**Child Safe Code of Conduct**

**Purpose**

Adopting a Child Safe Code of Conduct (Code of Conduct) is a key strategy to inform staff of the expectations and rules for acceptable and safe behaviour with children. It reinforces an organisation’s obligation and intention to prioritise the safety and wellbeing of children involved in its services/programs and outlines the actions and possible consequences of a breach.

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) Final Report emphasised that members of the public, children and young people, parents, carers, families and communities should feel confident that organisations working with children provide safe environments in which children’s rights, needs and interests are met.

[Royal Commission recommendations 7.8 and 9.8](https://www.childabuseroyalcommission.gov.au/recommendations) provide guidance for embedding child safety in leadership, governance, culture and relevant policy frameworks to support appropriate conduct and accountability of individuals and agencies. The final report of the Royal Commission recommended implementing ten child safe standards in organisations engaged with children in any way. These standards have informed the [National Child Safe Principles for Child Safe Organisations](https://childsafe.humanrights.gov.au/national-principles/download-national-principles) (Principles) as the vehicle for implementation in organisations across Australia. The Principles were endorsed by the Council of Australian Governments (COAG) in November 2019.

Adopting a Code of Conduct assists an organisation to deliver services to children in accordance with the Principles. Organisations build their capacity to be child safe when they develop concrete strategies to put the Code of Conduct into practice at all levels of their operations.

Child Safe Principle 1 Child safety is embedded in organisational leaderships and governance and culture

A Child Safe Code of Conduct should operate in conjunction with other codes of conduct that apply to an organisation’s employees.

**Statement of Commitment**

A statement of commitment to being a child safe organisation includes organisational values and practices that frame its approach to maintaining children’s safety and wellbeing.

The statement below is a sample Statement of Commitment:

<Name of organisation>is committed to the safety and wellbeing of children participating in our programs by:

* creating an inclusive environment for all children, considering cultural safety, gender and sexual diversity and children with disability and additional vulnerabilities
* having processes in place to support early identification and management of risks that could lead to unsafe environments and child abuse, including robust recruitment practices of employees/volunteers/contractors
* promoting the rights of children to participate in developing child safe organisational cultures and practices, including child friendly complaints and response practices
* having zero tolerance for child abuse
* having complaints processes in place that are clearly communicated and accessible to children, parents/family and organisational personnel
* responding to safety concerns in line with relevant organisational policies and guidelines and laws, and
* supporting those who report breaches of the Code of Conduct in good faith.

**Defining child abuse**

Knowledge of child abuse varies greatly in the community and will also vary in each organisation delivering programs and services to children. It is important for all staff in a child safe organisation to know the indicators of child abuse and neglect. This way, everyone in the organisation has a similar ability to respond appropriately to unacceptable behaviour or when a child discloses safety concerns to them.

The four main types of child abuse are physical, sexual (including grooming behaviours), emotional and neglect. Organisations can use resources such as [What to do when you are concerned a child is being abused or neglected (www.wa.gov.au](https://www.wa.gov.au/system/files/2022-08/Child-Protection-What-to-do-poster.pdf)) to support their personnel’s general knowledge of child abuse and how to respond.

**Embedding the Code of Conduct in an organisations culture and practices**

The Code of Conduct outlines the minimum expected behaviour of all staff involved in governing, supervising, and directly delivering services and/or programs in an organisation.

Strategies to support an understanding and practice consistent with the Code of Conduct should be tailored to each organisation’s operational context. Examples of practical strategies to support implementation of the Code of Conduct include:

* child safe risk identification and management planning

A **child safe risk management plan** should identify concerning behaviours and situations that may arise due to an organisation’s existing culture (values and beliefs that drive unsafe attitudes and behaviours), operations (e.g., location, type, or timing of activities) and practices. The process of identifying risks and determining how to manage them should inform development and ongoing refinement of your child safe policies and procedures, including the organisation’s Code of Conduct.

Personnel at each level of an organisation should be involved in identifying activities and scenarios where children may be at risk of harm. The likelihood and possible consequences of identified risks should be considered as part of this process. Children and parents/carers should be invited to participate in this process.

**Acceptable and unacceptable physical conduct** should be considered as part of risk identification and management for organisations that deliver programs where physical contact is necessary due to the nature of the service, program or activities provided to children. For example, acceptable physical contact may include assisting a child to develop sports or dance skills or techniques, treating an injury, preventing an injury, meeting the requirements of the sport, aiding with daily hygiene, showering, and dressing for a child with a disability. Organisations delivering programs where physical conduct is a necessary work practice should further specify acceptable and unacceptable physical contact in relation to certain activities undertaken by their personnel.

* developing clear policies and procedures to assist in managing risks and for reporting and managing breaches of the Code of Conduct.

Organisations with **clear policies and procedures for identifying, reporting and responding to breaches** are more likely to provide safe environments for children. Organisations should integrate information on policies, reporting pathways and guidelines for managing reports (e.g., how to support the child, reporter and others involved) into orientation/induction, regular ongoing training, and as a regular agenda item in management discussions. Leaders involved in providing information and training should check that key information is understood by their personnel to foster a child safe organisational culture consistent with the Code of Conduct.

Organisations should tailor policies, procedures and resources to cover the management of risks that are particular to their operations and common to organisations delivering similar services/programs to children.

* ensuring the Code of Conduct is published and accessible (including use of language, such as using plain English) to the community, directly provided to the children and/or the families participating in programs and communicated to all individuals involved in their delivery
* providing an orientation and ongoing training and resources that support employee, volunteer and contractors’ ability to deliver child safe services/programs, including behaviour indicators of abuse, especially those relevant to the organisations operations; the organisations child safe policies and practices
* requiring all personnel to acknowledge and sign the Code of Conduct
* informing children and families of the roles and expected behaviour of adults and children involved in the service/program, when and how to report concerns and what to expect in response, and how to respond and report child safety concerns
* supporting individuals who make reports or raise concerns in good faith.

**Behavioural standards**

Below is an **example** of behavioural standards to include in a Child Safe Code of Conduct for an organisation providing services/programs to children. **It is for guidance only** and should be adapted to reflect the size, structure, geographic location(s) and activities of your organisation.

Include positive, unacceptable and concerning behaviours, considering situations unique to your operation.

Positive behaviours are those that promote children’s safety and wellbeing, such as providing verbal guidance to redirect a child’s behaviour without the need for physical contact. These are included under ‘I WILL’.

Concerning behaviours are those that on their own are not a breach but when considered together with a person’s other similar behaviours demonstrate a pattern of behaviour that constitutes a breach. Examples are:

- Spending time alone with a child without a legitimate, professional reason

- Behaving favourably to a child or certain children in comparison to others

- Talking about actions that involve harm to a child with other adults

- Encouraging secretive behaviour with a child

Unacceptable behaviours are those that clearly breach the organisation’s Code of Conduct and must be reported and responded to as misconduct or a breach. These are included under ‘I WILL NOT’.

**I WILL:**

* include and treat all children with respect
* encourage children to ‘have a say’ on issues that concern them
* listen and respond to the views and concerns of children
* take all reasonable steps to prevent children from being harmed due to abuse
* set clear boundaries and expectations for safe behaviour between adults and children, and children in their interactions with one another
* encourage parents/carers to participate in discussions on the needs of their child and any safety and wellbeing concerns they have for their child (e.g., in relation to a training schedule, instructional methods)
* report conflicts of interest, such as an existing close relationship with a child and/or their family
* attend child safe training as required by the organisation and work with team members/colleagues to make the safety of children a primary consideration and focus
* only use technology and social media as open forums for organisational communication, such as to promote information on dates, times and locations of activities
* raise cultural (organisational), environmental and operational risks to children with a supervisor/management so these can be dealt with to prevent harm
* be open and transparent in my interactions with children (e.g., ensuring another adult is always present or in sight when doing one to one coaching, instruction)
* encourage other employees/volunteers/contractors, children and family members to raise child safety concerns
* respond promptly and openly to any child safety complaints made by a child or their parent/guardian
* immediately report knowledge of an employee, contractor or volunteer engaged in child related work with the organisation who poses a serious risk of abuse to children engaged with the service/program (this is a legal requirement with associated penalties for failing to do so)
* report breaches of this Code of Conduct immediately, in line with the organisations policies and procedures
* take all disclosures and allegations of abuse seriously and report them immediately, in line with the organisations policies and procedures

**I WILL NOT:**

* condone or participate in illegal, unsafe, or abusive behaviour towards children, including physical, sexual *(including grooming)*, emotional abuse or neglect *(illegal behaviours includes offering drugs and/or alcohol, showing child exploitation images, engaging in unwarranted and inappropriate touching of a child)*
* disregard or ignore concerns, allegations, or disclosures of child abuse
* use racist or discriminatory behaviours, including discriminating against any child or young person due to their age, sex, gender identity, cultural background, religion, disability or vulnerability
* develop ‘special’ relationships with children and young people that involve favouritism or differential treatment, such as providing gifts or experiences outside what is planned for all children as part of the service or program
* use unacceptable physical conduct including:
	+ unnecessary or unwanted touching with hands, other body parts or objects
	+ corporal punishment such as smacking
	+ initiating or allowing unacceptable physical contact with a child, including tickling, wresting, massage, kisses
	+ completing personal activities of daily living that a child can do for themselves, such as feeding, dressing and undressing, personal grooming or toileting
* use technology and social media in ways that are abusive (e.g., showing sexually explicit material or other illegal/offensive material) or could enable abuse, including requesting or accepting friend requests or personal contact details from children participating in the service/program.

**I understand that the behaviours below are concerning:**

Identify concerning behaviours depending on the nature of your operations. Below is an example:

* Spending time alone with a child without a legitimate, professional reason

**If I am concerned that I or another person in the organisation has breached this Code of Conduct**, I will:

* act quickly to make children safe, and
* report disclosures, allegations and/or concerns of the breach promptly, in line with the organisation’s guidelines.

**Code of Conduct Breaches**

Organisations should support the Code of Conduct’s implementation with guidelines on reporting and responding to concerns of a breach, tailored to suit each organisation’s operation.

Include internal and external avenues to report concerns and how your organisation will manage the response to the impacted child(ren) and organisational personnel. Consult with children, parents and organisational personnel to inform development of complaints/reporting processes that they feel confident using and suit the logistics of the organisation’s operations.

Below is an example of information and protocols that may be included in this section:

*Report concerns about breaches of this Code of Conduct to <position> by <mobile number> and/or by <email address>. Otherwise contact <position> by <mobile number> and/or by <email address>.*

*Certain concerns may require reports to external bodies such as:*

* *Western Australia (WA) Police for criminal matters*
* *Ombudsman WA for matters of administration affecting individuals*
* *Equal Opportunity Commission WA for discrimination matters*
* *Department of Communities for child protection matters*

*Detailed descriptions of policies and pathways for managing concerns are contained in <links to related policies and procedures>.*

*Personnel who breach this Code of Conduct may be subject to disciplinary action including increased supervision, suspension and/or termination. Further information on this can be found <link relevant policies/procedures).*

**Declaration**

I have read, understood and agree to abide by this Code of Conduct and its terms while I am engaged by this organisation to deliver services/programs to children. I understand that breaches of conduct may lead to disciplinary action and termination of my employee or volunteer/contract with the organisation, along with legal consequences.

Signature \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Full name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position in the organisation\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Child Safe Code of Conduct Template**

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| --- | --- |
| Organisation name | *Organisation name* |
| Statement of commitment to child safety | *Organisation’s commitment to child safety* |
| *Include definitions of examples child abuse: physical, sexual (including grooming behaviours) and emotional abuse and neglect.*  |
| Acceptable behaviours (positive behaviours consistent with the culture and values of this child safe organisation) | **I will:***List acceptable behaviours in your organisation, tailored to your operation* |
| Unacceptable behaviours  | **I will not:***List behaviours that are unacceptable in your organisation, including those that are illegal* |
| Concerning behaviours | **I understand that these behaviours may be concerning:***List concerning behaviours* |
| Breaches | *Include internal and external reporting obligations and procedures with links to relevant internal policies and procedures. Include protections for individuals that raise concerns.**Specify penalties for personnel who breach the Code of Conduct.**Specify criminal offences for failing to act to protect children and/or report abuse.* |
| Declaration | *I have read and understood this Code of Conduct and agree to abide by it and its terms.* |
| Name:Signature:Date: |  |