

Southern Cross Kids' Camps National Child Safety Code of Conduct

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| Policy number: | 1.5 | Version: | 1 |
| Drafted by: | Moore | Board Approved: | 11 / 2021 |
| Responsible person: | COO | Scheduled review date: | 2 Years |

1. Purpose

The purpose of this National Child Safety Code of Conduct (**Child Safety Code of Conduct**) is to:

- 1.1 Protect children and young people from child abuse or harm;
- 1.2 Reduce or remove the risks of children and young people experiencing child abuse or harm;
- 1.3 Set standards for all SCKC staff about how they should behave towards and in the presence of children and young people;
- 1.4 Comply with all relevant legislation including the applicable state and national principles for child safety;
- 1.5 Complement SCKC National Child Safety Policy and Procedures;
- 1.6 Promote a child safe environment and culture where children are safe and feel safe.

2. Scope

This Child Safety Code of Conduct applies to all SCKC staff, contractors, students on placement and volunteers, working with children and young people (**Staff**).

This Child Safety Code of Conduct applies to all SCKC Environments and all interactions with children and young people including:

- (a) physical contact,
- (b) face to face contact;
- (c) contact by post or other written communication;
- (d) contact by telephone or other oral communication;
- (e) contact by email or other electronic communication including online seminars and social media.

3. Definitions

- 3.1 “**Child**”, “**children**” or “**young person**” means a child or young person who is under 18 years of age, unless otherwise defined by law or noted in this Policy or Child Safety Procedure.
- 3.2 “**Child abuse or harm**” means conduct towards, against, with or in the presence of a child, or threatening to engage in such conduct, which includes:
- (a) physical violence;
 - (b) conduct of a sexual nature, including a sexual offence against a child and grooming behaviour;
 - (c) serious emotional or psychological harm; or
 - (d) serious neglect of a child.
- 3.3 “**Child Safety**” means matters related to SCKC’s duty of care to children in its care, protecting all children from harm, managing the risk of child abuse or harm, taking steps to prevent the occurrence or reduce the occurrence of child abuse or harm, providing support to a child at risk of child abuse, and responding to incidents or allegations of child abuse.
- 3.4 “**Child Safety Officers**” or “**CSOs**” means people appointed by SCKC to listen, discuss and clarify issues raised by Staff and children in relation to actual or suspected child abuse or harm, including Camp Safety Person(s).
- 3.5 “**SCKC Environment**” means all physical and virtual environments and places made available or authorised by SCKC for use by a child, including but not limited to:
- (a) the offices of SCKC;
 - (b) online SCKC Environments (including email, portals, intranet systems, telecommunication, social media and other online communications); and
 - (c) other locations provided by SCKC for a child's use (including, without limitation, locations used for camps, excursions, “rest days”, competitions, and other events).
- 3.6 “**Staff**” means SCKC employees, volunteers, directors, contractors, interns and students on placement.
- 3.7 “**WWCC**” means the following in each State and Territory:
- (a) In Victoria, a Working with Children Check issued pursuant to the *Worker Screening Act 2020* (Vic);
 - (b) In New South Wales, a Working with Children Check issued pursuant to the *Child Protection (Working with Children) Act 2012* (NSW);

- (c) In the Australian Capital Territory, a Working with Vulnerable People registration issued under the *Working with Vulnerable People (Background Checking) Act 2011* (ACT);
- (d) In Queensland, a Blue Card issued under the Working with Children (Risk Management and Screening) Act 2000 (Qld);
- (e) In Western Australia, a Working with Children Check issued under the *Working with Children (Criminal Record Checking) Act 2004* (WA);
- (f) In Tasmania, a Working with Vulnerable People Card issued under the *Registration to Work with Vulnerable People Act 2013* (Tas), as amended; and
- (g) In South Australia, a Working with Children Check issued under the *Child Safety (Prohibited Persons) Act 2016* (SA).

4. ACCEPTABLE BEHAVIOURS

Child safety and wellbeing is the responsibility of all SCKC staff. Appropriate behaviour is essential for ensuring that children and young people are protected from child abuse and harm.

4.1 All SCKC staff will:

- (a) Uphold SCKC's Statement of Commitment to child safety at all times;
- (b) Act in accordance with SCKC's child safety and wellbeing policies and procedures at all times including the National Child Safety Policy and Procedures and the SCKC Communicating with Children Policy (Phone and Zoom);
- (c) Promote the safety, welfare and wellbeing of children and young people;
- (d) Behave respectfully, courteously and ethically towards children and their families and toward other staff;
- (e) Listen and respond to the views and concerns of children and their families, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well;
- (f) Promote the human rights, safety and wellbeing of all children;
- (g) Demonstrate appropriate personal and professional boundaries;
- (h) Consider and respect the diverse backgrounds and needs of children, including Aboriginal children and young people.
- (i) Create an environment that promotes and enables children's participation and is welcoming, culturally safe and inclusive for all children and their families.

- (j) Participate and engage in all induction and training obligations required by SCKC and identify personal deficits in knowledge regarding child safety and communicate these deficits to the Camp Safety Person or Camp Director.
- (k) Involve children in making decisions about activities, policies and processes that concern them wherever possible;
- (l) Contribute, where appropriate to SCKC's policies, discussions, learning and reviews about child safety and wellbeing;
- (m) Identify and mitigate risks to children's safety and wellbeing as required by SCKC's risk assessment and management policy or process;
- (n) Respond to any concerns or complaints of child abuse or harm promptly and in line with SCKC's policy and procedure for receiving and responding to complaints;
- (o) Report all suspected or disclosed child abuse or harm as required by any relevant legislation and by SCKC's policy and procedures for internal and external reporting;
- (p) Comply with SCKC's policies on communicating with children, including the Communicating with Children Policy (Phone and Zoom);
- (q) Comply with legislation and SCKC's policies and procedures in relation to record keeping and information sharing;
- (r) Notify the CEO of SCKC immediately if a complaint or allegation regarding child safety has been made against them, including outside the ordinary course of their employment;
- (s) Ensure that the government regulator of any WWCC or other required clearance registers SCKC on their WWCC and causes any adverse or negative notices to be provided to SCKC.

4.2 All SCKC staff will not:

- (a) Engage in any unlawful activity towards, against, with or in the presence of a child, or threaten to engage in such conduct;
- (b) Engage in any form of child abuse or harm towards, against, with or in the presence of a child, or threaten to engage in such conduct;
- (c) Discriminate against any child or their family members or engage in conduct towards or in the presence of a child or young person that suggests contempt, ridicule or intolerance, including in association with their race, culture, gender, sexuality, disability or religion;
- (d) Engage in oppressive or threatening behaviour toward a child or young person.
- (e) Be alone with a child;

- (f) Arrange personal contact (including online contact by social media, email, instant messaging), or exchange personal contact details for the purposes of engaging in personal contact, with a child or young person for a purpose unrelated to SCKC's direct activities or services;
- (g) Disclose personal or sensitive information about a child, including images of a child, unless the child and their parent or legal guardian provides consent or unless required to do so by SCKC's policy and procedure on reporting;
- (h) Use inappropriate language in the presence of children, or show or provide children with access to inappropriate images or material;
- (i) Work with children under the influence of alcohol or prohibited drugs, or prescription drugs which have an adverse effect on the person's duty of care to a child or young person.
- (j) Post or publish any information about a child or young person online, including personal information such as their name, age, email address, telephone number, photographs or videos.
- (k) Ignore or disregard any suspected or disclosed child abuse or harm.

4.3 If any SCKC staff believe that this Child Safety Code of Conduct has been breached by another person they will:

- (a) Act to prioritise the best interests of children and young people;
- (b) Take actions promptly to ensure that children and young people are safe;
- (c) Promptly report any concerns to SCKC's CSO, the CEO, Camp Director or another direct leader in SCKC;
- (d) Follow SCKC's policies and procedures for receiving and responding to complaints and concerns;
- (e) Comply with all required legislative requirements on reporting and with SCKC's policy and procedure on internal and external reporting including the National Child Safety Policy and Procedures.

5. Breach of Child Safety Code of Conduct or Policy

Breaches of this Child Safety Code of Conduct may result in disciplinary action including the termination of a person's engagement or employment with SCKC. Allegations of misconduct involving children will be managed in accordance with any relevant Reportable Conduct Scheme and may be the subject of a referral to Police or other government authority.

6. Key Relevant Documents

6.1 Relevant Legislation

- (a) *Working with Vulnerable People (Background Checking) Act 2011 (ACT)*
- (b) *The Children and Young People Act 1998 (ACT)*
- (c) *Crimes Act 1900 (ACT)*
- (d) *Child Protection (Working with Children) Act 2012 (NSW)*
- (e) *The Children and Young Persons Care and Protection Act 1998 (NSW)*
- (f) *Crimes Act 1900 (NSW)*
- (g) *The Care and Protection of Children Act 2007 (NT)*
- (h) *The Criminal Code Act 1983 (NT)*
- (i) *Working with Children (Risk Management and Screening) Act 2000 (Qld)*
- (j) *The Child Protection Act 1999 (Qld)*
- (k) *Worker Screening Act 2020 (Vic)*
- (l) *Children Wellbeing and Safety Act 2005 (Vic)*
- (m) *Children Youth and Families Act 2005 (Vic)*
- (n) *The Crimes Act 1958 (Vic)*
- (o) *Working with Children (Criminal Record Checking) Act 2004 (WA)*
- (p) *Children and Community Services Act 2004 (WA)*
- (q) *Criminal Code Act Compilation Act 1913 (WA)*

6.2 Principles

- (a) National Principles for Child Safety
- (b) NSW Child Safe Standards
- (c) Victorian Child Safe Standards

6.3 Policies and Procedures

- (a) SCKC National Child Safety Policy and Procedures
- (b) SCKC Communicating with Children Policy (Phone and Zoom)

7. Monitoring, Evaluation and Review

This Child Safety Code of Conduct will be reviewed on an as needs basis, or every two years,