**Child Safe Code of Conduct- Generic**

**Purpose**

The purpose of this Child Safe Code of Conduct is to ensure that all employees of an organisation understand their obligations in relation to appropriate behaviour in any setting with children and young people. In addition, the Child Safe Code of Conduct is in place to protect children and young people from any behaviour that could endanger their emotional, psychological or physical health, safety and wellbeing, and enable employees to safely deliver effective services as required.

The Child Safe Code of Conduct outlined below operates simultaneously with any other codes of conduct already being used in your organisation.

**Overview**

This Child Safe Code of Conduct has been developed in response to recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse (The Royal Commission). The Royal Commission Final Report emphasised that members of the public, children and young people, parents, carers, families and communities should feel confident that organisations working with children provide safe environments in which children’s rights, needs and interests are met. [Royal Commission recommendations 7.8 and 9.8](https://www.childabuseroyalcommission.gov.au/recommendations) provide guidance for embedding child safety in leadership, governance, culture and relevant policy frameworks to support appropriate conduct and accountability of individuals and agencies. The final report of the Royal Commission recommended implementing ten child safe standards in organisations engaged with children in any way. These standards have informed the National Child Safe Principles for Child Safe Organisations (Principles) as the vehicle for implementation in organisations across Australia. The Principles (see Appendix 1) were endorsed by the Council of Australian Governments (COAG) in November 2019.

The National Principles reflect ten child safe standards recommended by the Royal Commission and are the vehicle for giving effect to recommendations relating to the standards. The National Principles have a broader scope that goes beyond child sexual abuse to cover other forms of potential harm to children and young people. (Australian Human Rights Commission, n.d.)

The Commissioner for Children and Young People WA (the Commissioner) has established the Child Safe Organisations WA Guidelines for the implementation of the Principles. These Guidelines encourage organisations that provide services for children and young people to have a Code of Conduct that establishes clear expectations for appropriate behaviour with children and young people.

**Compliance**

A key recommendation of the Royal Commission that applies to this Child Safe Code of Conduct is:

**Recommendation 6.8** State and territory governments should require all institutions in their jurisdictions that engage in child-related work to meet the Child Safe Standards identified by the Royal Commission at Recommendation 6.5. (Royal Commission, December 2017)

The Child Safe Code of Conduct, while currently voluntary to implement, is strongly recommended to all Western Australian organisations that have children involved at any level. The Commissioner has stated that:

*…every organisation must embed a child safe culture across all activities and services, with leaders, staff and volunteers being vigilant in providing child safe and friendly environments and interactions.*

(CCYP, November 2019)

The Child Safe Code of Conduct applies to permanent and fixed term employees, casual employees of Western Australian organisations, people employed under contracts for service and contractors providing goods and/or services (where specifically provided for in the relevant contract). It also applies to others in the workplace such as work experience students, trainees, cadets and volunteers (where specifically provided for in the relevant placement contracts).

It is recommended that all employees, volunteers and contractors annually attest to their awareness of the Child Safe Code of Conduct, by completion of annual training.

**Scope**

The Child Safe Code of Conduct applies to employees, volunteers, students and contractors of an organisation providing child-related services and activities. These include:

1. Accommodation and residential services for children, including overnight excursions or stays
2. Activities or services of any kind under the auspices of religious denominations or faith where adults are engaged with children
3. Childcare and child-minding services, including creches
4. Child protection services, including Out of Home Care
5. Activities or services where clubs and associations have membership or involvement by children
6. Coaching, tuition, and mentoring services for children
7. Commercial services for children including entertainment and party services, gym or play facilities, swim schools, photography services and modelling, talent and beauty competitions
8. Community based, paid and volunteer run services for children including playgroups and toy libraries
9. Services for children with a disability
10. Education services for children
11. Justice and detention services for children including immigration detention facilities
12. Transport for children, including school crossing services.

 (Rec 6.9 RCIRCSA Final Report December 2017)

**The organisation’s commitment**

All organisations should be committed to the safety, wellbeing and best interests of children and young people. Every organisation:

* will ensure development and age-appropriate environments for children and young people based on best evidence available in the sector
* will uphold the rights of children and young people who come into contact with the organisation so that they feel safe and protected and their safety concerns are heard and responded to
* has zero tolerance for child abuse and take all allegations of harm and safety concerns seriously, ensuring such conduct is dealt with in accordance with organisation policies, procedures and the law
* is committed to preventing child abuse and identifying risk early, and removing and reducing these risks
* will actively work to listen to and empower children and young people who come into contact with the organisation
* has robust human resources and recruitment practices for all staff and volunteers
* will provide training and education to employees on the principles and creating a child safe organisation
* will provide a culturally safe environment for Aboriginal and Torres Strait Islander children and young people and those from culturally and/or linguistically diverse backgrounds, and consider their needs in providing that environment
* will provide a safe environment for, and consider the needs of, children and young people with a disability, and consider their needs in providing that environment
* will provide a safe environment for, and consider the needs, of children and young people who have suffered trauma, and consider their needs in providing that environment
* will provide a safe environment for, and consider the needs of, same sex attracted and intersex children and young people, and recognise gender diversity in providing a safe environment, and consider their needs in providing that environment.

This organisation requires all employees to uphold these commitments. The organisation has specific policies, procedures and training in place to achieve these commitments.

**Reporting suspected breaches of the Code**

There are also external agencies or bodies that investigate misconduct. Other avenues for reporting misconduct include the:

* Western Australia (WA) Police for criminal matters
* Ombudsman WA for matters of administration affecting individuals
* Equal Opportunity Commission WA for discrimination matters.

Individuals who make reports or raise concerns in good faith should be supported and protected from reprisals, victimisation or other detrimental action as a result of making a report or raising a concern.

**Consequences for breaching the Code**

*Organisation dependent*

**Related policy and other documents**

Each organisation to list relevant documents that relate to this Child Safe Code of Conduct. Some key source documents are linked below:

* [Royal Commission Final Report, volume 6](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.childabuseroyalcommission.gov.au%2Fsites%2Fdefault%2Ffiles%2Ffinal_report_-_volume_6_making_institutions_child_safe.pdf&data=05%7C01%7Cstephan.lund%40uwa.edu.au%7C9cbb476fe3504aa9733d08da292a6bfd%7C05894af0cb2846d8871674cdb46e2226%7C0%7C0%7C637867561221978330%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=c1upDNuAKnbULyrv%2F9otTJcWBUZ0jFbyx3c%2BpMQJ7WA%3D&reserved=0)
* [Royal Commission Final Report, volume 7](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.childabuseroyalcommission.gov.au%2Fsites%2Fdefault%2Ffiles%2Ffinal_report_-_volume_7_improving_institutional_responding_and_reporting.pdf&data=05%7C01%7Cstephan.lund%40uwa.edu.au%7C9cbb476fe3504aa9733d08da292a6bfd%7C05894af0cb2846d8871674cdb46e2226%7C0%7C0%7C637867561221978330%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=rzh6JJjXzP0bRybZAvlHiCaTVIfMNdqZY4Bl5Amajy0%3D&reserved=0)
* [Keeping our kids safe: Cultural Safety and the National Principles for Child Safe Organisations (SNAICC)](https://aus01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.snaicc.org.au%2Fwp-content%2Fuploads%2F2021%2F06%2FSNAICC-VACCA-OCS-ChildSafeReport-LR-with-alt-tags-May2021.pdf&data=05%7C01%7Cstephan.lund%40uwa.edu.au%7C9cbb476fe3504aa9733d08da292a6bfd%7C05894af0cb2846d8871674cdb46e2226%7C0%7C0%7C637867561221978330%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=Y2uk2yiwXGRB9kJzu8NowE2T2Yy7h6tNFYsUUHJFL3Q%3D&reserved=0)
* [Commissioner for Children and Young People (WA) Child Safe Resources](https://www.ccyp.wa.gov.au/our-work/resources/child-safe-organisations/)
* [National Principles for Child Safe Organisations](https://www.wa.gov.au/organisation/department-of-communities/national-principles-child-safe-organisations#:~:text=%20What%20are%20the%20National%20Principles%20for%20Child,suitable%20and%20supported%20to%20reflect%20child...%20More%20)

**Implementation policy and procedure**

The organisation should formulate an implementation and governance plan that fits with the organisation to ensure that all staff, volunteers, students and contractors are aware of the Child Safe Code of Conduct and trained in its use.

This could include training with demonstrated understanding of all who are involved in child related activity in the organisation. This should be documented in a register (perhaps integrated with existing HR/ people management systems) and a system put in place to regularly review the training and ensure that new staff have the opportunity to learn the intent and application of the Code. Ongoing disclosure requirements of employees throughout the employment term should be considered by each organisation.

**References**

Australian Human Rights Commission. (n.d.). About the National Principles.

Retrieved from <https://childsafe.humanrights.gov.au/national-principles/about-national-principles>

Commissioner for Children and Young People WA. (2019). National Principles for

Child Safe Organisations WA Guidelines. Retrieved from

<https://www.ccyp.wa.gov.au/media/3946/child-safe-organisations-wa-guidelines-updated-november-2019.pdf>

Department of Justice and Community Safety Victoria. (n.d.). Child Safe Code of Conduct. Retrieved from <https://www.justice.vic.gov.au/about-the-department/child-safe-code-of-conduct>

Royal Commission into Institutional Responses to Child Sexual Abuse. (2017). Final Report Recommendations. Retrieved from

<https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_recommendations.pdf>

**Appendix 1- National Principles for Child Safe Organisations**

1. Child safety and wellbeing is embedded in organisational leadership, governance and culture.

2. Children and young people are informed about their rights, participate in decisions affecting them and are taken seriously.

3. Families and communities are informed and involved in promoting child safety and wellbeing.

4. Equity is upheld and diverse needs respected in policy and practice.

5. People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice.

6. Processes to respond to complaints and concerns are child focused.

7. Staff and volunteers are equipped with the knowledge, skills and awareness to keep children and young people safe through ongoing education and training.

8. Physical and online environments promote safety and wellbeing while minimising the opportunity for children and young people to be harmed.

9. Implementation of the national child safe principles is regularly reviewed and improved.

10. Policies and procedures document how the organisation is safe for children and young people.