

FACT SHEET

Inappropriate Discipline



An essential part of helping children feel a sense of 'belonging, being, and becoming' involves teaching them to understand how their actions and behaviour impact themselves and others. This understanding helps children learn to navigate their interactions in a respectful and considerate way. Effective discipline should focus on guiding children through positive and constructive methods that foster their growth and self-regulation. By supporting children in this way, we contribute to their overall well-being and development in a nurturing and supportive environment.

Corporal punishment and any form of discipline that is deemed inappropriate or unreasonable are strictly against child protection principles and practices, are considered offences under the National Law. These practices are harmful and do not support the positive development of children.



Inappropriate discipline/ practices	Effective discipline
Smacking, pushing, pinching a child.	Positive Behaviour Support strategies e.g. gentle touch, supporting, comforting a child.
Shouting at a child.	Speaking softly, calmly communicating at a child.
Dragging a child.	Guiding gently, assisting a child.
Isolating a child.	Including, engaging and redirecting a child.
Withholding food or drink from the child.	Providing nourishment, offering food and drink (Children can react aggressively when they are hungry or tired).
Consistently moving children to the office or other spaces away from the play areas.	Allowing children to stay in play areas and provide effective support when necessary.
Verbally or physically threatening a child.	Incentive child to make good choices.
Restraining the child.	Assist child to self-regulate.
Labeling a child or their family.	Accepting, recognising individuality, promoting an inclusive environment.
Being cruel or ridiculing the child.	Being kind, showing respect to the child.
Blaming and shaming a child.	Supporting, guiding a child on their development.

Positive Behaviour Support (PBS)

Positive Behaviour Support (PBS) is a strategy designed to help adults understand the underlying reasons for a child's behaviour and respond in a consistent and effective manner. It focuses on identifying the causes of challenging behaviours (this includes brain development) and provides strategies to support children in overcoming them.

Timing is crucial when discussing behaviour with a child. It's best to address issues when the child is calm and regulated, as they are more receptive and able to process information at these times. When a child is upset or angry, they may struggle to understand and manage their emotions. By choosing an appropriate moment to talk, you can help the child recognize and express their feelings more effectively, reducing the risk of escalating behaviours.



Cool Down

Sometimes, when a child is having a tough moment, it helps to give them a "cool down" period. This means they can take a break in a quiet space, usually near an educator, to calm down and regain control. Unlike a "time out," where the child is left alone, the cool down is a supportive process. The educator stays with the child, helping them manage their emotions and using the time as a chance for learning, not punishment.

Restraint

Services should refer to their organisation policy. In rare cases, a child may be in a situation where they could hurt themselves or others, and they may need to be physically restrained to keep everyone safe. This should only be done in emergency situations, e.g. when a child is about to run into traffic. Restraint should always be a last resort, used only when absolutely necessary to prevent harm. Instead, supporting children to self-regulate their emotions and providing them with appropriate tools to understand and manage their feelings. E.g. Walking outside, take a breath etc.



Legislative Requirements

Education and care regulations are crucial for safeguarding children's well-being, ensuring high-quality education, and creating a consistent and supportive environment. They establish essential standards for safety, quality, and inclusivity, fostering environments where children can thrive academically and socially. These regulations also support professional development for educators, ensuring they stay updated with best practices, and promote accountability through regular inspections and evaluations.

Regulation 168 of the National Regulations mandates that services develop policies on behaviour guidance that honor each child's dignity and rights, though specific behaviour plans are not required by law. Many services implement such plans to prevent harm, especially for children with additional needs, incorporating family and expert input when necessary. Regulations 155 and 156 focus on promoting children's self-expression and positive interactions while respecting their dignity and developmental needs. Section 167 requires providers to protect children from harm and hazards, with inadequate behaviour management potentially considered neglect. Additionally, approved providers must ensure all supervisors and staff complete child protection training and keep records of this training to comply with updated regulations as of October 1, 2023.

National Law

Section 166: Offence to use inappropriate discipline.

Section 162A: Persons in day-to-day charge and nominated supervisors to have child protection training.

Section 167: Offence relating to protection of children from harm and hazards.

Section 174: Offence to fail to notify certain information to Regulatory Authority.

National Regulations

Regulation 12: Meaning of serious incident.

Regulation 84: Awareness of child protection law.

Regulation 147: Staff members.

Regulation 155: Interactions with children.

Regulation 156: Relationships in groups.

Regulation 168: Education and care services must have policies and procedures.

Regulation 175: Prescribed information to be notified to the Regulatory Authority.

Links to the National Quality Standards

Issues related to inappropriate discipline are relevant to Quality Area 5 of the National Quality Standard (NQS), which includes both standards and the four associated elements. Additionally, these concerns have direct connections to Quality Area 2 and Quality Area 7, notably:

Standard 2.1: Each child's health and physical activity is supported and promoted.

Element 2.1.1: Each child's wellbeing and comfort is provided for, including appropriate opportunities to meet each child's need for sleep, rest and relaxation.

Standard 2.2: Each child is protected.

Element 2.2.1: At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.

Standard 7.1: Governance supports the operation of a quality service.

Element 7.1.2: Systems are in place to manage risk and enable the effective management and operation of a quality service.

Serious incidents of inappropriate discipline must be reported to regulatory authorities, child protection agencies, or police as required by local legislation