

BERMAGUI PRESCHOOL



1.13 Employee Right to Disconnect Policy

This policy was approved by the Nominated Supervisor in consultation with staff and families.

Date Approved: April 2026

Review Date: April 2029

Aim

Bermagui Preschool recognises that maintaining healthy professional boundaries between work and personal life supports employee wellbeing, reduces psychosocial hazards and contributes to the delivery of high-quality education and care.

Bermagui Preschool is committed to fostering a safe, respectful and supportive workplace that values the health, wellbeing and professional boundaries of all employees. This policy outlines employees' right to disconnect from work-related communication outside their ordinary working hours in accordance with the Fair Work Act 2009 (Cth).

Employees have the right to refuse to monitor, read or respond to work-related contact or attempted contact outside their working hours unless that refusal is unreasonable. This policy supports a positive workplace culture, respectful professional interactions and employee wellbeing.

Policy

This policy applies to all employees of Bermagui Preschool, including:

- Permanent employees
- Part-time employees
- Casual employees
- Administration staff

Employees are not expected to monitor, read or respond to work-related communications outside their ordinary working hours, including:

- emails
- telephone calls
- text messages
- approved communication platforms
- any other work-related contact.

Responsibilities of the Approved Provider and Nominated Supervisor

The **Approved Provider** and **Nominated Supervisor** will:

- respect employees' right to disconnect
- ensure communication practices support employee wellbeing
- provide adequate non-contact time for planning, programming and administrative duties where applicable
- avoid contacting employees outside working hours unless necessary
- model healthy professional boundaries
- respect the privacy and confidentiality of employees
- ensure all employees are aware of this policy
- regularly review workplace communication practices.

Employee Responsibilities

Employees will:

- complete planning, documentation and routine communication during paid working hours wherever practicable
- communicate their availability clearly and professionally
- maintain respectful and professional communication at all times
- respect the privacy and confidentiality of colleagues, children and families
- recognise that exceptional circumstances may require reasonable after-hours contact.

Families and Community Members

Families, authorised nominees and members of the community are encouraged to communicate with the preschool during operating hours using the preschool's approved communication channels.

Educators are not expected to respond to work-related enquiries from families or community members outside their ordinary working hours unless authorised or required in exceptional circumstances.

Reasonable After-Hours Contact

Whether contact outside ordinary working hours is reasonable will depend on the circumstances, including:

- the reason for the contact
- how the contact is made and the level of disruption caused
- the nature of the employee's role and responsibilities
- the employee's personal circumstances, including family or caring responsibilities
- whether the employee is compensated for remaining available outside ordinary working hours
- whether the matter requires an immediate response.

Reasonable after-hours contact may include:

- emergencies involving children, educators or the preschool
- unexpected staffing issues that affect the safe operation of the service
- urgent child protection, regulatory or safety matters
- critical incidents requiring an immediate response.

Where after-hours contact is necessary, it will be limited, respectful and only for the time required to address the immediate issue.

Unreasonable After-Hours Contact

The following would generally not be considered reasonable:

- routine reminders
- non-urgent planning or documentation requests
- general updates that can wait until the next working day
- requests for information that are not time-critical
- repeated attempts to contact employees regarding non-urgent matters
- general enquiries regarding children's learning, routines or progress.

Communication Expectations

To support healthy professional boundaries:

- emails and messages sent outside ordinary working hours should not be expected to receive a response until the employee's next rostered shift
- employees are encouraged to use scheduled sending functions when preparing communications outside working hours
- planning, programming and documentation should be completed during paid working hours wherever practicable
- approved digital communication platforms should only be used for urgent matters outside working hours.

Supporting Employee Wellbeing

Bermagui Preschool will:

- provide appropriate non-contact time for planning and administrative responsibilities where applicable
- promote manageable and equitable workloads
- foster a respectful and collaborative workplace culture
- review communication practices regularly
- ensure position descriptions and employment arrangements clearly identify any genuine requirement for reasonable after-hours availability.

Concerns or Breaches

Employees who believe their right to disconnect has not been respected are encouraged to discuss their concerns with the Nominated Supervisor or Approved Provider.

Concerns will be managed respectfully, confidentially and in accordance with the preschool's Feedback, Grievances and Complaints Policy and relevant workplace legislation.

Where a matter cannot be resolved internally, employees and employers may seek assistance from the Fair Work Commission.

Related Policies

- Code of Conduct Policy
- Workplace Health and Safety Policy
- Interaction with Children, Families and Staff Policy
- Feedback, Grievances and Complaints Policy
- Safe and Responsible Use of Digital Devices and Technologies Policy

Legislative and Regulatory Requirements

Fair Work Act 2009 (Cth)

- Part 2-9, Division 6 – Right to Disconnect (as amended by the Fair Work Legislation Amendment (Closing Loopholes No. 2) Act 2024)

Education and Care Services National Regulations

- Regulation 168 – Education and care service must have policies and procedures
- Regulation 170 – Policies and procedures to be followed
- Regulation 171 – Policies and procedures to be kept available
- Regulation 172 – Notification of changes to policies and procedures

National Quality Standard

Quality Area 4 – Staffing Arrangements

- Standard 4.1 – Staffing arrangements
- Standard 4.2 – Professionalism

Quality Area 7 – Governance and Leadership

- Standard 7.1 – Governance
- Standard 7.2 – Leadership

Version History

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