OUT OF HOURS BABYSITTING POLICY

Out of hours babysitting refers to private arrangements between educators or staff members and families to care for enrolled children outside the Service's operating hours. This policy aims to ensure these arrangements are clearly understood as separate from the Service and that appropriate boundaries, confidentiality, child safety and professional conduct are maintained.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
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 LAW AND NATIONAL REGULATIONS	
S. 2A	Paramount consideration—safety, rights and best interests of children
S. 3A	Paramount consideration [NSW]
84	Awareness of child protection law
99	Children leaving the education and care service premises

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

PURPOSE

We aim to provide clear guidelines to educators, staff and families regarding babysitting enrolled children of the Service outside of operating hours, which is a separate arrangement from the care and education we provide.

SCOPE

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

DEFINITION

Babysitting: For this policy, babysitting includes nannying and other private arrangements, whether paid or unpaid, where an employee provides care for an enrolled child outside the Service's operating hours.

IMPLEMENTATION

We work to develop a positive and supportive relationship with children and families. We understand that families may request individual educators or staff to babysit for them outside the Service's operating hours.

While the Service takes reasonable steps to employ suitably qualified, experienced and reliable educators and staff, we cannot assure their suitability to look after a child or children unsupervised in a private babysitting arrangement away from our Service.

Private babysitting is not education and care provided by the Service and is not undertaken on behalf of the Service. Families are responsible for making their own arrangements and for assessing the suitability of the person they engage and understand that this care is not eligible for additional Child Care Subsidy (CCS).

Regardless of this arrangement, the educator or staff member remains subject to all applicable legal, child protection, confidentiality, professional conduct and employment obligations.

The safety, rights and best interests of children are the paramount consideration. Educators and staff must ensure private babysitting arrangements do not compromise children's safety, rights or wellbeing or their professional responsibilities.

EXPECTATIONS FOR EMPLOYEES PROVIDING BABYSITTING

Due to possible legal, child protection and privacy implications, we do not encourage employees from babysitting enrolled children outside of work hours. However, we recognise that educators and staff may choose to undertake private babysitting arrangements in their personal time. Where this occurs, the following requirements apply:

- employees 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 person's work or availability at the Service
- confidentiality must be adhered to at all times
- employees must maintain appropriate professional boundaries with children and families while babysitting
- employees must ensure private babysitting arrangements do not result in favouritism or preferential treatment of children and families at the Service
- families must be made aware that other adults who may accompany the employee may not hold the relevant Working with Children Check/Vulnerable Person Check, or may not be otherwise authorised to provide care for children
- the private babysitting arrangement is separate from the Service, and the Service is not a party to the private arrangement. The employee remains responsible for complying with all applicable legal and professional obligations within the Service environment.
- families understand that our Service has a duty of care to protect children while on the premises and in our care. This duty of care does not extend to private arrangements between employees and families outside of the Service. However, employees do have a duty to report any health, safety, and/or wellbeing concerns, including child protection concerns, in accordance with their responsibilities
- employees must understand that an incident whilst babysitting could have an impact on their suitability to work at the Service

- if an employee is to collect a child from the Service, the employee must be authorised to collect the child in accordance with the Service's *Delivery of Children to, and Collection from Education and Care Service Premises Policy* and applicable legislation. The required authorisation must be recorded in the child's enrolment record.
- employees will complete a private agreement with families regarding expectations, including the use of personal mobile phones and devices and taking and using images or videos, to ensure privacy and confidentiality are maintained while babysitting
- employees and families will complete the '*Out of Hours Babysitting Agreement Waiver'* acknowledging that the babysitting arrangement is private and separate from the Service and that the Service is not responsible for the care provided outside of the Service.

PRE-EXISTING RELATIONSHIPS BETWEEN EDUATORS / STAFF AND FAMILIES

The Service recognises that a pre-existing relationship with a child or family may exist independently of the Service. The employee must still comply with all applicable child safety, professional conduct, confidentiality and conflict-of-interest requirements.

Employees must:

- disclose the relationship to management
- be authorised or provided with written permission by parents/guardians to collect a child from the Service
- ensure the relationship doesn't result in favouritism or preferential treatment.

MANAGEMENT/ APPROVED PROVIDER/ NOMINATED SUPERVISOR WILL:

- keep a record of the babysitting arrangement on the employee's personal file
- remind employees of their obligations under the Service's policies and procedures, including confidentiality and code of conduct, particularly regarding information about the Service, other employees, children and families.

CONTINUOUS IMPROVEMENT/REFLECTION

Our *Out of Hours Babysitting Policy* will be reviewed on an annual basis annually or earlier if there are changes to legislation or ACECQA guidance, or any incident related to our policy. Feedback will be requested from children, families, staff, educators and management. All families will be notified 14 days before any policy change that may have a significant impact on the provision of education and care to any child enrolled at the Service or the family's ability to utilise the Service, or earlier in line with the *Governance Policy*.

RELATED RESOURCES

Out of Hours Babysitting Agreement Waiver

SOURCES

Australian Children's Education & Care Quality Authority. (2026). *Guide to the National Quality Framework*
Australian Children's Education & Care Quality Authority. (n.d.). *Information sheet - Inappropriate conduct (Professional boundaries and conduct)*
Education and Care Services National Law Act 2010
Education and Care Services National Regulations 2011

REVIEW

POLICY REVIEWED	OCTOBER 2026	NEXT REVIEW DATE	OCTOBER 2027
VERSION NUMBER	V10.10.26		
MODIFICATIONS	• major review of policy to include further child safety practices • clarified expectations and responsibilities for employees providing private babysitting • added a definition section and paramount consideration statement • broadened the meaning of babysitting to include nannying and other private care arrangements • made edits for clarity and consistency • sources and references updated as required		
PREVIOUS MODIFICATIONS			
OCTOBER 2025	• annual policy review • minor edits in policy		
DECEMBER 2024	• annual policy maintenance • additional information regarding confidentiality and code of conduct added • sources checked and updated as required		