

# Codes of Conduct Policy and Procedure

<b>Policy Name</b>	Codes of Conduct Policy & Procedures
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<b>Responsible Person</b>	CEO

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# Summary of Key Points

The National Youth Science Forum (NYSF) is dedicated to maintaining a safe and inclusive environment where employees, contractors, volunteers, program participants, and other stakeholders uphold high standards of professional and personal conduct. The Code of Conduct and Child Safety Code of Conduct set expectations for behaviour and provide a framework for addressing inappropriate conduct. The goal is to ensure all individuals associated with NYSF act safely, respectfully, ethically, and in a manner that upholds NYSF's reputation.

## 1. Policy Purpose and Principles

- 1.1 NYSF aims to maintain a safe and inclusive environment with high standards of professional and personal conduct.
- 1.2 The Code of Conduct and Child Safety Code of Conduct establish behavioural expectations and a framework for addressing misconduct.
- 1.3 The Codes of Conduct apply to NYSF employees, contractors, volunteers, program participants, and related individuals.
- 1.4 The Codes of Conduct apply in both in-person and online settings, including workplaces, events, programs, and digital interactions.

## 2. Code of Conduct Policy

Individuals are expected to:

- 2.1 Act honestly and in NYSF's best interests.
- 2.2 Treat everyone with respect and prevent bullying, harassment, discrimination, or victimization.
- 2.3 Adhere to NYSF policies and legal obligations.
- 2.4 Obtain required checks and training.
- 2.5 Avoid conflicts of interest.
- 2.6 Comply with privacy policies.
- 2.7 Abstain from harmful activities, prohibited substances, and weapons.
- 2.8 Follow alcohol and smoking policies.
- 2.9 Comply with lawful and reasonable requests.
- 2.10 Report suspected or known breaches of NYSF policies, procedures and Codes of Conduct.

## 3. Child Safety Code of Conduct

In addition to the general Code of Conduct, individuals must:

- 3.1 Act in line with NYSF's National Child Safety Policy and Procedure and South Australia (Safeguarding Children and Young People) Safe Environments Policy and Procedure (together, **NYSF's Child Safety Policy and Procedures**).
- 3.2 Maintain appropriate boundaries with children.
- 3.3 Respect diversity.

- 3.4 Empower children to express themselves.
- 3.5 Promote child participation.
- 3.6 Comply with privacy and safety policies.
- 3.7 Report harm or abuse.

## 4. Inappropriate Behaviour

- 4.1 Prohibited actions include unlawful activities with children, harmful or discriminatory behaviour, inappropriate physical contact, inappropriate language, exposure to inappropriate content, and inappropriate relationships with children.
- 4.2 Failure to report child harm or abuse is unacceptable.

## 5. Misconduct

- 5.1 Code breaches may lead to disciplinary actions, including termination, depending on severity.
- 5.2 Minor breaches may be addressed through performance management, while serious ones may warrant an investigation.

## 6. Bullying, Discrimination, Harassment, and Victimization

Allegations of these behaviours will be managed per misconduct procedures, with a separate policy addressing bullying and harassment.

## 7. Communication and Distribution

- 7.1 The Codes of Conduct will be distributed to relevant individuals.
- 7.2 Employees will receive updates on changes, and stakeholders will be informed when registering for NYSF events or signing agreements.

## 8. Procedures

- 8.1 The procedures in this document specify how to respond to breaches, encouraging reporting of concerns and outlining the investigation process.
- 8.2 Investigations are conducted fairly, with actions taken based on investigation findings.

## 9. Related Policies and Guiding Materials

The Codes of Conduct should be considered alongside other NYSF policies related to child safety, bullying, harassment, privacy, and cybersecurity.

# Policy

## 1. Purpose

- 1.1 The 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.
- 1.2 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.
- 1.3 The Codes of Conduct 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.
- 1.4 The NYSF has 'zero tolerance' for child abuse.

## 2. Scope

- 2.1 The Codes of Conduct apply to:
  - (a) NYSF employees, contractors, directors and volunteers (collectively referred to as "**Staff**"),
  - (b) Program participants; and
  - (c) Other individuals representing or otherwise involved with the NYSF.
- 2.2 The Codes of Conduct apply to all NYSF Environments and all interactions with other Staff, children and young people including:
  - (a) physical contact,
  - (b) face to face contact;
  - (c) contact by post or other written communication;
  - (d) contact by telephone or other oral communication; and
  - (e) contact by email or other electronic communication including online seminars and social media.
- 2.3 The Codes of Conduct apply regardless of:
  - (a) the location of where an interaction occurs, whether during or outside NYSF Environment or during or outside NYSF operating hours;
  - (b) a child's age;
  - (c) a child's consent;
  - (d) the consent of parents/guardians and families; and
  - (e) circumstances in which a child or young person initiates an interaction or communication with the Staff Member.

### 3. Code of Conduct

- 3.1 At all times, Staff, program participants and other individuals representing or otherwise involved in NYSF are required to:
- (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) participate in NYSF's programs and perform duties responsibly and professionally, consistent with NYSF's policies and procedures and other legal obligations;
  - (d) advise NYSF if they are charged with or convicted of any criminal offence;
  - (e) advise NYSF promptly about anything that may affect their ability to carry out their duties (for example, illness or any actual or perceived conflict of interest);
  - (f) 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;
  - (g) act as a good bystander and take reasonable steps to protect others from bullying, discrimination, sexual harassment, victimisation, intimidation, embarrassment, humiliation and harm;
  - (h) participate in all training required by the NYSF;
  - (i) promptly disclose in writing to the CEO and take reasonable steps to avoid any conflict of interest in relation to working with the NYSF;
  - (j) 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;
  - (k) comply with the NYSF's Privacy Policy, respect each individual's rights to privacy and keep personal information held by the NYSF in confidence;
  - (l) co-operate with NYSF in anything that they are required to do to ensure a safe workplace including:
    - (i) notifying their supervisor of actual and potential hazards;
    - (ii) following health and safety instructions;
    - (iii) participating in safety training,
  - (m) responding appropriately and reporting any suspected or known breaches of the law or NYSF's policies, procedures and this Codes of Conduct to their manager, the COO/CFO, their Program contact, and/or the CEO, as appropriate.
- 3.2 Staff, program participants and other individuals representing or otherwise involved in NYSF are required to must not:
- (a) breach NYSF's policies, procedures and this Codes of Conduct;
  - (b) engage in intimidating, embarrassing, or humiliating behaviours towards any member of the NYSF community, whether Staff, children, parents or carers;
  - (c) engage in any form of unlawful conduct including all forms of bullying, sexual harassment, 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) use or be affected by prohibited substances or tobacco products, including vaping, while participating in NYSF Programs or undertaking any work connected with the NYSF;

- (e) consume alcohol in connection with the NYSF unless the CEO has provided prior approval for the consumption of alcohol at an event
- (f) provide or supply any participants under the age of 18 with alcohol, tobacco or prohibited substances (NB: people under 18 years old must not consume alcohol at any stage while participating in NYSF Programs);
- (g) use or possess any weapons while working with NYSF or in connection with any NYSF event or program;
- (h) endanger any other person or may damage property, or that may jeopardise the reputation of the NYSF;
- (i) drive any vehicle at in-person events, or ride in any vehicle that is being driven by someone who is not authorised by the NYSF to transport them;
- (j) use information obtained in connection with NYSF to gain advantage for themselves or cause detriment to NYSF; and
- (k) share and or store information obtained in connection with NYSF, information must only be used for the explicit purpose for which it was provided to Staff; and
- (l) make disparaging or untruthful comments about NYSF, Staff, program participants, children, parents/carers or anyone they come in contact with as part of their role at NYSF.

## 4. Child Safety Code of Conduct

- 4.1 In addition to complying with the Code of Conduct above, all Staff, program participants and other individuals representing or otherwise involved in NYSF must comply with the Child Safety Code of Conduct set out below.

### Positive child safe behaviour

- 4.2 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***

- (a) 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 LGBTIQA+ children;
- (b) Take into account the diversity of families and communities, as well as children, and act to reduce barriers to inclusion;
- (c) 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***

- (a) 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;
- (b) Encourage children to explore their ideas, opinions, concerns, and creativity without fear of judgement;
- (c) Create an environment that promotes and enables children's participation and is welcoming, culturally safe and inclusive for all children and their families;
- (d) Involve children in making decisions about activities, policies and processes that concern them wherever possible;
- (e) Only photograph or video a child with their consent or the consent of their parent or guardian;

### ***Participation in child safe culture***

- (a) Contribute, where appropriate, to NYSF's policies, discussions, learning and reviews about child safety and wellbeing;
- (b) 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;
- (c) Respond to any concerns or complaints of child harm or abuse promptly and in line with NYSF's Child Safety Policy and Procedures;
- (d) Report all suspected or disclosed child harm or abuse as required by the law and by NYSF's Child Safety Policy and Procedures;
- (e) Obtain and maintain a valid Working with Children Check at all times, if required by NYSF policies;
- (f) Comply with NYSF's Child Safety Policy and Procedures regarding privacy, confidentiality, record keeping and information sharing; and

### ***Reporting***

- (g) Report any breaches to their manager, the COO/CFO, their Program contact, and/or the CEO, as appropriate.

## **Inappropriate behaviour**

- 4.3 All Staff, program participants, and others representing or otherwise involved with the NYSF must not:

### ***Behaviour***

- (a) Engage in any unlawful activity with, towards 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);
- (j) Provide, assist or facilitate the provision of alcohol, illegal drugs to children.

### ***Relationships***

- (a) 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;
- (b) Arrange personal contact, including online contact, with a child associated with NYSF for a purpose unrelated to the NYSF's activities;
- (c) 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;
- (d) 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;
- (e) Develop 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific children);
- (f) Engage in undisclosed private meetings with a child;

### ***Reporting***

- (a) Ignore or disregard any concern, suspicion, or disclosure of harm to or abuse of a child;
- (b) 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;
- (c) Take, share, or publish (including online) photos or videos of children without their consent or consent of a parent or guardian;
- (d) 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
- (e) Trivialise child safety or child abuse.

## **5. Breaches of Codes of Conduct**

- 5.1 NYSF encourages all persons including Staff, program participants and other individuals representing or otherwise involved in NYSF to raise concerns that a Staff member, program participant or other individual representing or otherwise involved in NYSF may have regarding breaches of the Codes of Conduct.
- 5.2 Program participants and their families can report a suspected or alleged breach of the Codes of Conduct by:

- (a) emailing nysf@nysf.edu.au or their direct NYSF contact;
  - (b) phoning the NYSF duty phone, during events with an active duty phone;
  - (c) talking to an NYSF staff member or volunteer at an in-person event;
  - (d) contacting an NYSF staff member or volunteer via the NYSF app during an online event.
- 5.3 Staff must report any breach or suspected breach of this Policy, the Codes of Conduct or NYSF's Child Safety Policy and Procedures, to a CSO or the CEO as soon as possible after becoming aware of the breach or suspected breach.
  - 5.4 Some breaches of the 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.
  - 5.5 Where an individual's conduct falls below the standards outlined in the Codes of Conduct, 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).
  - 5.6 A breach of the Codes of Conduct may constitute misconduct or serious misconduct, for which disciplinary action may be taken.
  - 5.7 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.
  - 5.8 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 and implementing safeguards to ensure the safety and wellbeing of children as relevant.
  - 5.9 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.
  - 5.10 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.
  - 5.11 Where misconduct or serious 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.

## 6. Bullying, discrimination, harassment, and victimisation

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

## 7. Communication and distribution

- 7.1 The COO/CFO, 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, and via the NYSF website.
- 7.2 All employees will be advised of any updates to the Codes of Conduct and Procedures and will 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.
- 7.3 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.

# Codes of Conduct Procedure

## 1. Responding to Codes of Conduct Breaches

### Reporting

- 1.1 NYSF encourages all persons to raise concerns they may have regarding the safety of children or other breaches of the Codes of Conduct.
- 1.2 NYSF Staff, 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 COO/CFO, their Program contact, and/or the CEO, as appropriate.
- 1.3 Some breaches of the 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.
- 1.4 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

- 1.5 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.
- 1.6 When a formal complaint about the conduct of a Staff member is made, 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.
- 1.7 Investigations will be undertaken in accordance with procedural fairness which ensures 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.
- 1.8 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.
- 1.9 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.
- 1.10 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.
- 1.11 The range of actions the CEO may consider include (but are not limited to):
  - (a) counselling;

- (b) an official warning;
  - (c) 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.
- 1.12 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.
- 1.13 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.
- 1.14 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.
- 1.15 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

The NYSF Codes of Conduct Policy and Procedures should be read in conjunction with:

- (a) [The NYSF Child Safety Policy and Procedures;](#)
- (b) [South Australia \(Safeguarding Children and Young People\) Safe Environments Policy and Procedure;](#)
- (c) [The NYSF Bullying and Harassment Policy and Procedure;](#)
- (d) [The NYSF Privacy Policy and Procedure;](#) and
- (e) [The NYSF Use of IT Resources, Security of Information and Cyber Security Policy and Procedure.](#)

The NYSF Codes of Conduct Policy and Procedures has been developed with awareness of, and takes into account the guiding principles of:

- (f) [The National Principles for Child Safe Organisations;](#)
- (g) [The Australian Privacy Act;](#)
- (h) [Workplace rights and obligations;](#)
- (i) [Guidelines of the Australian Human Rights Commission;](#)
- (j) [Victorian Commissioner for Children and Young People;](#)
- (k) [ACT Human Rights Commission;](#)
- (l) [Queensland Family & Child Commission;](#)
- (m) [NSW Office of the Children's Guardian;](#)
- (n) [Tasmanian Commissioner for Children and Young People;](#)
- (o) [South Australian Commissioner for Children and Young People;](#)
- (p) [Western Australian Commissioner for Children and Young People;](#)
- (q) [NT Children's Commissioner.](#)