

## Child Protection Code Of Conduct

### Introduction

Staff, directors, volunteers, students / interns and contractors at ISS Australia are required to abide by this Code. The purpose of this Code is to promote child safety in all ISS Australia's interactions with children. The following list of behaviours includes examples of behaviour that is acceptable and behaviour that is not acceptable.

### Acceptable behaviours

All people involved directly or indirectly in service delivery with children on behalf of, or in connection with, ISS Australia must:

- contact the police if a child is observed to be at immediate risk of abuse (telephone 000)
- adhere to the Child Protection Policy and Procedure and uphold ISS Australia's statement of commitment to child safety at all times
- take all reasonable steps to protect children from abuse
- conduct themselves in a manner consistent with their position as a staff member, director, volunteer, student / intern or contractor of ISS Australia and as a positive role model to children and young people and their families
- work towards the achievement of the aims and purposes of the organisation
- be responsible for relevant administration of programs and activities in their area
- maintain a duty of care towards others involved in these programs and activities
- establish and maintain a child-safe environment in the course of their work
- be fair, considerate and honest with others
- treat children, young people and their families with respect and value their ideas, opinions and backgrounds
- promote the cultural safety, participation and empowerment of Aboriginal and Torres Strait Island children and their families
- promote the safety, participation and empowerment of children and their families with culturally and/or linguistically diverse backgrounds (for example, by having a zero tolerance of discrimination)
- promote the safety, participation and empowerment of children with a disability
- listen and respond to the views and concerns of children, particularly if they state they or another child has been abused or that they are worried about their safety / the safety of another child
- ensure (as far as practicable) that adults are not alone with a child
- comply with all reporting obligations as they relate to mandatory reporting under relevant legislation and professional codes of ethics
- raise concerns about suspected abuse with the ED, an immediate supervisor or the Child Safety Officer (CSO) as soon as possible
- record and act upon all allegations or suspicions of abuse, discrimination or harassment
- if an allegation of child abuse is made, ensuring as quickly as possible that the child(ren) are safe;
- be professional in their actions
- maintain strict impartiality
- comply with ISS Australia's guidelines on contact with children, including via social/electronic media
- respect confidentiality when sharing information about children in accordance with the Child Protection Policy and Procedure and reporting obligations
- maintain a child-safe environment for children and young people
- operate within the policies and guidelines of ISS Australia

### Unacceptable behaviour

All people involved in direct or indirect service delivery with children and families on behalf of ISS Australia must not:

- ignore or disregard any suspected or disclosed child abuse
- put a child at risk of abuse (for example, by locking doors for an improper reason)
- speak to a child in a way that is or could be construed by an observer as harsh, threatening, intimidating, shaming, derogatory, demeaning or humiliating (examples include swearing or using inappropriate language in the presence of a child; yelling at a child, except in an emergency situation)

where the a child's safety may be in danger; dealing with a child while angry with the child; and using hurtful sarcasm)

- express personal views on cultures, race or sexuality in the presence of a child (unless the child is a member of your immediate family)
- discuss sexual activities with a child unless it is a specific job requirement and the person is trained to discuss these matters, or the child is a member of your immediate family
- have contact with a child or their immediate family outside of ISS Australia activities, unless the child is a member of your immediate family (accidental / incidental contact, such as seeing children in the street; attending a social event which ISS Australia participants are attending; any other incidental contact that is outside of your professional relationship with the child, and is not for an improper purpose, is appropriate)
- have any online contact with a child (including by social media, email, instant messaging etc) or their immediate family unless necessary for service delivery, unless the child is a member of your immediate family
- use any personal communication channels / devices such as a personal email account to communicate with a child, unless the child is a member of your immediate family
- exchange personal contact details such as phone number, social networking sites or email addresses with a child, unless the child is a member of your immediate family
- use, possess, or be under the influence of alcohol while in the presence of or while supervising a child (unless the child is a member of your immediate family or your contact with the child is accidental / incidental and you are not performing your professional obligations)
- use, possess, or be under the influence of illegal drugs while in the presence of or while supervising a child
- provide or allow a child to consume alcohol (unless the child is a member of your immediate family)
- provide or allow a child to consume illegal drugs
- initiate unnecessary physical contact with a child or young person, or do things of a personal nature for them that they can do for themselves (unless the child is a member of your immediate family)
- engage in rough physical games, hold, massage, kiss, cuddle or touch a child in an inappropriate and/or culturally insensitive way (unless the child is a member of your immediate family)
- engage in any sexual contact with a child (for the purposes of this Code, sexual contact is defined as vaginal intercourse, anal intercourse, oral intercourse or the touching of an erogenous zone of another (including but not limited to the thighs, genitals, buttocks, pubic region or chest) for the purpose of sexually arousing or gratifying either person)
- take a child to their home or encourage meetings outside program activities (unless the child is a member of your immediate family or written parental permission has been provided)
- be naked in the presence of a child (unless the child is a member of your immediate family)
- access sexually explicit materials on ISS Australia's computer systems
- possess sexually explicit printed materials (magazines, cards, videos, films, clothing etc) in the presence of children
- sleep in the same bed, sleeping bag or room with a child (unless the child is a member of your immediate family)
- discriminate against any child, including because of age, gender identity, sex, race, culture, sexuality or disability
- engage in any activity with a child that is likely to physically or emotionally harm them
- be alone with a child unnecessarily and for more than a very short time (unless the child is a member of your immediate family)
- develop a 'special' relationship with a specific child for their own needs (unless the child is a member of your immediate family)
- show favouritism through the provision of gifts or inappropriate attention (unless the child is a member of your immediate family)
- photograph or video a child without the consent of the child and his/her parents or guardians
- do anything in contravention of ISS Australia's policies, procedures or this Code of Conduct

### **Physical contact / touching**

Staff, directors, volunteers, students / interns and contractors are prohibited from using physical discipline in any way for behaviour management of children. This prohibition includes spanking, slapping, pinching, hitting or any other physical force as retaliation or correction for inappropriate behaviours by children.

Physical contact may be required in an emergency situation to remove children quickly from danger or the threat of danger.

Appropriate contact between staff, directors, volunteers, contractors, students / interns and children is part of normal human relationships. Some considerations and guidelines include the following:

- consider the child's age, developmental level, maturity and level of care required, for example, touching a child to gain their attention, guiding or comforting a distressed child
- work in an open environment; for example, in confidential interviews or a one-to-one meeting, the door should be open with visual access (exceptions apply for professions with strict confidentiality requirements)
- be alert to cues from children about how comfortable they are in your proximity and respect their need for personal space
- be sensitive when interacting with children who may misinterpret your actions, such as those who may have been traumatised by abuse or adolescents seeking attention from a member of the opposite sex
- be aware of cultural norms that may influence the interpretation of your behaviour
- be cautious about physical contact in games or practical instruction; if you need to make physical contact for demonstrations, explain the activity and what you will do and maintain a safe and appropriate distance
- physical contact should be made in a way that makes children feel comfortable, for example, shaking hands, a congratulatory pat on the back or rub on the side of their arm for reassurance
- massaging a child or allowing a child to massage you is inappropriate physical contact (unless the child is a member of your immediate family and you comply with all relevant legislation)

All forms of physical contact should therefore be avoided where possible.

### **Transportation and off-site events**

Other than in an emergency or other abnormal situation where no other option could be reasonably foreseen, it is not acceptable to transport children without written permission of their parent, carer or guardian. It is prohibited to have unnecessary and/or inappropriate physical contact with children while in vehicles. If, for some specified reason, transport is being provided to a child/ren, children should be transported directly to their destination. No stops should be made other than those that are reasonably scheduled for meals or comfort stops. This obligation does not apply to children that are a member of your immediate family.

It is prohibited to have children spend the night at the residence of an staff member, director, volunteer, student / intern or contractor without parental / guardian prior approval. Changing and showering facilities or arrangements for adults must be separate from facilities or arrangements for children (unless the child is a member of your immediate family).

### **Confidentiality**

#### *Disclosing information to staff, directors, volunteers, students/interns and contractors*

When children or their families have written or verbal interaction with staff, directors, volunteers, students / interns or contractors of ISS Australia, that interaction is confidential to the organisation not to the individual. This means that a staff member, director, volunteer, student / intern or contractor is able to talk with other staff, directors, volunteers, students / interns or contractors in a way that identifies the child or caregivers. That said, where possible the privacy of the child and family should be respected at all times. When considering breaching their privacy who and how many people are told should be based on what is believed to be in the best interests of the child and family.

#### *Disclosing information to people external to the organisation*

Staff, directors, volunteers, students / interns and contractors should not discuss confidential matters about children and families receiving services with a person outside the organisation in a way that identifies a child except when they have the express permission of the child or it complies with ISS Australia's Child Protection Policy, Code of Conduct and Procedure. In circumstances where staff, directors, volunteers, students / interns or contractors believe the organisation lacks adequate knowledge to provide the best possible assistance to a child, they may seek external expertise. When communicating with a person outside ISS Australia the child's identity should be protected.

### Informing children

It is the responsibility of ISS Australia to communicate, via the client charter, the limits of confidentiality in ISS Australia to children who are likely to have an ongoing relationship with ISS Australia. These guidelines should be provided to children and families.

### **Relevant Legislation**

The following legislation and regulatory frameworks underpin ISS Australia's Child Safety Code of Conduct:

- Children, Youth and Family Act 2005 (Vic)
- Child wellbeing and safety Act 2005 and the child safe standards (Vic)
- Working with children Act 2005 (Vic)
- Crimes Act 1958 (Vic)
- Children and young people Act 2008 (ACT)
- Working with vulnerable people (background checking) Act 2011 (ACT)
- Criminal Code Act 2002 (ACT)
- Human Rights Act 2004 (ACT)
- Family law Act 1975 (Cth)
- Care and protection of children Act 2007 (NT)
- Criminal Code Act 1983 (NT)
- Children and Young persons (care and protection) Act 1998 (NSW)
- Child protection (offenders registration) Act 2000 (NSW)
- Child Protection (Working with children) Act 2012 (NSW)
- Crimes Act 1900 (NSW)
- The Ombudsman Act 1974 (NSW)
- Child protection Act 1999 (Qld)
- Working with children (Risk management & screening) Act 2000 (Qld)
- Criminal Code Act 1899 (Qld)
- Child protection reform amendment Act 2014 (Qld)
- Family child and commission Act 2014 (Qld)
- Children's protection Act 1993 (SA)
- Family and community services Act 1972 (SA)
- Criminal law consolidation Act 1935 (SA)
- Children's protection regulations 2006 (SA)
- Children and community services Act 2004 (Tas)
- Registration to Work with Vulnerable People Act 2013 (Tas)
- Criminal Code Act 1924 (Tas)
- Children and Community Services Act 2004 (WA)
- Working with Children (Criminal Record Checking) Act 2004 (WA)
- Criminal Code Act 1913 (WA)
- Australian Association of social Workers code of Ethics (2010)
- Family Dispute Resolution Practitioners' Obligations to Clients
- Legal Profession Uniform Law Australian Solicitors' Conduct Rules 2015
- Child Safe Standards (VIC)