



Steps to develop or update your Code of Conduct

A Code of Conduct is an important element in an organisation's efforts to keep children safe. It helps manage risks to child safety that may arise through adult interactions with children and young people. The purpose of a Code of Conduct is to establish a clear set of rules and expectations for behaviour that is in line with your organisation's culture and values. When behavioural expectations are clear, people are more likely to behave appropriately with children and to identify and report inappropriate behaviour.

A Code of Conduct should:

- provide adults with a clear guide on the behaviour that is expected of them, and of the behaviours that are unacceptable
- provide guidance to support the organisation's community to recognise unacceptable or concerning behaviour
- outline the action an organisation will take if there is a breach of the code
- be applicable to all adults working or volunteering in an organisation. Depending on your organisation, you may want to develop a separate Code of Conduct specifically for children and young people.¹

A Code of Conduct should be developed by identifying the risks to children's safety that are unique to your organisation. Some risks are the same across organisations, but others will be unique to your setting.

This resource is based on the New South Wales Office of the Children's Guardian publication: [Codes of Conduct: a guide to developing child safe Codes of Conduct](#). Please refer to this publication for more information.

¹ Government of New South Wales, Office of the Children's Guardian (OCG), [Code of Conduct: a guide to developing child safe codes of conduct](#) [pdf 2,436KB], Office of the Children's Guardian website, 2020, p 4.

Components of a Code of Conduct

The Code of Conduct will have different components. The following table lists what should be included and suggests some reflective questions for your organisation to ask when developing your Code.

Component	Explanation	Reflective questions
Include or link to your organisation's commitment to child safety	<p>Your organisation must make a public commitment to child safety. This signals to the whole community that your organisation prioritises the safety of children and young people and will not tolerate child abuse or harm.</p> <p>Staff and volunteers will know the values of your organisation and will get the message they will be supported when they take action to prioritise child safety.</p>	<p>How do our values demonstrate our organisation's commitment to keeping children safe?</p> <p>How can our statement of commitment set expectations about how adults should behave towards children?</p>
Respond to the risks adults may pose to children	<p>Child safe risk management plans should identify concerning behaviours and risks to child safety unique to your organisation. These risks and behaviours should be included in your Code of Conduct.</p> <p>Refer to Standard 9 in A guide for creating a Child Safe Organisation for more information.</p>	<p>Does our risk management plan identify instances of potential risk to children by adults and the actions that will be taken to address these risks?</p> <p>What behaviours do adults need to demonstrate to reduce the risks to children?</p>
Include positive behaviours that are consistent with your organisation's culture and values	<p>Your organisation's Code of Conduct needs to be specific enough to enable staff to identify the behaviours they should engage in. It should assist them to behave in a way that reduces risks to child safety. A Code of Conduct also needs to be broad enough to cover multiple situations.</p> <p>Refer to pages 13–17 of Codes of Conduct: a guide to developing child safe Codes of Conduct for a detailed discussion of acceptable behaviours.</p>	<p>What types of behaviours should our organisation support to help keep children safe? How do these align with our organisational culture and values?</p> <p>What kinds of behaviour do children and young people think need to be encouraged in our organisation?</p>
Define child abuse and harm	<p>Defining child abuse and harm helps to clarify the range of behaviours that are unacceptable in the context of an organisation's efforts to be child safe.</p> <p>A good Code of Conduct should not only describe the various forms of child abuse and harm, but also provide examples of specific behaviours that constitute child abuse and harm.</p> <p>For more information about child abuse and harm, including grooming behaviours, refer to Child abuse and harm in A guide for creating a Child Safe Organisation.</p>	<p>What risks to child safety may arise if a Code of Conduct is not implemented in our organisation?</p> <p>Is there a form of child abuse or harm that is more likely in our organisational context? How can we be alert to and manage this higher risk?</p>

Component	Explanation	Reflective questions
<p>Include behaviours that your organisation considers unacceptable or concerning</p>	<p>Behaviours described in a Code of Conduct need to be specific enough to enable staff to identify behaviours that are unacceptable and respond to risks to child safety. At the same time, they need to be broad enough to cover multiple situations.</p> <p>The context in which your organisation operates and the nature of the services it provides to children should be considered when identifying types of behaviour that are unacceptable or concerning. Behaviours that are of concern in some situations, may not be concerning in other contexts.</p> <p>A Code of Conduct can also cover other behaviours that your organisation considers necessary to set expectations regarding adult interaction with children. These can include the use of alcohol, unacceptable language, giving gifts or medication and smoking.</p> <p>Refer to pages 17–20 of Codes of Conduct: a guide to developing child safe Codes of Conduct for a detailed discussion of unacceptable and concerning behaviours.</p>	<p>What is the nature of the services our organisation provides?</p> <p>What types of behaviours should our organisation consider unacceptable? How do they fail to align with our organisation’s culture and values?</p> <p>Are there some types of behaviours that would normally be unacceptable but aren’t in our context because of the nature of the services we provide? (For example, sport where physical contact is necessary, or for personal care assistance)?</p> <p>How are limits on these types of behaviours set in a way that respects child safety?</p> <p>What types of behaviour do children and young people in our organisation consider unacceptable? Have we set behavioural expectations in a way that does not negatively impact on children’s interactions with trusted and caring adults?</p>
<p>Include physical and online environments</p>	<p>The Code of Conduct should reference expected behaviours that take place in both the physical and online environments.</p> <p>Refer to Standard 9 in A guide for creating a Child Safe Organisation on physical and online environments.</p>	<p>What types of behaviour could occur in the physical or online environment?</p> <p>Have we considered behaviours that may enable grooming?</p>
<p>Outline internal and external reporting obligations</p>	<p>Codes of Conduct should clearly state that if staff recognise behaviours that constitute unacceptable conduct, they need to report them to the person in the organisation who is responsible for the management of breaches of the Code of Conduct.</p> <p>In some cases, a breach of the Code of Conduct may also need to be reported to an external authority.</p> <p>Complaints handling policies for your organisation should have more detail on reporting processes.</p> <p>Refer to Standard 7 in A guide for creating a Child Safe Organisation for more information about Victorian reporting requirements.</p>	<p>How does our organisation embed a culture of reporting?</p> <p>How does our organisation make our staff aware of their internal and external reporting obligations, including reportable conduct?</p>

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Specify the ramifications for staff who breach the Code of Conduct	<p>Organisations should be clear how they will respond if staff breach the Code of Conduct.</p> <p>Your organisation may have a separate disciplinary policy dealing with the process for taking action on breaches. This should be linked to the Code of Conduct.</p>	<p>What actions should our organisation take in response to a breach of the Code of Conduct?</p> <p>Are there limitations on what actions our organisation can take? What avenues need to be followed in order to ensure appropriate managerial or disciplinary actions?</p> <p>What else needs to be considered in terms of employment law, fairness and transparency, and confidentiality?</p>
Outline criminal offences for not acting to protect children from or report abuse	<p>A Code of Conduct should note that there are criminal offences in Victoria for failing to act on child safety issues in organisations.</p> <p>Information on the Failure to Protect Offence can be found in Standard 2 in A guide for creating a Child Safe Organisation.</p> <p>Information on the Failure to Disclose Offence can be found in Standard 7 in A guide for creating a Child Safe Organisation.</p>	<p>Are leaders and staff in our organisation aware there are criminal offences if they fail to act to protect children or report abuse?</p> <p>Does our organisation make clear how staff can take action to protect children or report abuse?</p>
Include a review date	<p>Your organisation's Code of Conduct should be updated and reviewed regularly and after critical incidents. The date of the last review of the Code should be noted in the document.</p> <p>Your Code of Conduct should also state which person in your organisation, or position, is responsible for ensuring the review takes place. Consideration should be given to engaging children and young people in review processes. This helps empower them, but also gives you insight from their perspective into what makes them feel safe.</p>	<p>How frequently is our Code of Conduct reviewed? How often are staff reminded of its contents?</p> <p>How does our organisation incorporate our Code of Conduct into induction and ongoing staff training?</p> <p>How does our organisation include children in the development and review of Codes of Conduct?</p>
Use clear language	<p>You should write in plain English and avoid using ambiguous statements, difficult words or long sentences. You should use clear language and define words like, 'appropriate'. It can be helpful to use work-related examples to highlight key messages.</p>	<p>Is our Code of Conduct easy to understand?</p>
Staff and volunteers understand the Code of Conduct	<p>Your Code of Conduct should be made available to everyone (both adults and children) in the organisation. It should be easy to access and linked to your Child Safety and Wellbeing Policy.</p> <p>Some organisations ask staff, volunteers and contractors to read and sign that they agree to abide by the Code of Conduct before starting with the organisation. Others incorporate the Code of Conduct as part of employment, volunteer or other contracts. You should keep a record of signed Codes of Conduct or contracts on file.</p>	<p>Should we create a child-friendly version of the Code of Conduct?</p> <p>Do we need to consider translating the Code into different community languages or presenting it in different ways?</p>

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	<p>Where possible, training or guidance should be offered so that all adults and children understand the purpose of Code of Conduct and the rules they contain.</p> <p>Induction documents for staff and volunteers must include the Code of Conduct.</p> <p>Staff should also be given regular reminders of their contents.</p>	

Example Code of Conduct

KIDS HAVE FUN PERFORMING ARTS ACADEMY CODE OF CONDUCT

We are committed to having a performing arts academy that is safe for all children where child abuse and harm are not tolerated. Child safety is a priority for Kids Have Fun Performing Arts Academy (Kids Have Fun) and the prevention and reporting of abuse is supported and encouraged. All staff, volunteers and contractors are responsible for promoting the safety, wellbeing and empowerment of children. Kids Have Fun recognises that discrimination can harm children and we treat all children with dignity and respect.

This Code of Conduct sets expectations for how staff, volunteers and contractors at Kids Have Fun should behave around children. This helps children participate safely in our academy and have fun.

Performing arts is a physical activity and can be highly competitive, so having behavioural standards to manage the risks to children is important. This Code of Conduct identifies positive child safe behaviours that we ask staff, volunteers and contractors to demonstrate. It also identifies behaviours that we consider unacceptable and not permitted at our academy.

Not following standards of acceptable and unacceptable behaviour is a breach of this Code of Conduct and may result in disciplinary action. Some behaviours on their own may not be a serious breach of the Code of Conduct but together may indicate a concerning pattern of behaviour that poses a risk to the safety of children. Our disciplinary policy provides further information on processes that will be followed if breaches are identified.

All Kids Have Fun staff, volunteers and contractors must always follow these standards of behaviour, including when at the Kids Have Fun Performing Arts Centre, attending a competition or camp, in our online classes and when engaging with Kids Have Fun students and their families at any time:

I WILL:

- take all reasonable steps to protect children from abuse
- take disclosures of harm or abuse made by a child seriously
- raise concerns with management if risks to child safety are identified. Report and act on any concerns or observed breaches of this Code of Conduct
- participate in all compulsory training and professional development including training on child safety and wellbeing
- treat all children and young people with respect, regardless of race, sex, gender identity, sexual orientation, language, religion, political or other opinion, nationality, cultural background, financial situation, disability or other characteristics
- consider the different needs of all children at Kids Have Fun, support them to participate fully in programs and help them and their families feel included in the academy
- make Aboriginal children and families feel included and welcome at Kids Have Fun and support Aboriginal children to express their culture and enjoy their cultural rights
- never be racist towards anyone at Kids Have Fun and report any instances of racism I become aware of
- help Kids Have Fun be a place where people of all cultures feel safe and included
- listen to children and respond to them if they feel unsafe.
- value children and young people's ideas and opinions
- promote friendships and encourage children and young people to support their peers
- involve children and young people in decisions about the activities they participate in at Kids Have Fun and welcome the participation of parents and carers in these decisions

- report any conflicts of interest I have (such as an outside relationship with a child) that may affect my ability to perform my role
- respect the privacy of children and their families, including keeping all personal information confidential unless required by law to share it
- inform parents and carers if there are situations that need to be safely managed but are outside the boundaries of this Code of Conduct (such as driving a child to a performance or competition or undertaking one-on-one training sessions)
- ensure breaches of this Code are reported to our Child Safety Person immediately
- comply with all relevant Australian and Victorian legislation and our child safe policies and procedures
- uphold the rights of the child and always prioritise their needs.

I WILL NOT:

- condone or participate in illegal, unsafe, abusive or harmful behaviour towards children – this includes physical violence, sexual abuse, emotional or psychological abuse, grooming, neglect or sexual misconduct
- ignore or disregard any concerns, suspicions or disclosures of child abuse or harm
- exaggerate or trivialise child abuse issues
- use hurtful or offensive behaviour or language with children
- fail to report information to police if I know a child has been abused
- touch children in a way that is unnecessary or unsuitable and falls outside what is reasonable to teach performing arts or otherwise engage in the activities of Kids Have Fun
- 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
- show children pornographic images
- share details of sexual experiences with a child
- use sexual language or gestures in the presence of children
- initiate unnecessary physical contact with children or do things of a personal nature that children can do for themselves such as changing clothes
- develop 'special' relationships with specific children or show favouritism through the provision of gifts or unnecessary or unsuitable attention
- have unauthorised contact with children and young people online, on social media or by phone
- take photographs, screenshots or share images of children involved in activities that are not authorised by Kids Have Fun
- be alone with a child when there is no professional reason for doing so
- engage in babysitting, mentoring and/or tutoring a child out of work hours (without managerial approval for this kind of secondary employment)
- enter changing facilities without first knocking.

If I suspect that this Code of Conduct has been breached by another person in the organisation:

I WILL:

- act to prioritise the best interests of the child or children
- promptly take actions to ensure the child or children are safe
- as soon as possible report the incident or concerns using the Kids Have Fun complaints process
- maintain the privacy of those involved, following Kids Have Fun record keeping, privacy and information sharing guidelines.

Complaints about a breach of this Code of Conduct must be reported to our Child Safety Person, Jan Smith. Jan can be contacted on her mobile: 0555 555 555, or via her email: childsafetyperson@kidshavefun.com.au.

Some breaches of this Code of Conduct may need to be reported to the Victorian Police, or to the Commission for Children and Young People. Our Complaint Handling Policy provides more information about our reporting obligations to external authorities as well as describing protections and confidentiality provisions for anyone making a report. The policy can be found by asking at the front desk. It is also available as a link on our website.

Staff and volunteers who breach our Code of Conduct may also be subject to disciplinary action. This can include increased supervision, appointment to an alternative role, suspension or termination from the organisation. Detailed descriptions of breaches are found in our Child Safety and Wellbeing Policy. This can be found by asking at the front desk. It is also available as a link on our website.

PLEASE NOTE:

If any person in a position of authority within our organisation becomes aware of a substantial risk that a child may become the victim of a sexual offence committed by an adult associated with the organisation (for example, an employee, contractor or volunteer), and they have the power or responsibility to reduce or remove the risk, then they must take all reasonable steps to do so. A person in authority who negligently fails to take appropriate action to address the risk may be charged with the criminal offence of 'failing to protect' and may face a term of imprisonment.

If an adult reasonably believes a sexual offence has been committed by an adult against a child under the age of 16, they must report it to Victoria Police by calling 000 or going to their local police station. Failure to disclose the information may be a criminal offence.

Signature

I have read this Code of Conduct and agree to abide by its terms.

Name:

Signature:

Date: Last reviewed: 1 July 2022

Next review date: 1 July 2023

Responsible officer: Child Safety Person