

Your Working World

Code of Conduct (Staff)

This policy forms part of a series of policies which have been developed and implemented by Your Working World (YWW) to create a safe online operating environment and safeguard the emotional, psychological and physical wellbeing of users. We recognise that entities have a moral and legal duty to protect vulnerable people from foreseeable harm.

YWW's Code of Conduct (Staff) is designed to act as a guide for staff to ensure they are aware of the standards set by YWW for working professionally and effectively in their role, as well as minimising risks. We note guidance from the Child Safe Environments - Principles of Good Practice relating to codes of conduct:

“Codes of conduct require employers and others specified in the code to adopt the standards of conduct and practice set out in the code. Codes of conduct help prevent abuse of trust, where a party is in a position of power or influence over the other by virtue of their work or the nature of their activity. Care is always needed when such a relationship potentially exists

By setting a clear benchmark of acceptable standards of conduct and care, a code of conduct can promote safe, positive and encouraging environments. A code of conduct can minimise opportunities for abuse and help to prevent unfounded allegations. In this way, codes of conduct help protect children and young people as well as employees and volunteers.”¹

Physical Contact & Electronic Contact

Staff members should not have physical contact with children as part of ordinary course of business. However, staff members may come into physical contact with students during marketing and promotional activities or other events conducted on site at educational institutions. Staff members will be responsible for receiving questions raised by students, reviewing them and then if accepted, adding them on to a Q&A part of a mentor's page. In that process, it is expected staff members may either be required to or at least have the ability to contact students. In any correspondence, staff should always:

- Speak with others in a manner that is encouraging, respectful and supportive
- Avoid language or behaviour that is offensive, aggressive, profane, insulting or hurtful
- Should be mindful of, and sensitive to, the presence of clients and students and consistently encourage and model pro-social behaviour that reflects YWW's mission and culture

¹ *Child Safe Environments: Principles of Good Practice*, Department for Education and Child Development 2016

- Should discourage harassment, bullying, anti-social and violent behaviour and should communicate any concerns directly to the appropriate staff
- Staff should refrain from discussing any grievances regarding the YWW with students
- All staff should dress appropriately when representing YWW, for example when required to be on school grounds or at other events

Wherever possible and applicable, staff should ensure they spend minimal time alone with one child. Understanding the YWW Risk Management Plan can support adherence to applicable interactions and minimise risk events.

Confidentiality

Data must be retained and utilised in line with the YWW privacy policy. Student information must not be shared or distributed directly by staff to mentors.

Training

New staff must undergo an induction which emphasises their duty of care, child protection and reinforces our documented policies and procedures. YWW will have in place frequent staff meetings (at least monthly) at which discussions regarding the effectiveness of policies and procedures will be discussed as well as an analysis of any events raised for review. Review of legislation regarding the identification of symptoms of child abuse, duty to report and reporting procedures will also be conducted.

Grooming

The section relates to the offence of grooming for sexual conduct with a child under the age of 16 years. This offence targets predatory conduct designed to facilitate later sexual activity with a child. Grooming can be conducted in person or online, for example via interaction through social media, web forums and emails.

Many perpetrators of sexual offences against children purposely create relationships with victims, their families or carers in order to create a situation where abuse could occur. For this reason, parents, carers or other family members who have been targeted by perpetrators in order to gain access to a child are also victims. All YWW staff are expected to behave at all times in a manner supportive of the welfare and best interests of all students that they interact with.

Whilst not exhaustive, the below is a guide to what could be considered grooming behaviour and unacceptable by staff:

- Seeking to visit at or invite a student to, regardless of age, your/his/her/other private residence
- Sending or receiving personal written correspondence
- Exchanging personal phone numbers
- Corresponding with students using personal email addresses
- Taking photographs or videos of students on personal equipment and without authorisation or approval
- Taking, retaining, sending or exchanging images or videos of staff or students without authorisation or approval
- Non-work related communication such as phone calls, SMS, MMS and video calling
- Social networking such as Facebook, Twitter, Myspace, YouTube, Snapchat and Flickr
- Internet technologies such as Skype and chat rooms
- Inappropriate giving of gifts
- Physical or emotional aggression, violence or bullying
- Sexual exhibitionism
- Development of an intimate relationship incompatible with the professional relationship, initiated by either party
- Exposing to a student, regardless of age, pornographic material in any medium
- Inappropriate discussion of matters of sexual behaviour
- Obscene language, especially of a sexual nature
- Gestures or actions of a suggestive or obscene nature
- Jokes of a sexual nature told in the presence of a student/s

Breaches

A breach of this Code of Conduct will be reviewed and result in disciplinary action with the potential for termination of employment.

To report breaches or identify suspicious behaviour for investigation, contact YWW directors via contact@yourworkingworld.com.au.

Mandatory Reporting

Staff and Volunteers of YWW have obligations with regard to mandatory reporting of actual or suspected child abuse. Statutory guidance suggests that reporting is required where you have *“Reasonable grounds to suspect that a child has been or is being abused or neglected; and the suspicion is formed in the course of the person's work (whether paid or voluntary) or carrying out official duties.*

If you believe you have reasonable grounds, we ask that you contact us directly at contact@yourworkingworld.com.au or speak with us in person as soon as possible. More information regarding when, how and the obligations in place can be found within our Mandatory Reporting Policy.

Legislation and Resources

We support staff instigating their own research into best practices for interactions with children. Specifically, our staff may find the below useful guidance:

'Protective practices for staff in their interactions with children and young people' Guidelines for staff working or volunteering in education and care settings 2017.

An electronic copy can be found at:

https://www.decd.sa.gov.au/sites/g/files/net691/f/protective_practices_for_staff_in_their_interactions_with_children_and_young_people.pdf?v=1507870530

Relevant legislation includes:

- Children's Protection Act 1993 (SA) defines child abuse, emphasizes child safety, mandates staff in education and care environments to report child abuse and neglect and requires all organisations providing education, child care or residential services wholly or partly for children to comply with principles of child safe environments. The Children and Young People (Safety) Bill 2017 has passed parliament and when enacted will replace the Children's Protection Act 1993.
- Criminal Law Consolidation Act 1935 (SA) defines illegal criminal behaviour.
- Equal Opportunity Act 1984 (SA) defines sexual harassment, prohibits other forms of unlawful discrimination including on the ground of disability and provides a complaint process through the Equal Opportunity Commission of South Australia.
- Sex Discrimination Act 1984 (Cth) as amended by the Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013 (Cth) defines sexual harassment and provides a complaint process through the Australian Human Rights Commission.
- Teacher Registration and Standards Act 2004 (SA) establishes and maintains a teacher registration system and professional standards for teachers such that the profession is represented by individuals who are competent educators and fit and proper persons to have the care of children.
- Disability Discrimination Act 1992 (Cth) and Disability Standards for Education 2005 (Cth) provides legal protection against disability discrimination in specified areas. The DSE states the legal obligations of service providers within the DDA and the rights of the learners with disability.

- Education and Early Childhood Services (Registration and Standards) Act 2011 provides a national legislative scheme which regulates the provision of quality education services and registration of providers for the purpose of maintaining high standards of competence and conduct by providers.