

# Practice and Behaviour Guidelines

(Also known as Safeguarding Code of Conduct)

## Purpose

YMCA Whittlesea is a not-for-profit organisation, which recognises that all children, young people and the vulnerable (and their families) have the right to develop and reach their potential in environments that are caring, nurturing and safe.

The YMCA supports the Government position that in our society every child and young person deserves the right to thrive, learn and grow, be respected and valued and enabled to become an effective adult member of the community. The YMCA supports the concept that a community in which the safety, stability, health, development and learning of every child and young person is protected and promoted throughout childhood.

We are committed to safeguarding children, young people and the vulnerable in our care and ensuring that they feel safe. Accordingly, we wish to ensure that our personnel strive for the highest possible standards with respect to safeguarding children, young people and the vulnerable from abuse. To that end, we have developed these practice and behaviour guidelines to identify, and so prevent, behaviour that may be harmful to the children, young people and the vulnerable in our care.

## Application

All personnel, from our Board of Directors, Senior Managers, Senior Staff, to Casual Staff and volunteers, are required to observe these practice and behaviour guidelines. Developed to protect children and young people engaged in our Children's Services, Disability Services, and Aquatic Education, Youth Programs and Recreational programs. These guidelines have been formally approved and endorsed by our Board.

## Commitment

You should read these practices and behaviour guidelines in conjunction with:

- The specific requirements of your role as defined in your 'position description' statement.
- Our relevant policy and procedure documents, including our:
  - Safeguarding Children and Young People CEO Statement
  - Safeguarding Children and Young People Policy
  - Responding to Child Abuse Reports and Allegations policy
- All applicable laws
- General community expectations in relation to appropriate behaviour between adults and children.

As part of your commitment to observing, these practice and behaviour guidelines, you will be required to sign a YMCA Whittlesea formal statement of Commitment to the Practice and Behaviour Guidelines. We consider a failure to observe these guidelines; as misconduct and as such will take appropriate disciplinary action. Such disciplinary action may depend on the seriousness of the misconduct, may include suspension while the matter is investigated and / or employment dismissal. In addition to any internal disciplinary proceedings, we will report to the police all instances in which a breach of the law has or may have occurred.

## Exceptions

There may be exceptional situations where these guidelines do not apply, for example, in an emergency. However, it is crucial that, where possible, you seek management authorisation prior to taking action that contravenes these guidelines or that you advise management as soon possible after any incident in which these guidelines are breached.

## The Guidelines

Our practice and behavior guidelines address the major areas where you interact with children, young people and the vulnerable who take part in any YMCA Whittlesea services or programs including Children's Services, Disability Services, and Aquatic Education, Youth Programs and Recreational programs.

## Sexual Misconduct

Under no circumstances is any form of 'sexual behavior' to occur between, with, or in the presence of, children, young people or the vulnerable participating in any of our Children's Services, Disability Services, Aquatic Education, Youth Programs or recreational programs. Engaging in sexual behavior while participating in our service is prohibited even if the young persons involved may be above the legal age of consent.

'Sexual behavior' needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:

- 'Contact behavior,' such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution.
- 'Non-contact behavior,' such as flirting, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

## Positive Guidance (Discipline)

We strive to ensure that children and young people participating in any YMCA Whittlesea services or programs including; Children's Services, Disability Services, Aquatic Education, Youth Programs or Recreational programs are aware of the acceptable limits of their behavior so that we can provide a positive experience for all participants. However, there are times when personnel may be required to use appropriate techniques and behavior management strategies to ensure:

- An effective and positive environment
- The safety and/or wellbeing of children, young people or the vulnerable or personnel participating in our Children's Services, Disability Services, Aquatic Education, Youth Programs and Recreational programs.

We require our personnel to use strategies that are fair, respectful and appropriate to the developmental stage of the children, young people or vulnerable involved. The child, young person or person deemed vulnerable needs to be provided with clear directions and given an opportunity to redirect their misbehavior in a positive manner.

Under no circumstances are our personnel to take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

## Adhering to role boundaries

Our personnel should not, of their own volition or at the request of a service user, act outside the confines of their duties (as specified in their position description) when helping to deliver any of our YMCA services or programs including Children's Services, Disability Services, Aquatic Education, Youth Programs and Recreational Programs.

Any persons who is an employee of YMCA Whittlesea or a volunteer:

- Must not provide unauthorized transportation, such as providing a lift home.
- Must not engage in activities with children, young people or the vulnerable (and their families) who are clients / members of our organization outside authorized Children's Services, Disability Services, and Aquatic Education, Youth Programs, or Recreational programs, such as attending extra-curricular activities (e.g. weekend football).
- Must not provide any form of support to a child, young person or the vulnerable or their family, unrelated to our Children's Services, Disability Services, Aquatic Education, Youth Programs and Recreational programs such as babysitting services after hours.
- Must not seek contact with children, young people or the vulnerable (and their families or former participants) outside our Children's Services, Disability Services, Aquatic Education, Youth Programs or Recreational programs.
- Must not accept an invitation to attend any private social function at the request of a child, young person or the vulnerable (or their families) who has participated, or is participating in our Children's Services, Disability Services, Aquatic Education, Youth Programs and recreational programs at the request of their family. For example, staff and volunteers are not to attend private birthday parties.
- Any staff that reports that they have a pre-existing relationship with a child or family, YMCA Whittlesea must receive a letter from the family stating this.
- Any staff who have children enrolled in YMCA Whittlesea programs will be required to document in a staff declaration, the relationship they have with other children who access a service or program  
OR
- A declaration that states they have a relationship with children that attend our services founded through their own child.

If any of our personnel become aware of a situation in which a child, young person or the vulnerable requires assistance that is beyond the confines of that person's role, or beyond the scope of our organization's usual service, they should at the earliest opportunity:

- Refer the matter to an appropriate support agency, or
- Refer the child or young person to an appropriate support agency, or
- Contact the child or young person's parent or guardian, or
- Seek advice from management.

### **YMCA Whittlesea Community Services Exemption:**

For participants over the age of 18 years within Community and Disability Services, staff must seek permission from management prior to accepting an invitation to attend any private social function.

YMCA Whittlesea community services has a 1:1 Support policy and Procedure to amend the above supervision statement for employees and volunteers engaged in the delivery of these services

## Uniform

Our personnel should wear their uniform only while involved in delivering services or as required by our organization, such as when representing the YMCA at designated functions, to and from work.

You should also use your identification badge only in delivery of our Children's Services, Disability Services, and Aquatic Education, Youth Programs and any Recreational Program or service.

#### YMCA Whittlesea Community Services Exemption:

Given the nature of this service staff employed to work with participants may not be required to wear a name badge or uniform

- If it poses a risk to either a participant or staff member
- If a participant or family member has requested they do not want the staff member to adhere to this when in a public setting.

A staff identification badge will be given to replace a nametag.

### Use of language and tone of voice

Language and tone of voice used in the presence of children, young people and the vulnerable should:

- Provide clear direction, boost their confidence, encourage and affirm them.
- Not be harmful to children, therefore personnel should avoid language that is:
  - Discriminatory, racist or sexist
  - Derogatory, belittling or negative, for example, calling a child a “loser” or telling them that they are “too fat”
  - Intended to threaten or frighten
  - Profane or sexual.

### Supervision

Personnel are responsible for supervising the children and young people to which our organization provides Children’s Services, Disability Services, and Aquatic Services, Youth programs and Recreational programs and Services, to ensure those participants:

- Engage positively with any participant. For example, interactions with children and young people and the vulnerable are positive and safe.
- Behave appropriately toward one another. For example, act as a positive role model for children, young people and the vulnerable.
- Are in a safe environment and are protected from external threats. For example, adhering to any court imposed actions regarding family members.

Personnel are required not to place themselves in one-to-one situations with children, young people and the vulnerable to whom, we provide services and if for a reasonable and unavoidable situation this should not be possible, all activities and / or discussions with service recipients must be in view of other personnel.

#### YMCA Whittlesea Community Services Exemption:

Given the nature of this service staff may be placed in rostered one to one situation with participants therefore the Supervision restriction of not placing themselves in a one-to-one situation will not be possible.

### Use of Electronic Communications

We prohibit all electronic communications between our service delivery personnel and the children, young people and the vulnerable to whom we provide services.

Where a parent is not included in the communication:

- Restrict such communication to issues directly associated with delivering our Children’s Services, Disability Services, Aquatic Education and Youth Programs, such as advising that a scheduled event is cancelled.
- Limit the personal or social content in such communications to what is required to convey the service-

related message in a polite and friendly manner. In particular, do not communicate anything that a reasonable observer could view as being of a sexual nature.

- Do not use such communication to promote unauthorized 'social' activity or to arrange unauthorized contact.
- Do not request a child or young person to keep a communication a secret from their parents.
- Do not communicate with children or young people using Internet chat rooms or similar forums such as social networking sites, game sites or instant messaging.

Personnel are not to communicate with children outside our services, such as siblings or friends who are known to the personnel via a child participating in the service.

All our personnel, and the children and young people to whom we deliver our Children's Services, Disability Services, Aquatic Education, Youth Programs and Recreational programs are required to follow our Social Media Policy in relation to browsing websites on our organization's computers.

Our personnel are required to ensure appropriate monitoring of children, young people and the vulnerable when they use our organization's electronic communication equipment to ensure that they do not inadvertently place themselves at risk of abuse or exploitation via social networking sites, gaming sites or web searches, or through inappropriate email communication.

#### **YMCA Whittlesea community Service Exemption:**

- The use of electronic phones and technology during a support shift is to be limited to completing electronic files using YMCA Whittlesea CRM system and for direct service delivery and emergencies.

## **Giving gifts**

Managers and Coordinators of their specific areas are to authorize any gifts to children or young people involved in our Children's Services, Disability Services, Aquatic Education, Youth Programs or Recreational programs delivered to children, young people or the vulnerable to their families, including rewards, prizes, treats, or second-hand equipment.

## **Photographs of children and young people**

Under these guidelines:

- Children and young people to whom we deliver services are to be photographed while involved in our Children's Services, Disability Services, Aquatic Education, Youth programs and recreational programs only if:
  - Our managers and coordinators of each area has granted prior and specific approval via permission on any enrolment form specific to the program or service.
  - The context is directly related to participation in Children's Services, Disability Services, Aquatic Education, Youth Programs, or Recreational programs
  - The child is appropriately dressed and posed.
  - The image is taken in the presence of other personnel.
  - The photo can only be taken by an authorised service device i.e mobile phone or camera. Should these not be available and a photo is taken by the employee or volunteer this must be immediately uploaded to a secure drive on the services network and the photo must be immediately deleted from the personnel's mobile phone in the presence of another authorised personnel.
- Images are not to be distributed (including as an attachment to an email) to anyone outside our organisation other than the child photographed or their parents, without management knowledge and approval.
- Images (digital or hard copy) are to be stored in a manner that prevents unauthorised access by others, for example:



- If in hard-copy form, in a locked drawer or cabinet.
- If in electronic form, in a 'password protected' folder.
- Images (digital or hard copy) are to be destroyed or deleted as soon as they are no longer required.
- Images are not to be exhibited on our website without parental knowledge and approval, or such images must be presented in a manner that de-identifies the child or young person. Any caption or accompanying text may need to be checked so that it does not identify a child or young person if such identification is potentially detrimental.

### **YMCA Whittlesea Community Service Exemption:**

- Photos that are taken during a shift are to be taken on a client's own camera or phone, as long as consent is granted.
- If there, is a situation where a client's phone or camera is not accessible then a staff member may in some situations take a photo and upload it to the client CRM file and immediately delete any and all copies of the photo from their phone. Management must be notified when this has occurred.

## **Physical contact with children and young people**

Any physical contact with children, young people and the vulnerable must be appropriately developmental to the delivery of the particular service and based on the needs of the child or young person (such as to assist or comfort a distressed young person) rather than on the needs of our personnel. For example:

- Children's Services: changing nappy, helping children off play equipment, helping children get changed after swimming, etc.
- Disability Services: high support needs such as toileting, changing, etc.
- Aquatic Education and Recreation Programs: Touches and holds a person as part of teaching.
- Youth Programs: Assisting or comforting a distressed young person.

Under no circumstances should any of our personnel have contact with children, young people or the vulnerable participating in our Children's Services, Disability Services, Aquatic Education, Youth Programs or Recreational programs that:

- Involves touching of genitals, buttocks or breast area, that is other than as part of delivering medical or allied health services
- Would appear to a reasonable observer to have a sexual connotation
- Is intended to cause pain or distress to the child or young person (for example, corporal punishment)
- Is overly physical (for example, wrestling, horseplay, tickling or other roughhousing)
- Is unnecessary (for example, assisting with toileting when a child does not require assistance)
- Is initiated against the wishes of the child or young person, except if such contact may be necessary to prevent injury to the child or young person or to others. In which case:
  - Physical restraint should be a last resort
  - The level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the child or young person to prevent harm to themselves or others
  - The incident must be reported to management as soon as possible.

Our personnel are required to report to management any physical contact initiated by a child or young person that is sexual and/or inappropriate (for example, acts of physical aggression) as soon as possible, to enable the situation to be managed in the interests of the safety of the child or young person, our personnel and any other participants.

### **YMCA Whittlesea Community Service Exemption:**

YMCA Whittlesea Community Services has a 1:1 Support Policy and Procedure to amend the above statement that will apply to employees and volunteers engaged to deliver these services.

## Overnight stays and sleeping arrangements

Overnight stays are to occur only with the authorization of the appropriate Manager and Coordinators of specific areas and of the parents / guardians of the children, young people or vulnerable person involved (eg: delivery of YMCA camping programs)

Practices and behavior by our personnel during an overnight stay must be consistent with the practices and behavior expected during delivery of all our programs and services involving children, young people and the vulnerable.

Standards of conduct that must be observed by our personnel during an overnight stay include:

- Providing children and young people with privacy when bathing and dressing
- Ensuring appropriate dress standards when children and young people are present, such as no exposure to adult nudity
- Not allowing children or young people to be exposed to pornographic material, for example, through movies, television, the internet or magazines
- Not leaving children under the supervision or protection of unauthorized persons such as hotel staff or friends
- Not involving sleeping arrangements that may compromise the safety of children, young people and the vulnerable such as unsupervised sleeping arrangements, or an adult sleeping in the same bed as a child or young person
- The right of children to contact their parents, or others, if they feel unsafe, uncomfortable or distressed during the stay.

### **YMCA Whittlesea Community Services Exemption:**

- YMCA Whittlesea Community Services has a 1:1 support Policy and procedure that must be adhered to around sleeping arrangements that will apply to employees and volunteers engaged to deliver these services.

## Change room arrangements

Personnel are required to supervise children and young people in change rooms while balancing that requirement with a child or young person's right to privacy. In addition:

- Personnel should avoid one-to-one situations with a child or young person in a change room area
- Personnel are not permitted to use the change room area to, for example undress, while children and young people are present.
- Personnel need to ensure adequate supervision in 'public' change rooms when they are used.
- Personnel need to provide the level of supervision required for preventing abuse by members of the public, adult service users, peer service users, or general misbehaviour, while also respecting a child's privacy
- Female personnel are not to enter male change rooms and male personnel are not to enter female change rooms.

## Use, possession or supply of alcohol or drugs

While on duty, personnel must not:

- Use, possess, or be under the influence of an illegal drug
- Use or be under the influence of alcohol
- Be incapacitated by any other legal drug such as prescription or over-the-counter drugs
- Supply alcohol or drugs (including tobacco) to children, young people or the vulnerable participating in any of our programs or services

Use of legal drugs other than alcohol is permitted, provided such use does not interfere with your ability to care

for children involved in our service. Employees and volunteers must disclose their situation to their immediate supervisor which will be documented on the Disclosure of Pre-existing Injuries or Medical Condition form as part of your ongoing employment and Section 82 (7,8) of the Accident Compensation Act 1985..

## Transporting children

Children, young people and the vulnerable are to be transported only in circumstances that are directly related to the delivery of our programs and services. For example they should not be given 'casual lifts' and at all times will be transported by a minimum of two staff. Children are to be transported only with prior authorization from our managers and coordinators of specific areas, and from the parent/guardian. Gaining approval involves providing information about the proposed journey, including:

- The form of transport proposed, such as private car, taxi, self-drive bus, bus with driver, train, plane or boat
- The reason for the journey
- The route to be followed, including any stops or side trips
- Details of anyone who will be present during the journey other than our personnel who are involved in delivering our Children's Services, Disability Services, Aquatic Education, Youth Programs and Recreational programs.

### YMCA Whittlesea Community Service Exemption:

- Please also refer to the Transport Policy for the Disability Sector and also the 1:1 Support Policy and Procedure that will apply to employees and volunteers engaged to deliver these services.

## Monitoring and/or evaluation

The Procedure will be reviewed every year. The ongoing monitoring and compliance to this procedure will be overseen by our YMCA Whittlesea Safeguarding Coordinator and our HR & Systems Manager where practical.

## Supporting documents (links to procedures and/or work practices)

- Transport Policy
- YMCA Safeguarding Children and Young People Policy
- Safeguarding Children, Young and Vulnerable People Policy
- Safeguarding Children and Young People CEO Statement
- Responding to Abuse Reports and Allegations policy
- Social Media Policy
- 1:1 Support Policy

## Definitions, roles and responsibilities

Department/Role	Responsibility
Safeguarding Policy	<ul style="list-style-type: none"> <li>• Refers to a person under the age of 18 years.</li> <li>• An adult, aged 18 or over; Who is, or may be, in need of community services due to age, illness or a mental, intellectual or physical disability. Who is, or may be, unable to take care of himself/herself, or unable to protect himself/herself against significant harm or exploitation.</li> <li>• Victims of family or domestic violence or those who are experiencing some form of hardship.</li> </ul>



Managers, Supervisors and Coordinators	Permanent employees who are either Managers of a service or centre or hold a Director status
Any personnel	Any person employed or a volunteer including Board members, contractors, consultants and student placement who are engaged with YMCA Whittlesea.
YMCA Whittlesea Board	Approve the Policy
CEO	Provide official sign off on the Policy

## Version control

Version	Date	Author	Change Description
V5	05/04/18	Sandra Marson	Updated heading name to also include reference to Safeguarding Code of Conduct to align with National YMCA Safeguarding Children and Young People Policy.
V4	16/03/17	Geny Zambello	
V3	26/05/17	Sandra Marson	Updated statement and policy principles and included Policy Standards
V2	06/08/14	Taryn Nelson	
V1	19/11/13	Taryn Nelson	

Version: 5  
Created: 25/06/2013  
Updated : 05/04/2018  
Next Review Date: 05/04/2019

Reviewed by: Sandra Marson  
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