, such as offering alternative activities or teaching children how to negotiate and compromise.

For example, an educator could suggest that two children work together on a puzzle, modelling cooperative behaviour and encouraging children to work through challenges together.

Help Children Respond Positively to Difficult Situations

Educators provide guidance on conflict resolution, communication, and empathy, and offer a range of strategies for managing difficult situations. For example, if a child is upset about another child not sharing, the educator could help the child identify their feelings and offer suggestions for how to communicate their needs effectively. The educator could also encourage children to consider the feelings of others and to use positive language when expressing their own needs and perspectives.

Promote and Celebrate Each Child's Unique Identity

Educators provide opportunities for children to share their family and cultural backgrounds. For example, an educator could ask children to bring in photos or items from their home to share with the class or read books that feature diverse characters and cultures. The educator could also incorporate cultural traditions and celebrations into the curriculum and classroom environment.

Work with Families and Other Professionals

Educators communicate openly and collaboratively with families and seek out resources and support as needed. For example, an educator could work with a child's family to develop a plan for supporting a child with a disability or learning difference, or collaborate with other professionals such as speech therapists or occupational therapists to support a child's development.

Reflect on Teaching Practices and Values

Educators engage in ongoing self-reflection and seek out feedback from others. For example, complete the reflection sheet about your interactions with children and how they promote dignity and rights, or ask a colleague or supervisor to observe your interactions and provide feedback.

Addressing Impact on Self-Esteem and Well-Being

To counteract potential negative impacts on self-esteem and well-being, educators can create a supportive and affirming environment. They should provide regular positive reinforcement, encourage self-

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expression, and ensure each child feels valued and respected.

Preventing Disengagement from Learning

To keep children engaged in learning, educators should create a stimulating and inclusive educational environment. They should offer varied and interesting activities that cater to different learning styles and provide support and encouragement to help children overcome challenges.

Preventing Social Exclusion

Educators can promote social inclusion by facilitating group activities that encourage collaboration and teamwork. They should actively ensure that all children are included in social activities and help them build strong peer relationships.

Reducing Vulnerability to Bullying

Educators should create a safe and respectful environment where bullying is not tolerated. They should teach children about kindness, respect, and how to stand up for themselves and others, providing support and intervention when needed.

After reading these points, which one(s) do you think you doing well?

Describe your practice in detail so it can go directly into you QIP or SAT (NSW only).

After reading these points, which one(s) do you think you need to work on?

Describe how you could improve your practice.

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