	<b>Just Swimming</b>	<b>Human Resources</b>
	<b>Child Safe Code of Conduct</b>	

**Content Warning:** this document contains child abuse related content that may be triggering or distressing.

**A. Purpose**

**Statement of Commitment to Cultural Safety of Aboriginal Children**

We are committed to cultural safety and wellbeing of aboriginal children and young people. This will be a primary focus of our care and decision-making. Just Swimming has zero tolerance for child abuse or racism and as an organisation we will act on incidents of both.

Aboriginal Children are able to express their cultural identity and this makes them stronger and safer. Cultural safety includes the rights of each child to develop and express their background, customs, social behaviour, language, religion or spirituality, beliefs and way of living.

**Statement of Commitment to Safety of Children**


We are committed to creating and maintaining an environment that promotes the safety of all children. This includes encouraging a culture where the prevention and reporting of abuse is supported and encouraged. All staff and volunteers are responsible for promoting the safety, wellbeing and empowerment of children.

Just Swimming is committed to providing a child safe environment where children and young people are safe and feel safe, and their voices are heard about decisions that affect their lives. Particular attention will be paid to the cultural safety of Aboriginal children and children from culturally and/or linguistically diverse backgrounds, as well as the safety of children with a disability.

**This Code of Conduct**

This Code of Conduct sets expectations for how adults at our organisation should behave around children. This is important to help prevent children from being harmed. Child abuse takes many forms and can include physical, sexual and psychological abuse, ill-treatment and neglect.

This Code of Conduct identifies positive child safe behaviours that we encourage all adults to support. It also identifies behaviours that we consider unacceptable. Engaging in unacceptable behaviour is a breach of this Code of Conduct and may result in disciplinary action.

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Some examples of concerning behaviours are also provided below. These are behaviours that on their own may not constitute a breach of the Code of Conduct but together may indicate a pattern of behaviour that poses a risk to the safety of children.

This Code of Conduct also provides the process concerning reporting of a complaint (Read with Child Safe Raising a Complaint Policy) and how safety concerns may be raised by children, customers and employees.

This Code of Conduct reflects the **Child Safe Standards** as made under section 17(1) of the Child Wellbeing and Safety Act 2005. The Standards are compulsory minimum standards for all Victorian organisations that have dealings with children.

**B. Definitions**

**Child** means a child or young person under the age of 18 years.

**Employees** mean all people employed by Just Swimming .

**Contractors** means all people contracted for employment by Just Swimming .

**Parents** mean parents or guardians or carer in situations where they are acting as representative.

**Patron** means all people attending a Just Swimming site including as a spectator or representative from another organisation

**Volunteers** mean those people that are undertaking volunteer roles within Just Swimming

**Child Abuse** means any act committed against a child involving a sexual offence or an offence under section 49B(2) of the Crimes Act 1958, and the infliction on a child of physical violence, serious emotional or psychological harm, and the serious neglect of a child.


**C. Scope**

This Code applies to all employees, customers and third parties including but not limited to Employees, Volunteers, Members or Customers.

- Acceptance of this Code is an employment condition for employees.
- Acceptance of this code is a condition of customer membership.

Both internal and external parties agree to abide by this Code, in addition to the terms of all other regulations, policies and awards, wherever practicable.

**D. Breaches of Child Safe Code of Conduct**

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Staff and volunteers who breach this policy may be subject to disciplinary action. This may include increased supervision, appointment to an alternative role, suspension, stand aside with/without pay or termination from the organisation.

Customers or Members of the community who breach this policy may be subject to disciplinary action. This may include being asked to leave the premises; suspension of membership; or cancellation of membership; or being banned from the premises of Just Swimming .

#### **Failure to Disclose is a Criminal Offence**

An adult in child-related work in an organisation will commit an offence if they know another adult there poses a serious risk of abusing a child (under 16 years), and they have the power to reduce or remove the risk, and they negligently fail to do so.

All adults are required to report information to police if they know, believe or reasonably ought to know that a child (under 18 years) has been abused.

#### **How to make a report to police**

If you want to report to police that a child is in immediate risk of abuse or abandonment, please call Emergency Services Ph: 000

Alternatively, you can contact your local police station

#### **E. Related Policies**


The Code of Conduct should be read in conjunction with:

- Child Safe Policy
- Raising a Complaint about Child Safety Policy
- All applicable legislations and guidelines as relevant to the organisation.

#### **F. The Code of Conduct – Positive Child Safe Behaviours**

I will,

- Treat all children and young people with respect
- Listen to and value children and young people’s ideas and opinions
- Welcome all children and their families and carers by being inclusive
- Actively promote cultural safety and inclusion
- Listen to children and respond to them appropriately


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- Make sure children are supported to express their culture and enjoy their cultural rights
- Have zero tolerance of racism
- Support and facilitate participation and inclusion of Aboriginal children and their families
- Welcome parents and carers to participate in decisions about their child and any matters about their safety
- Report any conflicts of interest (such as an outside relationship with a child)
- Adhere to all relevant Australian and Victorian legislation and our child safe policies and procedures
- Work within a team to ensure that the needs of the child (and their family) remain the paramount focus
- Participate in all compulsory training on child safety
- Raise concerns with management if risks to child safety are identified, including cultural, environmental and operational risks
- Report and act on any concerns or observed breaches of this Code of Conduct
- Take all reasonable steps to protect children from abuse
- Respect the privacy of children and their families by keeping all information about child safety concerns confidential
- Take a child seriously if they disclose harm or abuse
- Uphold the rights of the child and always prioritise their needs
- Not insist that children access changing facilities if they are not comfortable doing so (and recognising that continued refusal may be an indicator that the child is being harmed or is afraid of being harmed)

**Proactive behaviours that avoid seclusion or private encounters with a child or young person,**

I will,

- Balance the need to protect confidentiality of the child with the risk of seclusion, and I will direct my contact with a child to a public area where I am visible to others. An example is choosing the reception area or a hallway instead of a private room or bathroom.
- Always leave the door or door(s) open and allow the child unrestricted access and close proximity to the open door.
- Avoid having a one-on-one conversation with a child without a parent present. If this is not practicable, I will always ask if the child would like a parent or guardian or a friend present.
- Avoid being alone in a secluded environment like a car, a bathroom, an office, a room, a stairwell, or an online environment with a child.

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- If you are unsure about managing seclusion with a child, you must seek advice from the Child Safety Officer.

## **G. The Code of Conduct – Unacceptable Behaviours**

I will not,

- Condone or participate in illegal, unsafe or abusive behaviour towards children, including physical, sexual or psychological abuse, ill-treatment, neglect or grooming
- Ignore or disregard any concerns, suspicions or disclosures of child abuse
- Trivialise child abuse issues
- Use hurtful, discriminatory or offensive behaviour or language with children
- Fail to report information to police or DHHS Child Protective Services if I have a reasonable belief that a child has been abused or is at risk of harm.
- Fail to report information to Just Swimming if I have a concern about child safety
- Disrespect colleagues, families or children by yelling, swearing or engaging in any sort of abusive or intimidating behaviour. I will not,
  - Make threats of harm or racial, cultural or sexist slurs.
  - Accept friend requests from any children (Employees and Volunteers)
  - Respond to online comments made by children (Employees and Volunteers only)

Physical: I will not,

- Hit, strike, punch, kick or slap a child
- Engage in rough physical games
- Throw items or using items to hurt a child
- Drag or push a child
- Threaten to hurt a child through words or gestures, regardless of whether the person actually intends to apply force
- Use hostile force towards a child and/or a pattern of hostile or unreasonable and seriously inappropriate physical conduct

Sexual: I will not,

- Engage in sexual contact with a child
- Masturbate in front of a child or expose my genitals in the presence of a child
- Possess or creating child abuse material
- Share sexually explicit photos of a child
- Expose a child to pornography or other indecent or adult material
- Give a child gifts, food, money, attention or affection in exchange for sexual activities or images
- Violate the privacy of a child when they are using the bathroom or dressing



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- Communicate (including online) with a child about romantic, intimate or sexual feelings
- Use a camera to record a child while they are dressing, bathing or using the bathroom
- Make comments that express a desire to act in a sexual manner with a child
- Use sexual language or gestures in the presence of children
- Use crude or obscene language or gestures in the presence of children
- Engage in unwarranted and inappropriate touching involving a child
- Encourage a child to communicate with me in a private setting
- Share details of adult sexual experiences with a child
- Take, or allow to be taken, any photo's, movies or recordings of a child without first obtaining parental or guardian consent.

Emotional: I will not,


- Persistently criticise and/or denigrate a child
- Deliberately prevent a child from forming friendships
- Verbally assault a child or create a climate of fear
- Offer children and young people alcohol, cigarettes or other drugs
- Tease a child
- Yell at a child
- Bully a child
- Encourage a child to engage in destructive, antisocial behaviour
- Demonstrate racism, prejudice, oppressive behaviour or language with children
- Discriminate on the basis of age, gender, race, disability, culture, vulnerability or sexuality or other characteristics;
- Express personal views on cultures, race or sexuality in the presence of children.
- Have personal interaction with a child, outside of Just Swimming , without the family's specific permission and without the Child Safe Officer's knowledge.

Neglect: I will not,

- Deprive a child of necessities such as food and drink, clothing, critical medical care or treatment, or shelter
- Fail to protect a child from abuse (such as, failing to report abuse when a child discloses it or when you observe it)
- Expose a child to a harmful environment (such as, an environment where there is illicit drug use or illicit drug manufacturing)
- Fail to adequately supervise a child, resulting in injury or harm

Ill-Treatment: I will not,

- Make excessive and/or degrading demands of a child (such as training without a break)

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- Discipline or correct a child in an unreasonable and seriously inappropriate or improper manner (like hitting, yelling or slapping) and/or making degrading comments or behaviour towards a child
- Show repeated hostility towards a child
- Spend time alone with a child in a secluded environment
- Engage in restrictive practices like holding down, tying up, forcing a child to stay in one spot as punishment, forcing exercise.
- Lock up a child in a room or car for any reason
- Push a child to perform when they are injured, ill or appear upset.


Grooming: I will not,

- Engage in unauthorised contact with a child online for the purpose of developing a sexual relationship
- Use a computer, mobile phone, camera or other device to exploit or harass a child
- Have personal communication that explores sexual feelings or intimate personal feelings with a child
- Share details with a child of one's own sexual experiences
- Extend a relationship with a child outside of work
- Expose a child to pornography or other indecent or adult material
- Give a child special attention or isolating them from peers with the intention of making it easier to access the child for sexual activity
- Offer a child gifts, food, cigarettes, money, attention or affection with the intention of making it easier to access the child for sexual activity
- Make close physical contact, like inappropriate tickling or 'play' wrestling or hugging.
- Make any attempt to force seclusion with a child such as closing or locking a door, following a child to a remote location, following a child to a bathroom or asking a child to stay alone to meet with you without it being in the context of acceptable work-related practices (such as speaking with a child quickly after class about their performance).

#### **H. The Code of Conduct – Behaviours of Concern and Managing Risk**

I understand that the following types of behaviours may be of concern and require prior approval and notification to the Child Safety Officer:

- A necessary meeting with a child in seclusion (examples are in a room, in an office)
- Providing food, shelter or gifts to a child
- Showing favour to one child over others (examples are choosing a child to receive a prize without merit-based factors)
- Babysitting, mentoring and/or coaching a child out of work hours (without managerial approval for this kind of secondary employment)

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- Using third party social media or internet applications to conduct a conversation with a child

**I. Review of this Code of Conduct**

This Code of Conduct will be reviewed each 6 months (or sooner with changes to regulations or the reporting of an incident). The next review will be in January 2023.