

# YMCA of the Northern Territory

## Safe Behaviours Policy



### 1. Purpose

The purpose of this policy is to provide clear and documented practices regarding the safeguarding of children and young people at YMCA of the Northern Territory (YMCA). YMCA is committed to the safety and well-being of all children and young people accessing its programs and services, it supports the rights of the child and will always strive to deliver a child safe environment.

YMCA also supports the rights and wellbeing of our Workers and encourages their active participation in building and maintaining a safe environment for children and young people. Workers' must maintain the highest standards of professional conduct in their attitude and behaviour toward clients, colleagues, and members of the community.

### 2. Scope

This policy and supporting procedures apply to all YMCA Workers, regardless of their employment status or seniority.

YMCA Workers include:

- YMCA NT Board Members and any person serving the YMCA NT on a committee or advisory capacity
- YMCA employees, contractors or sub-contractors, labour hire employees, apprentices or trainees and volunteers involved with the activities of YMCA NT

YMCA Workers are required to act in accordance with this Policy, adhere to all relevant policies and procedures, their contract of employment, relevant legislation and consider the YMCA Values in determining what constitutes appropriate conduct in the workplace at all times.

### 3. Safeguarding Reporting Obligations

3.1 All YMCA Workers are required to report any safeguarding concerns in line with the YMCA Safeguarding Reporting Policy

3.2 The following legally mandatory reporting requirements also apply to personnel within our organisation:

- YMCA requires Workers to immediately report all reasonable suspicions of child abuse and/or neglect in accordance with the Northern Territory's Care and Protection of Children Act 2007 requirements for Mandatory Reporting.
- All workers have an obligation to report suspicions of 'risk of significant harm'. It is the responsibility of the Worker who has become aware of a child protection concern to ensure the concern is reported.
- If a child or young person is at immediate risk of harm or in immediate danger, staff are required to report the situation directly to the police on 000, immediately.

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### 4. Behavioural Norms

#### 4.1 All Workers:

- Will read, understand and formally agree to abide by YMCA policies and guidelines around the safety of children as outlined in YMCA's Safeguarding Children and Young People (SCYP) Policy and supporting policies
- Will act and behave in a manner that demonstrates a commitment to the health, wellbeing and safety of children and young people
- Will act in accordance with standards set by the Australian Childhood Foundation's Safeguarding Children and Young People program accreditation.
- Will promote and monitor the safeguarding of children and young people and participate in a culture where all Workers are expected to speak up and ask questions about the safety of others
- Must conduct themselves in a manner consistent with their position as a positive role model to children and young people and as a representative of the YMCA
- Must wear clear identification, including the display of a name tag or working with children card. Where required, a uniform or consistent standard of dress that is familiar must be worn. In the case of agency or temporary relief Workers, they must be clearly identified, and appropriate identification displayed for ease of identification for Workers and clients
- Must not make any derogatory, culturally insensitive, violent or sexually suggestive comments, especially to or in the presence of children and young people, as per the YMCA Code of Conduct, Equal Employment Opportunity and Discrimination Policy, Bullying and Harassment Policy, and all other YMCA policies
- Must not engage in any sexual or sexualised behaviour with or in the presence of children and young people participating in YMCA service. Any behaviour of this nature with or in the presence of children and young people is prohibited
- At no time will use, possess, or supply children or young people with alcohol or drugs
- Verbal, emotional, psychological, or physical abuse, physical punishment, or the withdrawal of the necessities of care (including food, shelter and emotional warmth) are unacceptable forms of behaviour at YMCA
- Must not discipline children or young people by use of emotional abuse, favouritism, physical abuse, verbal abuse, reference to cultural/ethical differences and abilities, swearing and any form of corporal punishment or other offensive/inappropriate action
- Will use strategies for discipline that are fair, respectful, and appropriate to the developmental stage of the child, young person and vulnerable adult involved
- Must raise all concerns, issues, and problems regarding the safeguarding of children and young people with their Manager as soon as possible.

#### 4.2 Clients/Parents/Carers:

- Are expected to comply with any YMCA codes of conduct that it may be provided from time to time.
- Are expected to uphold the principles of this policy and behave appropriately at YMCA services, which includes refraining from any form of abuse and/or the use of unacceptable language

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- Are expected to report any concerns regarding the safety, wellbeing and welfare of a child or young person to a YMCA workplace participant immediately
- Parents/guardians are permitted to take photography/videography on YMCA premises of their own child only and are required to seek approval from the YMCA workplace participant
- Affected by alcohol, drugs and other behaviour altering substances, or found to be demonstrating inappropriate and unacceptable standards of behaviour as deemed by a YMCA workplace participant, will be asked not to participate in the program or service.

### 5. Physical Contact

- 5.1 Workers must always demonstrate acceptable and appropriate behaviour/contact that gives regard to a child or young person's age and developmental needs, culture, ability, environment, and their emotional needs
- 5.2 Workers must seek the consent of a child or young person before making physical contact and let them know what they are doing and why
- 5.3 Any physical contact should always be appropriate for the age and relevant program or service the child or young person is engaging in.
- 5.4 If physical contact is required for a certain task or activity (for example teaching a new technique in sport), Workers must inform the child or young person where they are going to make physical contact and for what purpose.
- 5.5 Any physical contact must be based on the needs of the child or young person not the needs of the Workplace Participant.
- 5.6 Workers must not have unnecessary or inappropriate physical contact with children or young people that:
  - Involves holding, kissing, cuddling and touching children or young people in an inappropriate and/or culturally or insensitive way.
  - Children should be comforted when upset, Workers should attend to children's needs in a professional manner and where possible, giving consideration for the child's age and developmental needs. Children should never be fully embraced in a cuddle or hug.
  - Would appear to have a sexual connotation
  - Is intended to cause pain or distress to the child or young person (e.g. corporal punishment)
  - Is overly physical (e.g. wrestling, tickling, or other horseplay)
  - Are avoidable personal care tasks (e.g. assisting with toileting, first aid or medical assistance when the person does not require assistance)
  - Is initiated against the wishes of the child or young person, except if such contact may be necessary as a restraint to prevent injury to the child or young person or to others, in which case:
    - ♦ The level of restriction used must be aimed solely at restraining the child or young person to prevent harm to themselves or others
    - ♦ Physical restraint should be the last resort

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- ♦ The incident must be reported to management as soon as practicable, and before the end of the shift
- ♦ A Behaviour Management Plan is to be developed following the incident (where applicable).

- 5.7 Any physical contact must not be deemed to be sexual by a reasonable observer, be intended to cause harm or distress to the child or young person or be overly physical or unnecessary.
- 5.8 Workers must report to their Manager any physical or non-physical contact initiated by a child or young person that is sexual and/or inappropriate
- 5.9 All concerns of physical contact should be reported immediately to YMCA management

### 6. Professional Boundaries

- 6.1 All Workers should ensure that their interactions with children and young people involved in YMCA programs/services remain professional and occur within the scope of the program or service and the workplace participant's role with YMCA.
- Workers must not provide any form of support (including financial assistance) to a child, young person or their family that is unrelated to YMCA service delivery or outside of policy scope
  - Workers must not make personal/private contact with children or young people involved with the YMCA. This includes communication or contact through social media accounts (e.g. 'friending', 'following', 'tagging'), mobile phone, texting, or email communication
  - If Workers need to contact a child or young person outside of the program, all communications must go through the parent/guardian. Any direct contact with families must only be made in relation to the services provided as part of a specific program/service
  - Where a specific program or model of care requires direct contact with children or young people, written approval is to be sought from the parent/guardian. Wherever possible the parent/guardian is copied into the communication and the process is authorised by the relevant Executive Manager
  - Where written approval is not possible because of family or other personal circumstances, the workplace participant must obtain written authority from the relevant Executive Manager
  - Workers are not to give gifts to children or young people participating at the YMCA unless a part of a specific program such graduation gifts for the group of clients
  - If a Workplace Participant receives a gift from a child or young person, they must ensure the parent and carer are aware the gift was given and also notify their Manager
  - Workers must not initiate, seek, or request private arrangements (i.e. outside work or voluntary roles such as babysitting, housesitting etc.) while employed by YMCA. Should a workplace participant be approached to participate in one of these arrangements, they are to advise their Manager immediately.
- 6.2 In some cases arrangements outside of the workplace are unavoidable such as when a Workplace participant is also a team coach of a child or where a relationship is established prior

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to commencement of employment, or prior to a client's enrolment/commencement in a YMCA program. In these cases, the Workers must:

- Notify their Manager of all private arrangements with children or young people who are participating in a YMCA program or service, or regularly present at a YMCA facility.
- When advised of the private arrangement, Managers must inform and remind Workers of their obligations of this policy, and must ensure that Workers have access to the Safeguarding Children and Young People Policy, Safe Behaviours Policy and related policies and procedures
- Managers are required to review private arrangements in consultation with the workplace participant quarterly, or when required, if there is any change in circumstances.
- Workers must inform the client that all private arrangements provided are not endorsed by the YMCA, are in no way affiliated with the YMCA and provide the client with a copy of the Safeguarding Children and Young People policy, Safe Behaviours Policy and any other relevant safeguarding information.
- Workers must not wear the YMCA uniform in connection with any private arrangements.

### 7. Interactions

- 7.1 Workers should always maintain a positive attitude in all interactions, ensuring their language and tone of voice are used in a way that has a positive impact on the wellbeing of the child or young person
- 7.2 Workers should develop responsive and trusting relationships with children and young people that promote a sense of security, confidence, and inclusion, whilst maintaining professionalism
- 7.3 Workers must be aware of YMCA's expectations regarding positive, respectful, and appropriate behaviour, and acceptable responses and reactions when working in a YMCA facility
- 7.4 Workers must embody YMCA's commitment to equity, diversity, and respecting the rights of children to participate in decision making, particularly Aboriginal and Torres Strait Islander children, children with disability, and children from culturally and linguistically diverse backgrounds.

### 8. Supervision Practices

- 8.1 All Workers will ensure that they are not alone in a private space with a child or young person.
- 8.2 When being alone with a child or young person is part of a program or model of care, Workers must ensure that the area has transparent visibility (i.e. clear windows, door ajar).
- 8.3 Workers must not travel alone with a child or young person except in unforeseen circumstances.
- 8.4 Unforeseen circumstances only apply in the event of an accident or where something unexpected has happened and there is no other alternative but to take a child alone in the vehicle and to fail to act would put the child at risk of harm. Where these situations are unavoidable, the full consent of the Manager and the child/young person's parent/guardian must be obtained. The incident is then required to be reported as a safeguarding contravention within 24 hours, in line with the Safeguarding Reporting Policy.

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- 8.5 Workers must ensure that children and young people are released from YMCA programs/services only to an authorised parent/guardian or other approved safe practice
- 8.6 All Workers should make every reasonable effort to provide general supervision to children and young people who attend a YMCA facility without parent/guardian/responsible person accompaniment, and who are not engaged in YMCA programs
- 8.7 Workers will ensure the appropriate use of electronic communications/technology by children and young people whilst they are participating in YMCA programs. This includes monitoring browsing websites, social networking sites, instant messaging or game sites during which children and young people could be exposed to inappropriate content or contact and prohibiting electronic devices from services where they are not a requirement of the program.
- 8.8 All Workers engaging with children and young people will work within and maintain program prescribed ratio requirements. Ensure all legislative ratios are adhered to when working with children and young people e.g. early childhood care
- 8.9 Where possible there should always be two (2) Workers minimum with children or young people at any one time.
- 8.10 Workers are required to provide supervision to children and young people whilst using bathroom/change room facilities, whilst balancing that requirement for the child/young person's right to privacy, to do this:
  - Workers should avoid one-to-one situations with a child or young person within a bathroom/change room area
  - Workers are not permitted to use the bathroom/change room area to undress whilst children or young people are present
  - Workers are to ensure when public change rooms are used, they provide adequate supervision that is appropriate for the age of the participants
  - Workers must provide adequate supervision for preventing abuse by members of the public, adult service users, peer service users, or general misbehaviour, while also respecting a child or young person's privacy
  - Workers are not to enter the bathroom/change room area of the opposite sex while the opposite sex is present, unless in an emergency situation.
  - When looking after children and young people's personal care i.e. bathroom or changing nappies, Workers are to ensure any doors always remain open
  - Workers must not assist children and young people with any elements of their personal care or do personal things that the child or young person could reasonably do themselves.

## **9. Transporting Children and Young People**

- 9.1 Workers should not transport children or young people alone unless specific approval has been provided by the CEO
- 9.2 Parent/guardians must provide consent before transporting a child/young person (written consent preferred).
- 9.3 Child or young person should sit in the backseat

### 10. Overnight stays/sleeping arrangements

10.1 Practices and behaviour by Workers must be consistent with this Policy and the YMCA Code of Conduct.

10.2 Standards that must be observed by Workers during an overnight stay include:

- Workers must not be accommodated alone with children and young people.
- Parents/guardians must be informed and provide consent (written approval?) of sleeping arrangements prior to the commencement of any overnight stay
- Sleeping arrangements must not compromise the safety of the children and young people such as unsupervised sleeping arrangements or an adult in the same bed or room as child
- Children and young people should only share rooms with children or young people of the same gender
- Workers are to provide children and young people with privacy when bathing and dressing
- Workers are to observe appropriate dress standards when children and young people are present, such as no exposure to adult nudity and be respectful of cultural norms
- Workers must not allow children and young people to be exposed to inappropriate material, for example pornographic material through movies, television, internet, or magazines, and be aware of media classification categories and the age of participants
- Workers must not leave children and young people under the supervision or protection of unauthorised persons,
- Workers must ensure children and young people have the right to contact their parents/guardians, or others, if they feel unsafe, uncomfortable, or distressed during the stay.
- Adequate chaperones and supervision must be present:
  - Under 16 : one (1) chaperone to four (4) children
  - Over 16 : one (1) chaperone to six (6) children

### 11. Photography / Videos

11.1 Workers are not to use their personal phone, camera, or video camera equipment for recording purposes in the workplace.

11.2 Where a specific program requires photos or videos to be taken by Workers, only YMCA equipment will be used for taking and storing images or video.

11.3 Parent/guardian permission must be sought prior to the photos or videos being taken.

11.4 Images taken by Workers of children or young people will be taken in the presence of other Workers.

11.5 Workers must take reasonable steps to ensure that members of the public do not take photography/videography of children or young people at a YMCA service without parent/guardian's permission.

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- 11.6 Parents/guardians are permitted to take photography/videography of their own children or young people with prior approval from the YMCA workplace participant responsible for the centre or activity.
- 11.7 Photography and videos of children and young people must be stored in an appropriate and secure way.
- 11.8 Photography and videos must not contain nudity, or any other inappropriate content.

### 12. Social Media

- 12.1 Workers must obtain consent from the parent/guardian of any participating child or young person before engaging with them online and before posting or sharing any photos or videos of the children and/or young people
- 12.2 Workers must not engage with children or young people through their personal social media profiles
- 12.3 All safeguarding concerns that are raised must be communicated to the Safeguarding Officer and reported in line with the YMCA Safeguarding Reporting Policy.
- 12.4 At least two (2) Workers must have access to YNT social medial profiles (including instant messaging)
- 12.5 Workers must not bully, coerce, or use adult language when engaging with children and/or young people
- 12.6 Refer to the National eCommitment for best practice when engaging children and young people online.

### 13. Specific Exclusions to these Provisions include:

The following provisions outline elements of interaction with children/young people where YMCA programs/services have specific requirements for the delivery of that program/service, and should be conducted following the completion of a risk assessment:

- Child specific programs (e.g. day care, OSHC, crèche and holiday programs) may involve bathroom assistance to children and young people
- Child specific programs (e.g. day care, OSHC, crèche and holiday programs) require that children are only released to authorised parents, legal guardians and authorised individuals using sign in and out logs, and identification can be requested at any time, to confirm they are authorised persons
- Workers who are under 18 years are not considered a child or young person within the context of this policy as they are Workers. These Workers are required to comply with all Safeguarding Children and Young People training and compliance requirements. However, all Workers are to be conscious of protections under YMCA policies, Australian laws and ensure all interactions are appropriate and safeguard any Workers who are under the age of 18 years.



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- Any other exceptions to these policies and procedures must comply with relevant regulations, contractual obligations, be accompanied by a risk assessment and Safe Work Procedures and be authorised by the relevant Executive Manager.

### 14. Breaches of this practices

- 14.1 Any breaches of this Policy by a workplace participant may result in YMCA taking disciplinary action against that person, which may include termination of services.
- 14.2 In circumstances where a workplace participant breaches this policy and it involves a breach of any Australian law, YMCA may notify the police or other relevant government authority.

### 15. Related Documents

- Safeguarding Children and Young People Policy
- Recruitment and Selection Policy
- Safeguarding Reporting Policy
- Code of Conduct
- Equal Employment Opportunity and Discrimination Policy
- Bullying and Harassment Policy
- Contractor Safeguarding Standards
- Whistleblower Policy
- Safeguarding Report Form
- Care and Protection of Children Act (Northern Territory)
- Privacy Act (Commonwealth)

### 16. Definition of Key Terms

Term	Definition
<b>Executive Manager</b>	Executive Managers report directly to the CEO of YMCA Northern Territory.
<b>Child or Young Person</b>	Refers to a person under the age of eighteen years
<b>Client</b>	Any user of YMCA services – children’s services, recreation services, camping services and community programs including children, young people, vulnerable adults, parents/guardians and facility users.
<b>Private Arrangements</b>	Private arrangements is outside work or voluntary roles such as babysitting, sports coaching, housesitting and transporting where Workers would be alone with children and young people.
<b>Reasonable observer</b>	An ordinary person who normally exercises due care while avoiding extremes of both audacity and caution in relation to safe behaviours around children and young people

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Term	Definition
<b>Safeguarding</b>	Refers to individual and collective conscious efforts and commitment by all Workers of YMCA, to be aware of and adhere to their responsibilities as defined by organisational policies, procedures, Code of Conduct and relevant laws. Workers are expected to take all possible actions to prevent risks of harm to anyone in receipt of YMCA services who is a child or young person or group of people who are under 18 years of age
<b>Sexual Misconduct</b>	Unwanted conduct of a sexual nature that makes a person feel offended, humiliated, or intimidated and is unlawful. Sexual misconduct includes, but is not limited to sexual discrimination, sexual harassment and sexual offences and can occur in any sex or gender and at any age.
<b>Sexual or sexualised Behaviour</b>	Contact behaviour – sexual intercourse, kissing, fondling, sexual penetration, or exploitation through prostitution. Non-contact behaviour – flirting, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography and nudity. This behaviour is strictly prohibited with or in the presence of children and young people engaged in YMCA services.
<b>Territory Families</b>	Territory Families has legislative responsibility for facilitating coordination across government for the care and protection of children and young people believed to be at risk of harm
<b>Workers</b>	Any person YMCA employs or engages including paid employees, volunteers, Board Directors, contractors, consultants and student placements.

### 17. Version Control

<b>Policy Hierarchy</b>	Organisational	
<b>Policy Owner</b>	Board President	
<b>Document Owner</b>	Safeguarding Children Coordinator	
<b>Approved By</b>	<b>Date Approved</b>	<b>Date Effective</b>
Board	31/08/2020	15/09/2020

Signed \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

This Policy is:

Version Number	Approved Date	Effective Date	Description of Amendment
1.0	19 May 2017	01 June 2017	Policy Created – due for review on 1 January 2018
2.0	23 June 2017	26 June 2017	Change to Clause 3.1 and Clause 10, in line with recommendations from the Australian Childhood Foundation.
3.0			Policy Review : Clause 3 – Safeguarding Reporting Obligations (new Clause)

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		<p>Clause 5 – Physical Contact (new sections 5.3, 5.4, 5.5 &amp; 5.7)</p> <p>Clause 6 – Professional Boundaries (updated to include reporting gifts received from child/young person)</p> <p>Clause 8 – Supervision practices (Clauses 8.8 includes adhering to legislative requirements, 8.9 added to include minimum of 2 workers, 8.10 personal care requirements updated)</p> <p>Clause 9 – Transporting Children (new Clause)</p> <p>Clause 10 – Overnight Stays (new sections re sleeping arrangements, shared rooms and guidelines for adequate chaperones and supervision)</p> <p>Clause 11 – Photography/Video (new sections 11.7 and 11.8)</p> <p>Clause 12 – Social Media (new Clause)</p> <p>Section 15 – Definitions (new sexual misconduct definition)</p>
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