



WARRAMBUI

## Safeguarding Code of Conduct

Version: 3.0  
Date: April 2020  
Next Review: October 2021  
Approved by: Board

### **Aim:**

Warrambui aims to provide children and young and vulnerable persons with a positive and enriching catered accommodation environment and to deliver programs that are educational, exciting and life changing.

We are committed to safeguarding children and young and vulnerable persons at Warrambui's site and ensuring that they feel safe and are safe. Accordingly, Warrambui wish to ensure that Warrambui's staff strive for the highest possible standards with respect to safeguarding children and young and vulnerable persons from abuse. To that end Warrambui have developed this Safeguarding Code of Conduct to identify, and so prevent, behaviour that may be harmful to the children and young and vulnerable persons at Warrambui's site.

Developed to protect children and young and vulnerable persons visiting, staying or residing at Warrambui's site, the Code of Conduct have been formally approved and endorsed by Warrambui's Board.

Staff should read this Code of Conduct in conjunction with:

- understanding the specific requirements of the role as defined in the 'Position Description' statement
- having current knowledge of our relevant policy and procedure documents, including our:
  - 'Safeguarding Children' Statement
  - 'Responding to Child Abuse Reports and Allegations' Policy
- familiarity with all applicable laws (listed in this document)
- understanding of general community expectations in relation to appropriate behaviour between adults and children.

As part of the commitment to observing this Code of Conduct, staff will be required to sign a "Position Description" with regards to agreeing to the Code of Conduct which includes responsibilities to support safeguarding of children, and young and vulnerable persons.

Warrambui considers a failure to observe this Code of Conduct as misconduct, and will take appropriate disciplinary action. Such disciplinary action may, depending on the seriousness of the misconduct, include suspension while matters are investigated and/or dismissal. In addition to any internal disciplinary proceedings, Warrambui will report to the police all instances in which a breach of the law has or may have occurred.

There may be exceptional situations where this Code of Conduct does not apply, for example, in an emergency situation. However, it is crucial that, where possible, staff seek management authorisation prior to taking action that contravenes the Code of Conduct or that staff advise management as soon possible after any incident in which the Code of Conduct was breached.

## Referenced Documentation

- Request to Participate in a TPM Camp Without Taking Leave Form
- Declaration of Pre-Existing or Incidental Relationships Form
- Request to Keep Uniform Form

## Related Legislation

Our guidelines comply with relevant legislation.

- Children and Young Persons (Care and Protection) Act 1998 (NSW)
- Children and Young Persons (Care and Protection) Amendment (Parental Responsibility Contracts) Act 2006(NSW)
- Child Protection (Offenders Registration) Act 2000 (NSW)
- Crimes Act 1900 (NSW)
- Commission for Children and Young People Act 1998 (NSW)
- The Ombudsman Act 1974 (NSW)
- Family Law Act 1975 (Cth)
- Children and Young Persons (Care and Protection) Amendment Bill 2009

## Scope

All staff, from Warrambui's Board and Centre Director through to casual staff and volunteers, are required to observe this Code of Conduct.

## Definitions

Term	Definition
Child	Any person under 18
Code of Conduct	The rules of behaviour outlining the proper practices for members of Warrambui, that includes what is and is not acceptable or expected behaviour
Group/s	Collective term for guests at the site within one booking
Group Supervisor/s	Supervising adult guest in charge of welfare for other guests within a Group, eg Teacher, school group parent, youth camp leader.
Guest Contact	The preferred contact person, being a Group supervisor, for liaison between Warrambui and the accommodated Group.
Staff	Any person the organisation employs, or engages – including paid employees, volunteers, Board Directors, contractors, consultants, student placements and interns'
Resident	A person residing permanently at the Warrambui site, accommodated in Residences 1 through to 5. A resident is not a guest.
Vulnerable Person	Any person self identifying as a Vulnerable Person. Persons with exceptional needs (eg elderly, intellectual disability). Where staff are unsure, be conservative and seek guidance from the Centre Director.
Young Person	Any person under 18 no longer self-identifying as a child.

## Responsibilities

Position	Responsibility
Centre Director	<ul style="list-style-type: none"><li>• Implement policy and procedures across the organisation</li><li>• Ensure staff have access to and understand this code of conduct and related procedures</li><li>• Ensure all managers/supervisors have access to support and advice to understand and implement procedures</li></ul>
Specialist	<ul style="list-style-type: none"><li>• Review and update this document and supporting resources in consultation with relevant stakeholders</li><li>• Support the coordination of the Safe Guarding Children and Young and Vulnerable Persons framework and implementation</li><li>• Provide training and advice in the application of procedures</li></ul>
Managers / Supervisors	<ul style="list-style-type: none"><li>• Ensure procedures are followed and implemented</li></ul>
Employees / Volunteers	<ul style="list-style-type: none"><li>• Compliance with procedures</li></ul>

## Key Requirements

Warrambui's Code of Conduct addresses the major areas where staff interact with the children and young and vulnerable persons who visit Warrambui. Warrambui has developed this Code of Conduct to help staff to safeguard those children and young and vulnerable persons from abuse or neglect.

## Guest Groups Responsibilities

Warrambui expects that guest groups with children and vulnerable people attending will follow all Warrambui required policies and procedures as well as any additional legal and/or professional requirements – e.g. Teachers will adhere to their professional Code of Conduct and church youth leaders will comply with their church policies and procedures. In the event of an incident Warrambui policies and procedures supersede the Guest Groups policies.

## Sexual misconduct

Under no circumstances is any form of 'sexual behaviour' to occur between, with, or in the presence of, children or young or vulnerable people attending Warrambui. Engaging in sexual behaviour while participating in Warrambui's service is prohibited even if the young or vulnerable persons involved may be above the legal age of consent.

'Sexual behaviour' needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:

- 'contact behaviour', such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution
- 'non-contact behaviour', such as flirting, sexual innuendo, inappropriate text messaging, inappropriate photography, or exposure to pornography or nudity.

### **Positive guidance [Discipline]**

We strive to ensure that children, and young and vulnerable persons attending Warrambui are aware of the acceptable limits of their behaviour so that Warrambui can provide a positive experience for all participants. However, there are times when staff may be required to use appropriate techniques and behaviour management strategies to ensure:

- an effective and positive environment
- the safety and/or wellbeing of children, and young and vulnerable persons attending or staff working at Warrambui.

We require Warrambui's staff to use strategies that are fair, respectful and appropriate to the developmental stage of the children or young or vulnerable persons involved. The child or young or vulnerable person needs to be provided with clear directions and given an opportunity to redirect their misbehaviour in a positive manner.

Under no circumstances are Warrambui's staff to take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

### **Professional Role Boundaries**

Warrambui staff must not, of their own volition or at the request of a service user, act outside the confines of their duties (as specified in their position description) when helping to deliver Warrambui's services.

For example:

- staff must not provide unauthorised transportation, for example, driving student guests into Murrumbateman for coffee
- non-program trained staff must not engage in activities with children or young or vulnerable people who are guests of Warrambui outside authorised role relevant contact, such as kitchen hands supervising the obstacle course.

Warrambui staff must adhere to professional role boundaries at all times, including activities external to Warrambui.

For example:

- staff must not provide any form of support to a child or young or vulnerable person who has stayed at Warrambui, or to their family, unrelated to Warrambui's services, for example, babysitting, tutoring or financial donations
- staff must not have contact with children or young or vulnerable persons who have stayed at Warrambui outside Warrambui's services; such as personal connections via social media (requested or requesting).
- staff must not accept an invitation to attend any private social function at the request of a child or young or vulnerable person who has been, or is, a guest of Warrambui – or at the request of their family.

For information on managing pre-existing or incidental relationships refer to the Managing Community Relationship section below.

If any of Warrambui's staff become aware of a situation in which a child or young or vulnerable person requires assistance that is beyond the confines of that person's role, or beyond the scope of Warrambui's usual service, they should at the earliest opportunity:

- refer the matter to an appropriate support person/agency or
- refer the child or young or vulnerable person to an appropriate support person/agency or
- contact the child or young or vulnerable person's guest contact, parent or guardian or carer, (whomever is at camp, available first and is not part of the concern) or
- refer the matter to the Ministry Manager or Centre Director, or,
- seek advice from management.

Warrambui staff who participate in a camp as a 'guest', or 'camper' may not represent or act in employment of Warrambui for the duration of the camp, and must be on leave for the duration of the camp.

Turing Point Ministries (TPM) camps are the only exemption to this rule. If Warrambui staff wish to participate in a TPM camp as a 'guest' or 'camper', they may also act in employment of Warrambui if they have completed a 'Request to Participate in a TPM Camp Without Taking Leave' form. This form must be approved by both an authorised TPM representative and authorised Warrambui representative before it is considered to be complete.

### **Managing Community Relationships**

Warrambui staff are not permitted to begin a new relationship with a child who has previously attended Warrambui in the last 12 months, or to use their position at Warrambui to further an existing relationship with such a child or their family.

However, Warrambui recognizes that we are placed in a small local community, and embedded in a tight, closely connected Lutheran community; where our staff are highly likely to have existing connections and interactions with guests of the site. There is also potential for incidental relationships to occur after a child's stay at Warrambui that are unrelated to the child's stay.

All pre-existing relationships (relationships in place prior to a child's attendance at Warrambui) must be declared to the Centre Director, by completing the 'Declaration of Pre-Existing or Incidental Relationships' form. Where approval is required in order to complete the form, approval must be granted by the Centre Director (or Board Chair if the Centre Director is the applicant) prior to resuming any relationship.

Examples of pre-existing relationships include:

- A staff member who has attended the same church as a child and their family over many years
- Family members of staff who attend Warrambui camps such as children, step-children, nephews or nieces.
- A child being tutored by a member of staff prior to their stay at Warrambui. Tutoring is independent from the staff member's role at Warrambui
- A child has attended a TPM camp, at which staff were involved as a guest or camper.

All incidental relationships (relationships occurring after a child's attendance at Warrambui, but not related to the child's stay at Warrambui) must be declared to the Centre Director, by completing the 'Declaration of Pre-Existing or Incidental Relationships' form. Where approval is required in order to complete the form, approval must be granted by the Centre Director (or Board Chair if the Centre Director is the applicant) prior to resuming any relationship.

Examples of incidental relationships include:

- A child joins a football club in which a staff member is already involved
- A staff member volunteers at their child's school and meets children who have previously stayed at Warrambui
- staff may be members of social networking groups, external to Warrambui through which connections may arise.

Generally, incidental relationship exemptions will only be approved when the Centre Director or Board Chair is satisfied that the relationship does not exist due to the child's stay at Warrambui.

The Centre Director or Board Chair is under no obligation to approve a request for exemption from this Code of Conduct. Further, the Centre Director or Board Chair may impose additional requirements in order to approve an exemption. This may include a parent/guardian acknowledgement in writing that they approve of the relationship, a letter to the group that the child attended Warrambui with, or any restrictions that the approver deems appropriate.

### **Uniform or identity card**

Our staff wear their uniform only while involved in delivering service or as required by Warrambui, such as when representing Warrambui at designated functions, and while travelling to and from work.

Volunteers and Visitors are all assigned and wear clearly marked Warrambui passes, badges or clothing (such as safety vests), only in delivery of Warrambui services or related work at the site.

Unless otherwise approved, all items of uniform are returned when staff cease employment. However, some items of personalized clothing may be retained (on approval from the Centre Director). Where an item of uniform is retained, former staff are required to commit to, and understand that they are not permitted to wear their former uniform while at Warrambui, nor at public functions, as this may be misconstrued to be misrepresentation. Please refer to the 'Request to Keep Uniform' form.

### **Use of language and tone of voice**

Language and tone of voice used in the presence of children and young and vulnerable persons should:

- provide clear direction, boost their confidence, encourage or affirm them
- not be harmful to children – in this respect, avoid language that is:
  - discriminatory, racist or sexist; or
  - derogatory, belittling or negative, for example, by calling a child a 'loser' or telling them they are 'too fat'; or
  - intended to threaten or frighten; or
  - profane or sexual.

### **Supervision**

Warrambui requires that groups provide supervision during their attendance at the site. Warrambui staff are responsible for delivering the programs in which children and young and vulnerable persons may participate.

During delivery of those programs, Warrambui expects that those supervising the participants; and our staff where they are contributing to the supervision, work to ensure participants:

- engage positively with Warrambui’s program intent, for example, archery – being a safe, adventurous and confidence building program.
- behave appropriately toward one another, for example, providing constructive and encouraging comment while participants attempt new skills.
- are in a safe environment and are protected from external threats, for example, remaining in pairs during bushwalks.

Our staff are required to avoid one-to-one unsupervised situations with children and young and vulnerable persons to whom Warrambui provide services, and (where possible) to conduct all activities and/or discussions with service recipients in view of other staff.

### **Use of electronic communications**

We prohibit all electronic communication between Warrambui’s service delivery staff and the children and young and vulnerable persons to whom Warrambui provide service – without the express permission of the Centre Director/Office Manager and parent/guardian/carer.

Under no circumstances should staff request a child or young or vulnerable person to keep a communication a secret from their parents.

All Warrambui’s staff are required to follow Warrambui’s ‘ICT’ Policy in relation to browsing websites on Warrambui’s organisation’s computers. This is reinforced during induction and refresher training.

Children and young and vulnerable persons are not permitted to use Warrambui’s organisation’s electronic communication platforms. Use of Warrambui’s internet access service is provided only with supervising adult permission, under that adult’s supervision. The supervising adult needs to ensure that the child, young or vulnerable person does not inadvertently place themselves at risk of abuse of exploitation via social networking sites, gaming sites, through web searches, or inappropriate email communication.

### **Giving gifts**

Gifts include rewards, prizes, treats, or second-hand equipment.

Giving of gifts by Warrambui’s service delivery staff to children and young and vulnerable persons to whom Warrambui provide, or have provided a service is subject to:

- obtaining prior authorisation from the Centre Director or Office Manager (or Board Member, in the case of the Centre Director) **and**
- parents, guardians or carers being made aware in advance of any gift given.

*Note, having a declared relationship (refer to the Declaration of Pre-Existing or Incidental Relationships form) meets this requirement where the gift is given outside of the Warrambui context.*

### **Photographs of children and young and vulnerable persons**

Warrambui permits photography by Warrambui staff, of children and young and vulnerable persons under the Code of Conduct **only**:

- children and young and vulnerable persons to whom Warrambui deliver service are to be photographed **only** while involved in Warrambui’s Programs and Camps **and only** if:
  - our Centre Director or the applicable Guest Contact has granted prior and specific approval
  - the context is directly related to participation in Warrambui’s Programs
  - the child is appropriately dressed and posed
  - the image is taken in the presence of other staff.

- Images are not to be distributed (including as an attachment to an email) to anyone outside Warrambui other than the child photographed or their parent, without management knowledge and approval.
- Images (digital or hard copy) are to be stored in a manner that prevents unauthorised access by others, for example:
  - if in hard-copy form, in a locked drawer or cabinet
  - if in electronic form, in a 'password protected' folder.
- Images (digital or hard copy) are to be destroyed or deleted as soon as they are no longer required.
- Images are not to be exhibited on Warrambui website without parental knowledge and approval, or such images must be presented in a manner that de-identifies the child or young or vulnerable person. Any caption or accompanying text may need to be checked so that it does not identify a child or young or vulnerable person if such identification is potentially detrimental.

### **Physical contact with children and young people**

Any physical contact with children and young and vulnerable persons must be appropriate to the delivery of Warrambui's services rather than on the needs of Warrambui's staff. Where physical assistance is likely, the supervising adult (eg program staff, a teacher or a parent) should inform the child of what contact is going to happen, and provide the child with the opportunity to say no if they choose.

Examples that arise in our work include contact such as physical assistance on the obstacle course and based on the needs of the child or young or vulnerable person (such as to assist or comfort a distressed young person).

Under no circumstances should any of Warrambui's staff have contact with children or young people attending Warrambui that:

- involves touching<sup>12</sup>:
  - of genitals
  - of buttocks
  - of the breast area (female children)
 that is other than as part of delivering medical or allied health services
- would appear to a reasonable observer to have a sexual connotation
- is intended to cause pain or distress to the child or young or vulnerable person – for example corporal punishment
- is overly physical – as is, for example, wrestling, horseplay, tickling or other roughhousing
- is unnecessary – as is, for example, assisting with toileting when a child does not require assistance
- is initiated against the wishes of the child or young or vulnerable person, except if such contact may be necessary to prevent injury to the child/young person or to others, in which case:

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<sup>1</sup> It is noted that during the conduct of an Obstacle Course activity, assisting a child to climb may require contact – the type of contact should be explained first and the child given the opportunity to decline assistance. Then should be undertaken with care, another adult present and with hands placed wide to encompass the hips to ensure the contact is appropriate.

<sup>2</sup> Warrambui recognises that during some physical challenge activities, children may be caught while falling. This may lead to contact. Where contact occurs, an immediate apology should be made, and the contact must be reported immediately.



- physical restraint should be a last resort
- the level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the child or young or vulnerable person to prevent harm to themselves or others
- the incident must be reported to management as soon as possible.

Our staff are required to report to the Ministry Development Manager or Centre Director any physical contact initiated by a child or young or vulnerable person that is sexual and/or inappropriate, for example, acts of physical aggression, as soon as possible, to enable the situation to be managed in the interests of the safety of the child or young or vulnerable person, Warrambui's staff and any other participants.

### **Sleeping arrangements**

Guest contacts are provided with a facility plan, and are responsible for allocating rooms and establish sleeping arrangements according to the particular group requirements. Warrambui expects that groups with children and vulnerable people attending will be managed in a way that safeguards children from abuse, following but not limited to the below standards of conduct, where appropriate.

Standards of conduct must be observed by Warrambui's staff particularly noting:

- that most guests attend for overnight stays, and
- Warrambui staff work early and late hours, and
- Staff and their families reside on site.

Staff conduct must be considerate of:

- providing children and young and vulnerable persons with privacy when bathing and dressing
- observing appropriate dress standards when children and young and vulnerable persons are present – such as no exposure to adult nudity
- not allowing children or young or vulnerable people to be exposed to pornographic material, for example, through movies, television, the Internet or magazines
- not providing sleeping arrangements that may compromise the safety of children and young and vulnerable persons such as unsupervised sleeping arrangements, or an adult sleeping in the same bed as a child or young or vulnerable person
- the right of children to contact their parents, or others, if they feel unsafe, uncomfortable or distressed during the stay
- parents expecting that their children can, if they wish, make contact

Should staff observe, or suspect, that sleeping arrangements are inappropriate or compromise the safety of children or young and vulnerable persons, this must be reported to the Centre Director immediately.

### **Change room and bathroom arrangements**

Warrambui expects that group supervisors will supervise children and young and vulnerable persons use of change rooms while balancing that requirement with a child or young or vulnerable person's right to privacy. In addition:

- Warrambui staff should avoid situations with children or young or vulnerable persons in a change room area
- staff are not permitted to use the change room area to, for example, undress, while children and young and vulnerable persons are present

- female staff are not to enter male change rooms and male staff are not to enter female change rooms while guests are on site (or for urgent cleaning and maintenance, must do so with a group supervisor).

Should staff observe, or suspect, that the supervision of the change rooms and bathrooms is inappropriate or compromise the safety of children or young and vulnerable persons, this must be reported to the Centre Director immediately.

### **Use, possession or supply of alcohol or drugs**

Refer also to the 'Alcohol and Other Drugs' policy.

While on duty, staff must not:

- use, possess or be under the influence of an illegal drug
- be under the influence of alcohol
- be incapacitated by any other legal drug such as prescription or over-the-counter drugs
- supply alcohol or drugs (including tobacco) to children and young and vulnerable persons attending Warrambui.

Use of legal drugs other than alcohol is permitted, provided such use does not interfere with staff's ability to care for children involved in Warrambui's service.

### **Transporting children**

Children and young and vulnerable persons are to be transported only in circumstances that are directly related to Warrambui's emergency management plan, medical issues arising or with prior authorisation from the Centre Director, Ministry Manager or Office Manager and from the parent/guardian/carer. Gaining approval involves providing information about the proposed journey, including:

- the form of transport proposed, such as private car or Warrambui vehicle
- the reason for the journey
- the route to be followed, including any stops or side trips
- details of anyone who will be present during the journey other than Warrambui's staff who are involved in delivering Warrambui's services

### **Communication**

We communicate Warrambui's Code of Conduct requirements to all Warrambui staff. Warrambui involve our staff in reviews of Code of Conduct requirements. Warrambui communicate any significant alterations to Warrambui's Code of Conduct requirements and resources to all staff.

### **Monitoring and Review**

This document will be reviewed at least once every 18 months, in consultation with stakeholders. Some circumstances may trigger an early review, this includes but is not limited to legislative changes, organisational changes, incident outcomes and other matters deemed appropriate by the Board and/or Centre Director. Warrambui retain records of each review undertaken. Such records may include minutes of meetings and documentation of changes to policies and procedures that result from a review.

External audit and verification based on a sample, conducted by the Australian Childhood Foundation shall occur at 3 yearly intervals.