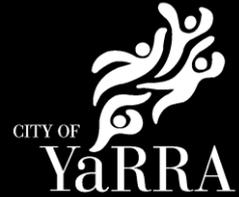


# Child Safe Code of Conduct



<b>Title</b>	Child Safe Code of Conduct
<b>Description</b>	This policy outlines Yarra City Council's expectations about the behaviour of staff towards, with and in the presence of children and young people when performing duties or acting on behalf of Council. It defines acceptable and unacceptable behaviours and assists staff to identify and report child-related misconduct and reportable conduct matters in a timely and appropriate manner.
<b>Category</b>	Staff
<b>Type</b>	Policy
<b>Approval authority</b>	Executive Team
<b>Responsible officer</b>	Group Manager – People and Culture
<b>Approval date</b>	25 May 2022
<b>Review cycle</b>	Every two years  This policy may be reviewed more frequently where there are significant changes to legislation, best practice approaches, or if a review of the management of a child safe incident identifies systemic failings that need to be addressed.
<b>Review date</b>	25 May 2024
<b>Document Reference (Content Manager)</b>	D22/134764
<b>Human Rights compatibility</b>	This policy has been assessed and is compatible with the Victorian Charter of Human Rights of Responsibilities.  The United Nations Convention on the Rights of the Child (CROC) has also been considered in developing this policy.
<b>Staff Consultative Committee Consulted</b>	Yes

## 1. Child Safe Statement of Commitment

We are committed to being a child safe organisation and have a zero tolerance to child abuse.

We support and value all children and are committed to promoting and prioritising child safety throughout the City of Yarra.

We recognise our legal and moral responsibilities in keeping children and young people safe and have robust policies and procedures in place in order to meet this commitment.

We want children to thrive, be safe, happy and empowered, and are dedicated to ensuring children have a voice, their views are listened to and respected, and they are given opportunities to contribute to how we plan and deliver our services.

## 2. Scope

This policy applies to all Council employees and representatives 16 years and over including:

- Full-time, part-time, and casual employees;
- Permanent and temporary employees performing work for Council, inc. work experience students, apprentices, interns and trainees;
- Temporary and casual individuals engaged through an agency;
- Staff on exchange;
- Volunteers; and
- Relevant contractors directly engaged/renumerated by Council.

## 3. Purpose

The purpose of the Child Safe Code of Conduct is to:

- Define and set clear expectations about acceptable and unacceptable behaviours of staff towards, with and in the presence of children and young people – with consideration of their diverse needs and the different environments and ways in which our staff interact with children and young people;
- Protect all children and young people from abuse by having organisational practices in place to prevent, remove or reduce potential risk of child abuse;
- Provide a clear statement to staff prohibiting any such abuse;
- Address allegations or suspicions of staff misconduct or reportable conduct when it does occur in a timely and appropriate manner; and uphold consistency, transparency and accountability in Yarra's response to and management of such allegations
- Assist staff to identify and report misconduct and reportable conduct matters with confidence; and to
- Meet Yarra's legal obligations and achieve its organisational commitment to child safety.

**Child or children** is inclusive of anyone under 18 years of age, including the unborn child.

## 4. Standards of Behaviour

All staff have a duty of care and legal obligation to protect children and young people from abuse, irrespective of whether they work directly or interact with children and young people. As Yarra staff, you must adhere to our standards of behaviour set out below.

### Staff will:

- ✓ Always adhere to this Code and the Child Safe Policy.
- ✓ Be vigilant, proactive and take all reasonable steps to protect children/young people from abuse.
- ✓ Ensure as far as practicable that adults are not left alone with a child or young person (unless it is core to the approved service or program being provided).
- ✓ Establish culturally safe physical and online environments in which the diverse and unique identities and experiences of Aboriginal children and young people are respected and valued.
- ✓ Treat all children and young people with dignity, ensure equity is upheld, and the diverse needs of children and young people are respected. This includes (but is not limited to) children and young people with a disability, culturally and linguistically diverse children and young people, those who are unable to live at home, and children/young people with diverse gender and sexual orientations.
- ✓ Listen to and treat the safety concerns of children and young people seriously, particularly if they tell you that they or another child or young person has been, or is at risk of being, abused.

- ✓ Place the interests of any child or young person being or at risk of being abused above the interests of the organisation or other individuals within it.
- ✓ Provide welcoming, safe and inclusive physical and online environments that protect children and young people from exploitation, violence, bullying, teasing, threatening, and discriminatory remarks.
- ✓ Manage dual relationships appropriately, i.e., where a prior or pre-existing personal relationship exists with a child, young person, or family who engages with our programs and services.
- ✓ Uphold the rights and best interests of children and young people in planning and decision-making.
- ✓ Be a positive role model, i.e., supporting children and young people to learn protective behaviours, empowering children/young people to speak up if they have concerns for their safety or wellbeing and ensuring children/young people are aware of their rights and have access to this information.
- ✓ Provide opportunities that reflect the diverse needs and experiences of children and young people and empower them to fully participate in our services, programs and community.
- ✓ Recognise children and young people as active citizens, agents in their own lives and encourage them to 'have a say' on issues that directly affect them.
- ✓ Engage and openly communicate our safeguarding approach with children, young people and their families, and ensure relevant information is accessible.
- ✓ Adhere to risk mitigation strategies and safe work practices (identified by and relevant to your work area) when interacting with children and young people.
- ✓ Complete our child safe training and other relevant professional development activities as required.
- ✓ Treat all concerns or allegations of child abuse seriously and respond consistently with the procedures outlined in the Child Safe Policy.
- ✓ Take steps to ensure the immediate safety of a child and young person if an allegation of abuse is made or abuse has occurred.
- ✓ Report any breach of the Code to your People Manager (or next level Manager where the concern involves your People Manager) immediately.
- ✓ Adhere to appropriate 'safe touch' (see below) considered suitable to your role, or where otherwise necessary, i.e., comforting a child in distress, administering first aid.

#### **Safe touch with a child/young person should always:**

- ✓ Be appropriate to the developmental needs of the child or young person.
- ✓ Be strictly in line with the types of contact necessary to perform your duties.
- ✓ Be open, non-secretive and sensitive to the diverse needs of children and young people.
- ✓ Be culturally sensitive.
- ✓ Be at the initiation or with the expressed consent of the child or young person wherever possible.
- ✓ Make the child or young person feel safe and cared for.

It is important to be attuned to the child/young person's cues and what they are comfortable with. It is ok to do things that make a child/young person feel safe and cared for, but where possible and/or developmentally appropriate, seek their consent first, i.e., unless they have indicated they want one, ask a child/young person in distress if it is ok to give them a hug before doing so; when performing first aid or duties of an intimate nature, tell the child where you need to touch them, why, and ask if it is ok.

Doing this teaches children and young people the difference between safe, unsafe and unwanted touches; it helps them to develop their own body safety rules; and it also teaches them about consent, which is essential to the development of healthy, respectful and safe relationships as they grow older.

#### **Staff will not:**

- ✗ Develop a 'special' relationship with a child or young person to the exclusion of others or show favouritism, i.e., by offering a child or young person gifts or special treatment.
- ✗ Exhibit behaviours with children/young people that may be construed as unnecessarily physical.
- ✗ Hit, physically assault, or engage in inappropriately rough play with a child or young person.
- ✗ Speak to a child or young person in an angry, intimidating, or threatening manner.
- ✗ Engage in discussions of a mature or adult nature with or in the presence of children/young people.
- ✗ Condone, or make self-disclosures about past or present participation in illegal or unsafe behaviours with, or in the presence of a child or young person.
- ✗ Smoke, consume alcohol or illicit drugs, or be substance affected with or in the presence of children and young people whilst actively on duty.
- ✗ Touch intimate areas or have any other physical contact with a child/young person (i.e., kiss, hold, cuddle) not deemed to be appropriate to your role, or appropriate 'safe touch' (as defined above).

- ✘ Do things of a personal or intimate nature (i.e., toileting or changing clothes) that you could reasonably expect a child or young person to do for themselves, unless performing necessary personal care duties as part of your role, or in unavoidable situations such as administering first aid.
- ✘ Use inappropriate, discriminatory, prejudicial, oppressive, harassing, abusive, sexually explicit, demeaning or culturally insensitive language with or in the presence of a child or young person.
- ✘ Discriminate against any child or young person based on their age, gender, race, culture, religion, disability, vulnerability, sexuality or any other protected attribute; or express personal views about such attributes when with or in the presence of a child or young person.
- ✘ Purposefully establish a relationship with a child, young person and/or their family outside of work.
- ✘ Solicit, conduct, or accept requests from a child, young person, or their family for private services (i.e., babysitting, non-authorized home visits, private lessons) delivered outside of your work.
- ✘ Provide personal contact details (i.e., phone number, home address, email/social media accounts) to children, young people, or their parents/guardians (rare authorized/monitored exceptions apply).
- ✘ Access client records and/or other identifying information to gain unauthorized access to a child or young person in physical and online environments.
- ✘ Use social media or other online platforms to solicit or befriend a child, young person, or their family; or have online contact with a child, young person, or their family that is not transparent to Council and part of an approved program or activity.
- ✘ Take, use, view, store or publish unauthorized images of children/young people in our programs and services. All reasonable steps must be taken to protect children and young people from the inappropriate use of their images (refer to Child Safe Policy Resource: Guidelines for Taking and Using Images of Children and Young People available on the Child Safe Hub).
- ✘ Under any circumstances, use personal devices to take, use, view, store or publish authorized or unauthorized images of children and young people in our programs and services.
- ✘ Ignore or disregard any suspected or disclosed child abuse.
- ✘ Put a child or young person at risk of abuse or harm either through negligence or inaction.

## 5. Employee Responsibilities

Employees will:

- Review this Code prior to commencement (as per prescribed roles in Council's Working with Children Check Policy) or during the on-boarding period (all other roles).
- Raise any queries they have about the Code with their People Manager immediately.
- Retain a copy of the Code for their personal reference and review.
- Treat any allegation or suspicion of misconduct or reportable conduct seriously and respond consistently with the Child Safe Policy.
- Fully cooperate with any misconduct or reportable conduct investigation, if required.

## 6. People Manager Responsibilities

People Managers will:

- Ensure their employees are provided with and given an opportunity to discuss the Code.
- Regularly assess and monitor their employees understanding and adherence to the Code.
- Review compliance with the Code during probation and professional development reviews.
- Notify the Branch Manager and the Senior Advisor Safeguarding Children and Young People (within the People and Culture Division) as soon as they become aware of an allegation of child-related misconduct or reportable conduct made against an employee within their Branch/Unit.
- Actively support the investigation of an allegation of child-related misconduct or reportable conduct made against an employee within their Branch/Unit.
- Participate in the Reportable Conduct Internal Response Team (IRT) process as required (refer to the Child-Related Reportable Conduct Policy for further details).
- Support any external investigation into allegations of child abuse by police, a regulator or the Commission for Children and Young People, and act as a key liaison with those bodies.
- Ensure all parties involved in an allegation of misconduct or reportable conduct are provided adequate information and support.

## 7. People and Culture Responsibilities

People and Culture will:

- Provide training, capacity building and awareness-raising initiatives to ensure employees understand and comply with the behaviours and responsibilities outlined in this policy.
- Take the lead in investigating any breaches of the Code.
- Convene the Reportable Conduct Internal Response Team (IRT) to determine if an allegation made against an employee or volunteer is reportable under the Reportable Conduct Scheme.
- Oversee internal investigations into reportable allegations and submit reports to the Commission for Children and Young People at specified intervals.
- Support People Managers to ensure they provide appropriate information and support to all parties involved in an allegation of misconduct or reportable conduct.

## 8. Documenting Allegations of Child-Related Misconduct and Reportable Conduct

All breaches of this Code must be documented in a [Child Safe Incident Report](#) located on the intranet.

## 9. Disciplinary Procedures

Any breach of this Code will be investigated on a case-by-case basis in accordance with Council's Child-Related Reportable Conduct Policy and the Staff Disciplinary Policy and Procedure.

## 10. Further Information, Useful Links & Practice Resources

Further information, links and practice resources for employees who engage in direct child-related work and/or who exercise a high degree of care for children, are available on the [Child Safe Hub](#).

## 11. Legislative Framework

Child Wellbeing and Safety Act 2005  
 Children Youth and Families Act 2005  
 Crimes Act 1958

## 12. Related Documents

This policy forms part of Council's safeguarding framework and should be read in conjunction with:

Child-Related Reportable Conduct Policy  
 Child Safe Policy  
 Staff Code of Conduct  
 Staff Disciplinary Policy and Procedure

## 13. Version History

Version	Change	Approved By	Approval Date
1	New standalone policy to replace former content/enhance content maintained in Section 10 of Staff Code of Conduct.	Executive	25 May 2022