

# Codes of Conduct Policy & Procedures

<b>Policy Name</b>	Codes of Conduct Policy & Procedures
<b>Effective Date</b>	1 April 2019
<b>Date Last Reviewed</b>	30 August 2021
<b>Scheduled Review Date</b>	August 2022
<b>Responsible Person</b>	CEO

## Table of Contents

<b>Policy .....</b>	<b>2</b>
<i>Purpose.....</i>	2
<i>Scope.....</i>	2
<i>Code of Conduct.....</i>	2
<i>Child Safety Code of Conduct.....</i>	3
Positive child safe behaviour .....	3
Inappropriate behaviour .....	4
<i>Misconduct.....</i>	5
<i>Bullying, discrimination, harassment, and victimisation.....</i>	6
<i>Communication and distribution.....</i>	6
<b>Procedures .....</b>	<b>6</b>
<i>Responding to Codes of Conduct Breaches.....</i>	6
Reporting.....	6
Process for investigating breaches .....	7
<b>Related Policies and Guiding Materials.....</b>	<b>8</b>

# Policy

## Purpose

1. The National Youth Science Forum (**NYSF**) is committed to maintaining a safe and inclusive environment where employees, contractors, volunteers, program participants, and others involved with the NYSF display the highest standards of professional and personal conduct.
2. The Code of Conduct and Child Safety Code of Conduct (together referred to as the '**Codes of Conduct**') set out behavioural expectations and provides the NYSF with a framework to help manage inappropriate conduct and behaviour.
3. The Codes of Conduct Policy and Procedures aims to ensure that employees, contractors, volunteers, program participants, and others representing or otherwise involved with the NYSF are aware of their obligations to behave safely, respectfully, ethically, and in a manner that promotes and protects the NYSF's reputation in the wider community.
4. The NYSF has 'zero tolerance' for child abuse.

## Scope

5. These Codes of Conduct apply to:
  - a. NYSF employees;
  - b. NYSF contractors;
  - c. NYSF volunteers, including NYSF Board Members, NYSF Rotary District Chairs, other Rotary members involved in NYSF activities, Student Staff volunteers, and any other individual engaged in a volunteering capacity with NYSF;
  - d. Program participants; and
  - e. Other individuals representing or otherwise involved with the NYSF.
6. These Codes of Conduct apply to conduct in both in-person and online/digital environments, including workplaces and corporate events, day or residential programs and events, online programs and events, and all online/digital interactions such as video conferencing, instant messaging, email and social media.

## Code of Conduct

7. The Code of Conduct requires employees, contractors, volunteers, program participants and others representing or otherwise involved with the NYSF to, at all times:
  - a. Act honestly, in good faith and in the best interests of the NYSF;
  - b. Treat everyone with courtesy, respect, kindness, consideration, and sensitivity;
  - c. Refrain from all forms of bullying, harassment, discrimination and victimisation (e.g. on the basis of sex, age, gender identity, race, religious belief, political affiliation, pregnancy, disability or sexual orientation);
  - d. Participate in NYSF's programs and perform duties responsibly and professionally, consistent with NYSF's policies and procedures and other legal obligations;
  - e. Obtain all relevant regulatory checks (such as Working with Children Checks or First Aid Certificates) required by the NYSF prior to commencing work on any Program;
  - f. Participate in all training required by the NYSF;

- g. Promptly disclose in writing to the CEO and take reasonable steps to avoid any conflict of interest in relation to working with the NYSF;
- h. Refrain from smoking or using or being affected by prohibited substances or tobacco products while participating in NYSF Programs or undertaking any work connected with the NYSF;
- i. Refrain from consuming alcohol in connection with the NYSF unless the CEO has provided prior written approval for the consumption of alcohol at an event (NB: people under 18 years old must not consume alcohol at any stage while participating in NYSF Programs);
- j. Refrain from using or possessing any weapons while working with NYSF or in connection with any NYSF event or Program;
- k. Refrain from action or inaction that may endanger any other person or may damage property, or that may jeopardise the reputation of the NYSF;
- l. Refrain from driving any vehicle at in-person events, or riding in any vehicle that is being driven by someone who is not authorised by the NYSF to transport them;
- m. Comply with all lawful and reasonable requests and directions by a staff member of the NYSF and, in the case of contractors and volunteers, lawful and reasonable requests and directions by another volunteer such as a volunteer NYSF host;
- n. Comply with the NYSF's Privacy Policy, respect each individual's rights to privacy and keep personal information held by the NYSF in confidence;
- o. Refrain from using information obtained in connection with NYSF to gain advantage for themselves or cause detriment to NYSF; and
- p. Comply with the Code of Conduct and report any breaches to their manager, the Manager, Corporate Services, their Program contact, and/or the CEO, as appropriate.

## Child Safety Code of Conduct

- 8. In addition to complying with the Code of Conduct above, NYSF employees, contractors, volunteers, program participants, and others representing or otherwise involved with the NYSF must comply with the Child Safety Code of Conduct set out below.

### *Positive child safe behaviour*

- 9. NYSF employees, contractors, volunteers, program participants, and others representing or otherwise involved with the NYSF must:

#### *Professional behaviour*

- a. Act in accordance with NYSF's Child Safety Policy and Procedures;
- b. Behave respectfully, courteously, and ethically towards children and their families in a manner that promotes the safety and wellbeing of children and young people;
- c. Maintain appropriate personal and professional boundaries in connection with children and young people;

#### *Diversity*

- d. Consider and respect the diverse backgrounds, circumstances and needs of children, make adjustments and provide equal protection to all children, including Aboriginal children, culturally and/or linguistically diverse children, children with a disability and LGBTIQ+ children;

- e. Take into account the diversity of families and communities, as well as children, and act to reduce barriers to inclusion;
- f. Seek the inputs of families and communities in decisions impacting children, and communicate effectively with families and communities about how to raise child safety concerns with the NYSF;

#### *Child empowerment*

- g. Listen and respond to the views and concerns of children, particularly if they communicate (verbally or non-verbally) that they do not feel safe or well;
- h. Encourage children to explore their ideas, opinions, concerns, and creativity without fear of judgement;
- 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. Involve children in making decisions about activities, policies and processes that concern them wherever possible;
- k. Only photograph or video a child with their consent or the consent of their parent or guardian;

#### *Participation in child safe culture*

- l. Contribute, where appropriate, to NYSF's policies, discussions, learning and reviews about child safety and wellbeing;
- m. Recognise indicators of harm and mitigate risks to children's safety and wellbeing as required by NYSF's risk assessment and management policies or processes, in both in-person and online/digital environments;
- n. Respond to any concerns or complaints of child harm or abuse promptly and in line with NYSF's Child Safety Policy and Procedures;
- o. Report all suspected or disclosed child harm or abuse as required by the law and by NYSF's Child Safety Policy and Procedures;
- p. Obtain and maintain a valid Working with Children Check at all times, if required by NYSF policies;
- q. Comply with NYSF's Child Safety Policy and Procedures regarding privacy, confidentiality, record keeping and information sharing; and

#### *Reporting*

- r. Report any breaches to their manager, the Manager, Corporate Services, their Program contact, and/or the CEO, as appropriate.

#### *Inappropriate behaviour*

10. NYSF employees, contractors, volunteers, program participants, and others representing or otherwise involved with the NYSF must not:

#### *Behaviour*

- a. Engage in any unlawful activity with or in relation to a child;
- b. Engage in, or expose any child to, any form of hurtful, offensive, sexual, or discriminatory behaviour or language or any activity that is likely to harm a child physically, sexually, or emotionally;
- c. Engage in unnecessary physical contact with children or use any form of physical discipline;
- d. Unlawfully discriminate against any child or their family members;
- e. Use inappropriate or profane language, including engaging in open or personal discussions of an adult nature, in the presence of children;

- f. Show or provide children with access to inappropriate images or material, including sexually explicit content;
- g. Engage in conduct towards or in the presence of a child that is indicative of contempt, ridicule, or intolerance, including because of the child's or another person's sex, race, culture, religion, gender, sexuality, or disability;
- h. Work with children while under the influence of illegal drugs, or use illegal drugs at NYSF events or in the presence of children;
- i. Work with children while under the influence of alcohol, or consume alcohol at NYSF events or in the presence of children (unless approved by the CEO in writing prior);

#### *Relationships*

- j. Be alone with a child in connection with NYSF, including online (e.g. video conferencing), unless the contact is authorised by NYSF and there is a legitimate reason for doing so for the child's own safety and welfare;
- k. Arrange personal contact, including online contact, with a child associated with NYSF for a purpose unrelated to the NYSF's activities;
- l. Engage in any form of sexual conduct with or in the presence of a child, including making sexually suggestive comments or sharing sexually suggestive material;
- m. Engage in any behaviour that seeks to develop a relationship with a parent or guardian for the purpose of engaging in sexual conduct with a child;
- n. Develop 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children);
- o. Engage in undisclosed private meetings with a child;

#### *Reporting*

- p. Ignore or disregard any concern, suspicion, or disclosure of harm to or abuse of a child;
- q. Fail to report information as required by the law and by NYSF's Child Safety Policy and Procedures if they know or suspect a child has experienced or is at risk of significant harm;
- r. Take, share, or publish (including online) photos or videos of children without their consent or consent of a parent or guardian;
- s. Disclose personal or sensitive information about a child, including images of a child, unless the child and their parent or legal guardian have provided prior written consent or unless required to do so by NYSF's Child Safety Policy and Procedures; and
- t. Trivialise child safety or child abuse.

## Misconduct

11. A breach of these Codes of Conduct may constitute misconduct, for which disciplinary action may be taken.
12. The NYSF may take a range of measures in relation to a person's failure to comply with the Codes of Conduct, up to and including the termination of a person's engagement, involvement, or employment with NYSF.
13. In the case of minor breaches, the individual and their manager, supervisor, or relevant Program contact may work towards correcting the behaviour or actions through performance management measures.

14. In the case of a complaint or an allegedly more serious breach of the Codes of Conduct, the CEO may (at their discretion) facilitate a formal investigation into the matter, which will be conducted in accordance with procedural fairness. In some cases, an external investigator may be engaged to investigate the matter.
15. In instances of serious breaches, it may be appropriate for the CEO to immediately terminate the engagement or employment of an employee, contractor, or volunteer. NYSF will first take reasonable steps to ensure that the person has been advised of the reason for the disciplinary action and provided with an opportunity to respond to the alleged conduct before a definite decision is made.
16. Where misconduct is found to have occurred by a volunteer, program participant, or other individual representing or otherwise involved with an NYSF Program, the behaviour may be addressed by the removal of the person from an NYSF program, in addition to an investigation into the misconduct.

## Bullying, discrimination, harassment, and victimisation

17. Allegations of bullying, discrimination, harassment, and victimisation will be managed in accordance with the misconduct procedures. See also Bullying and Harassment Policy.

## Communication and distribution

18. The Manager, Corporate Services, will distribute this Codes of Conduct Policy and Procedures to:
  - a. Employees, via employment contracts and onboarding processes;
  - b. Volunteers, via Volunteer Agreements and onboarding processes;
  - c. Contractors, via contracts and onboarding processes;
  - d. Program participants, via Participant Agreements; and
  - e. Other individuals representing or otherwise involved with the NYSF, via onboarding processes, contracts, or the NYSF website.
19. All employees will be advised of any updates to the Codes of Conduct and Procedures and be reminded of it by NYSF Management. New employees will be asked to read the Codes of Conduct and Procedures on beginning employment with the NYSF.
20. NYSF will publicly announce and endeavour to ensure all NYSF contractors, volunteers, program participants, and others representing or otherwise involved with the NYSF are aware of their commitment to the NYSF Codes of Conduct and Procedures when they are registering for NYSF events and signing contracts, program participation and/or volunteer agreements.

## Procedures

### Responding to Codes of Conduct Breaches

#### *Reporting*

21. NYSF encourages all persons to raise concerns they may have regarding the safety of children or other breaches of the Codes of Conduct.

22. NYSF employees, contractors, volunteers, program participants, and others representing or otherwise involved with the NYSF must comply with the Codes of Conduct and promptly report any breaches to their manager, the Manager, Corporate Services, their Program contact, and/or the CEO, as appropriate.
23. Some breaches of these Codes of Conduct may constitute criminal offences in various states and territories in which the NYSF operates and may need to be reported to police or a state-based child safety regulatory body.
24. Where an individual's conduct falls below the standards outlined in the Codes, the relevant manager will discuss the matter with them and, in consultation with the CEO, inform them how NYSF will respond to the concerns (which may involve an investigation).

#### *Process for investigating breaches*

25. In the case of an allegation or complaint involving child protection or safety concerns, the NYSF Child Safety Policy and Procedure must first be considered and applied.
26. Where an employee, contractor, volunteer, program participant, or other individual representing or otherwise involved with the NYSF makes a formal complaint about the conduct of another employee, volunteer, contractor, program participant, or other individual representing or otherwise involved with the NYSF, the CEO will determine if the matter justifies a formal investigation or can be managed informally or through other processes. If the matter requires a formal investigation, the CEO will identify the most appropriate person to investigate the matter, which may include the appointment of an external investigator to inquire into the matter on their behalf.
27. Investigations will be undertaken in accordance with procedural fairness which ensure that the person against whom a complaint has been made is aware of the nature of the allegations against them and is given an opportunity to respond to the allegations; and that the investigator acts without bias.
28. In the course of a formal investigation, the investigator may choose to interview all parties involved, including the complainant, the respondent, and any other witnesses. This may include obtaining evidence of the individual's past conduct during their involvement with the NYSF. The investigator will comprehensively and accurately document all information obtained during the investigation and will keep management informed about the investigation process.
29. The CEO may decide to have the individual stood down, removed from a program, or provided with alternative duties during an investigation if it is deemed necessary for the safety of participants in, or efficient conduct of, the investigation. In the case of employees, the employee will receive regular pay during this period.
30. Upon completion of a formal investigation, the investigator will make a finding on the balance of probabilities in relation to the alleged behaviour. The investigator may also make recommendations to the CEO in relation to whether the allegation/s are substantiated and if so, any recommendation for further action.
31. The range of actions the CEO may consider include (but are not limited to):
  - a. Counselling;
  - b. An official warning;
  - c. Requirement of a formal apology, and/or an undertaking that behaviour will cease;
  - d. Mediation but both parties must agree to mediate to seek a mutually acceptable resolution; and
  - e. Termination of employment or engagement in NYSF activities.
32. Mediation can only be considered to be an appropriate option where there is no imbalance of power, and both parties have agreed to seek to resolve their differences through a voluntary mediation process.



33. Once the CEO has considered the investigation findings, they will advise the respondent about the findings and will advise other parties to the complaint, as appropriate. The manager should follow up with other parties in relation to wellbeing issues, if appropriate. Where necessary, NYSF will consider whether awareness-raising or education is required on a broader basis.
34. Where an individual's conduct is serious enough to report to the police (such as allegations of fraud, serious bullying and harassment, or assault), it may not be appropriate for the NYSF to conduct an internal investigation, pending the outcome of a police investigation. Consideration may be given to standing the individual down in the interim period prior to making any decision on termination of employment or engagement.
35. In the case of a complaint against the CEO of the NYSF, the above procedures will be adhered to, with the Chair of the NYSF Board taking the position of the CEO in managing the investigation of the misconduct. Any complaints against the CEO should be made to the Chair of the NYSF Board, either directly or via the employee's manager or supervisor.

## Related Policies and Guiding Materials

36. The NYSF Codes of Conduct Policy and Procedures should be read in conjunction with:
  - a. The NYSF Child Safety Policy and Procedures;
  - b. The NYSF Bullying and Harassment Policy and Procedure;
  - c. The NYSF Privacy Policy and Procedure; and
  - d. The NYSF Use of IT Resources, Security of Information and Cyber Security Policy and Procedure.
37. The NYSF Codes of Conduct Policy and Procedures has been developed with awareness of, and takes into account the guiding principles of:
  - a. [The National Principles for Child Safe Organisations](#);
  - b. [The Australian Privacy Act](#);
  - c. [Workplace rights and obligations](#);
  - d. [Guidelines of the Australian Human Rights Commission](#);
  - e. [Victorian Commissioner for Children and Young People](#);
  - f. [ACT Human Rights Commission](#);
  - g. [Queensland Family & Child Commission](#);
  - h. [NSW Office of the Children's Guardian](#);
  - i. [Tasmanian Commissioner for Children and Young People](#);
  - j. [South Australian Commissioner for Children and Young People](#);
  - k. [Western Australian Commissioner for Children and Young People](#);
  - l. [NT Children's Commissioner](#);