

# Standards of Conduct

## Policy statement

The Young Men's Christian Association of Sydney (hereafter "the Y") recognises that positive work environments, and strong relationships with our clients and communities, can only be achieved with appropriate conduct being displayed, encouraged and enforced amongst our people including staff and volunteers (hereafter "staff").

Key principles that underpin these *Standards of Conduct* are building and fostering a culture in which diversity is valued, where children, young people and vulnerable adults feel safe, and the workplace is free from discrimination, harassment, threats, intimidation and humiliation. The Y requires and supports its staff to report any incidents of wrong-doing, non-compliance or breaches.

Staff are required to act in accordance with the *Standards of Conduct* and policies and procedures, their contract of employment, and obligations set out in relevant legislation.

The *Standards of Conduct* apply to all staff and volunteers completing their duties as well as representing the Y at events, attending work functions and during work related travel.

It is the responsibility of all staff to ensure they understand the *Standards of Conduct*. If you have trouble understanding this document, please seek guidance from your manager or People and Culture.

## Policy requirements

### 1. Ethics and values

The *Standards of Conduct* are underpinned by a set of values, which inform the behaviours of all staff. Our ethical commitment is based on five core values:

- Honesty
- Caring
- Respect
- Responsibility
- Safety

All staff are expected to act in accordance with our values.

### 2. Compliance

Staff will:

- Comply with their employment contract and position description
- Comply with the laws, regulations and internal policies
- Comply with Australian and local laws when working in a different jurisdiction
- Immediately advise their manager or People and Culture representative if charged with a criminal offence

Staff will not:

- Engage in criminal activity in the workplace, during working hours when using work equipment or when interacting with clients and stakeholders
- Engage in criminal activity outside of working hours that may impact on your ability to fulfil the requirements of your role, damages the reputation of the Y, represents a conflict of interest, or is a breach of policy

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### 3. Conflict of interest

Staff will:

- Disclose, and take any reasonable steps to avoid, any conflicts of interest in connection with employment
- Report any actual, potential or perceived conflicts of interest to their manager at the earliest opportunity

Staff will not:

- Let any paid, voluntary or honorary employment or outside business opportunities conflict or interfere with their duties or adversely affect their work performance, or:
  - involve information or resources obtained or available through the Y
  - discredit or disadvantage the Y
  - occupy the Y work hours with their additional employment interests.

### 4. Interacting with children, young people and vulnerable adults

Staff will:

- Adhere to the Safeguarding Children and Young People Policy
- Adhere to the Safe Behaviours Policy
- Adhere to all legislative requirements regarding the safeguarding and protection of children, young people and vulnerable adults
- Promote and monitor the safety and wellbeing of children, young people and vulnerable adults and participate in a culture where all staff are expected to speak up and ask questions about the safety of others; "If you see something, say something"
- Provide the child or young person with clear directions and be given an opportunity to redirect their misbehaviour in a positive manner. Under no circumstances are our personnel to take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as ill-treatment, degrading, belittling, cruel, frightening intimidating threatening or humiliating.
- Provide adequate care and supervision of children, young people and vulnerable adults in our environments and our interactions are positive and safe
- Promote the safety (including cultural safety), participation and empowerment of children and young people from a Aboriginal or Torres Strait Islander, culturally and linguistically diverse, from the LGBTI+ community, and those with a disability or mental illness.
- Be vigilant and take all reasonable steps to protect children, young people and vulnerable adults from any form of abuse or harm and act diligently and appropriately in reporting any suspicions, concerns, policy and procedural breaches, allegations or disclosures of alleged abuse to internal and external authorities
- Hold a valid Working with Children Check (NSW) or valid Working with Vulnerable People Check (ACT) and National Police History Check

Staff will not:

- Engage in any unlawful, inappropriate or sexual behaviour with or in the presence of children, young people and vulnerable adults participating in the Y
- Use language or behaviour towards or in the presence of children, young people or vulnerable adults that is inappropriate (culturally or otherwise), violent, negative, harassing, abusive, sexually suggestive or intended to humiliate
- Initiate/seek/request private arrangements (i.e. outside work or voluntary roles such as babysitting, sports coaching, housesitting etc.) with clients of the Y while employed by the Y
- Make 'personal/private' contact with children, young people or vulnerable adults involved with the Y. This includes communication/contact through social media accounts (e.g. 'befriending', 'following', 'tagging'), mobile phone, texting or email communication

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- Accept an invitation to attend any private social function at the request of a child, young person or their family who has participated in or is participating in, any Y program or service
- Have unnecessary, unlawful or inappropriate physical contact with children, young people and vulnerable adults
- Act in any way that condones or fails to respond to inappropriate behaviour with children, young people and vulnerable adults by other Y staff or clients or members of the public, whether at work, or not
- Be alone with children, young people and vulnerable adults, unless specifically approved as part of a Y service/program including transportation, pending a risk assessment. Staff must not provide unauthorised transport and approval from their Executive Leader, Executive Leader Safety, Risk and Procurement and consent of the child or young person's parent/guardian must be obtained.
- Develop any 'special' relationships with children that could be seen as favouritism (for example, the offering of gifts or special treatment for specific child/ren)
- Engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities), including showing or inciting child pornography or sexualised behaviours. Request a child or young person to keep a communication, discussion or a secret from their parent or guardian.

### 5. Interacting with others

Staff will:

- Act in a fair and consistent manner when interacting with clients and staff
- Treat others with courtesy and respect during all interactions at work (including online and electronic interactions), and during all interactions related to work (including social activities)
- Contribute to a workplace environment in which different opinions, perspectives and cultures are valued and encouraged
- Consider how our conduct might reinforce inappropriate stereotypes based on gender, race, sexual orientation or any other discriminatory ground, and refrain from such conduct

Staff will not:

- Discriminate against, harass, bully or victimise other staff or clients or anyone else we deal with in the course of our employment or engagement with the Y

### 6. Professional behaviour

Staff will:

- Conduct themselves in a manner that that can reasonably be expected at all times
- Follow any lawful and reasonable direction made by an authorised representative of the Y
- Treat other staff and clients equally, with dignity and respect, supporting an environment free from bullying and harassment and continually abiding by the Y policies and procedures

Staff will not:

- Engage in conduct which has the potential to damage the Y's interests or reputation

### 7. Work, health and safety

Staff will:

- Uphold our health and safety responsibilities in line with our position requirements and relevant procedures
- Perform all duties safely and comply with relevant Acts, Regulations, the Y Work Health and Safety and risk management procedures, safe work method statements and guidelines

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- Report damaged or defective equipment, facilities, hazards and unsafe practices to our manager or other relevant person
- Ensure that whilst working, are in a state (physical, mental or emotional) are able to perform assigned tasks competently and in a manner which does not compromise or threaten the safety of themselves or others
- Report all incidents immediately or within 24 hours

Staff will not:

- Work in a manner that is deemed to endanger ourselves or others

### 8. Confidentiality and property

Staff will:

- Maintain the confidential information of the Y, and prevent any unauthorised use, copying or disclosure of any such information
- Take reasonable care in the use of property and protect the property of the Y
- Use the Y property for the intended purpose only
- On termination of employment or engagement with the Y return in good condition any property belonging to the Y which may be in the possession and/or under control of that staff member
- Adhere to contract terms on termination of your employment or engagement, relating to intellectual property and confidentiality. Respecting the reputation of the Y and maintaining professional communications with Y staff and stakeholders

Staff will not:

- Disclose or make use of any confidential information other than in the course of performing their duties

### 9. Theft or fraudulent activity

Staff will:

- Act with honesty and integrity at all times during the course of employment or engagement with the Y
- Report any known or suspected instances of inappropriate, dishonest or fraudulent conduct

Staff will not:

- Engage in improper or dishonest activity designed to gain benefit, to the detriment of the Y
- Engage in any dishonest activity that damages clients, other staff, stakeholders or the wider community's relationship with the Y

### 10. Electronic communications and information technology

In all communications, staff will:

- Ensure information, comments, images and videos are posted with dignity and respect, free from harassment, sexual harassment, bullying or victimisation
- Use the information technology digital device equipment (including mobile devices), internet, telephone mobile phone and email facilities provided for our use by the Y for work purposes only. Any personal use should be limited, comply with all relevant policies and not interfere with any duties
- Ensure any personal use of personal digital devices whilst working is infrequent, minimal, complies with all relevant policies, does not interfere with any direct supervision duties and is reasonable in all circumstances
- Protect the confidentiality and security of the Y's IT systems and make all reasonable efforts to keep our passwords secure
- Immediately report lost, stolen or misplaced data and devices

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Staff will not:

- Use the Y information technology equipment, internet and email to view, post, publish, print or distribute inappropriate material with pictures or content that might be deemed sexually explicit, unlawful, defamatory, offensive, discriminatory, damaging to the interests or reputation of the Y, or otherwise inappropriate

### 11. Social media

Staff will:

- Avoid emotionally charged or negative comments in relation to the Y on social media, whether specifically referring to the organisation or in situations where you can be identified as a staff member of the Y
- Be respectful of the Y and its reputation – any opinions, advice, statements or other information contained in any messages or comments posted are the responsibility of the author of that message and not the Y. This includes personal postings where a Y staff member can be identified and where the Y brand may be brought into disrepute
- Only interact with clients from your centre / site based account, never from your personal account

When using personal social media accounts staff will:

- Comply with all the Y policies and procedures regarding social media, if your affiliation with the Y is identified
- Staff who do not identify themselves as being affiliated to the Y may still be identified as connected to the organisation, as the nature of social media means they could be traced to the organisation through their online presence
- Where a staff member's role includes being a recognisable representative of the Y in the community, staff should consider the appropriateness of their personal social media accounts to ensure they uphold the Y values
- Limit profile access to connections (recommendation)
- Limit the use of personal social media accounts while working or at work. Personal accounts must only be accessed during scheduled breaks, using your own device
- Re-post, re-tweet or favourite/like the Y posts or material as desired.

Staff will not:

- Refer to, or post, confidential information on social media platforms
- Publish information that could cause a person embarrassment or damage which impacts, or is likely to impact, their reputation
- Promote individual staff members' businesses or money-making ventures
- Imply that you are a spokesperson speaking on behalf of the Y, unless approved by CEO
- Post on external social media pages about the without prior approval of their manager
- Transmit any inappropriate or unlawful content with Y equipment, Y social media platforms or where staff can be identified and/or associated as Y staff

### 12. Public comment

Staff will:

- Only make public comments (e.g. with the media) with prior approval from Executive Leader – Brand and Engagement

Staff will not:

- Make public comments on behalf of the Y unless authorised. All staff must ensure that public comments (either verbal or written) made in a private capacity are not attributed as official comments of the Y

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### 13. Workplace relationships

Staff will:

- Disclose any personal relationships with other staff, clients or stakeholders to their manager
- Disclose any personal relationships that create a conflict of interest or may be perceived by a person at arm's length to be a conflict of interest

### 14. Staff appearance and uniform

Staff will:

- Appear tidy and professional whilst at work and throughout the course of employment
- Wear the prescribed uniform as required, and take reasonable care in maintaining the uniform
- Maintain good personal hygiene, in particular breath, hands, clothing, feet, body and hair

Staff will not:

- Behave inappropriately or in a manner that would impact negatively on the reputation of the Y whilst in the Y uniform

### 15. Smoke, alcohol and drugs

Staff will:

- Comply with *Smoke-free Environment Act 2000* (NSW) and *Smoke-free Environment Regulation 2016* (NSW)
- Only smoke in external designated locations out of sight by clients

Staff will not:

- Use, possess, or be under the influence of illegal drugs and/or alcohol in the workplace
- Attend work when incapacitated by any other legal drug such as prescription or over-the-counter drugs
- Supply alcohol or drugs (including tobacco) in the workplace or to clients participating in our services
- Be under the influence of drugs or alcohol on the Y premises or when using motor vehicles
- Smoke, drink alcoholic substances or take any illegal substances inside any the Y operated premise, or motor vehicles
- Smoke, drink alcoholic substances or take any illegal substances outside of work hours whilst in uniform

### 16. Gifts and benefits

Staff will:

- Register all gifts, hospitality or benefits with your Executive Leader

Staff will not:

- Accept offers of gifts, hospitality or benefits without prior approval:
  - up to and including the value of \$500 must be approved by your Executive Leader
  - over the value of \$500 must be approved by Chief Executive Officer through your Executive Leader

## Reporting breaches

Staff must report breaches of the *Standards of Conduct* to their manager or supervisor.

Alleged breaches of the *Standards of Conduct* will be managed in accordance with the Grievance Procedure and Investigation Procedure. Where clarity or direction is required about any work-related situation, advice should be

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sought from a direct manager prior to taking any action. If the alleged breach relates to the direct manager, the breach is to be reported to the next level of management

### Roles and responsibilities

Role	Responsibility
<b>Staff</b>	<ul style="list-style-type: none"> <li>▪ Adhere to behavioural expectations</li> <li>▪ Report any instances of non-compliance/breach/wrong doing or criminal activity</li> <li>▪ Treat clients and other staff fairly and with respect</li> <li>▪ Follow any lawful and reasonable direction from other staff and management</li> <li>▪ Act in the best interests of the Y at all times</li> <li>▪ Not report a breach that you know to be vexatious, false or misleading</li> </ul>
<b>Managers and supervisors</b>	<ul style="list-style-type: none"> <li>▪ Role model the behavioural standards outlined in the Standards of Conduct</li> <li>▪ Address any instances of non-compliance</li> <li>▪ Immediately address any notification of wrongdoing/noncompliance/breach and report through the appropriate channels as relevant</li> <li>▪ Ensure staff are aware of internal channels for making a notification of wrong doing/noncompliance/breach and ensure staff understand how the notification, complaint or grievance will be managed</li> <li>▪ Take reasonable steps to prevent staff from engaging in conduct contrary to these Standards of Conduct</li> <li>▪ Seek further information and assistance from People and Culture, Safety, Risk and Procurement and Executive Leaders where necessary</li> </ul>
<b>People and Culture</b>	<ul style="list-style-type: none"> <li>▪ Facilitate training and awareness-raising strategies regarding the Standards of Conduct as required. Ensure adequate ongoing training is provided for all staff to implement and operationalise the Standards of Conduct</li> <li>▪ Provide advice and support to staff</li> <li>▪ Manage reported breaches/non-compliance</li> </ul>
<b>Executive leadership</b>	<ul style="list-style-type: none"> <li>▪ Ensure management understand their obligations in accordance with the Standards of Conduct and are provided with the opportunities to meet the Standards of Conduct behavioural expectations and requirements</li> <li>▪ Ensure all Y NSW staff receive induction and training about their responsibilities and obligation with the Standards of Conduct and where the workplace culture supports a transparent, continually improving environment</li> <li>▪ Ensure managers and supervisors have access to advice and support to implement Standards of Conduct requirements, including incident management and reporting</li> </ul>
<b>Directors</b>	<ul style="list-style-type: none"> <li>▪ Role model the behavioural expectations and requirements outlined in the Standards of Conduct</li> </ul>

### Implications

This policy applies to all staff and any breach of this policy is considered serious and may lead to disciplinary action, up to and including termination of employment or engagement.

### Related policies and procedures

For more information, see the following policies and procedures:

- Safe behaviours policy
- Investigation procedure
- Whistleblower policy and procedure
- Y National Safeguarding children and young people policy
- Grievance procedure
- Social media procedure

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- Responding to safeguarding concerns Procedure
- Responding to vulnerable people safeguarding concerns procedure
- Discrimination, Harassment & Bullying Policy
- Work Health & Safety Policy

### Related legislation

These include but are not limited to:

- *Children and Young Persons (Care and Protection) Act 1998* (NSW)
- *Disability Inclusion Act 2014* (NSW)
- *Child Protection (Working with Children) Act 2012* (NSW)
- *Work Health and Safety Act 2011* (NSW) *Ombudsman Act 1974* (NSW)
- *Children (Education and Care Services National Law Application) Act 2010* (NSW)
- *Children and Young People Act 2008* (ACT)
- *Privacy Act 1988* (Cth)
- *Smoke-free Environment Act 2000* (NSW)
- *NDIS (Code of Conduct) Rules 2018*
- *Children's Guardian Act 2019* (NSW)
- *Crimes Act 1900* (NSW and ACT)
- *Discrimination Act 1991* (ACT)
- *Anti-Discrimination Act 1977* (NSW)

### Other references

These include but are not limited to

- *Education and Care Services National Regulations* (NSW)
- *Children and Young Persons (Care and Protection) Regulation 2012* (NSW)
- *NDIS Disability Act 2013*
- *NSW Disability Services Standards* (NSW)
- *Smoke-free Environment Regulation 2016* (NSW)
- *Age Discrimination Act 2004* (Cth)
- *Australian Human Rights Commission Act 1986* (Cth)
- *Disability Discrimination Act 1992* (Cth)
- *Racial Discrimination Act 1975* (Cth)
- *Sex Discrimination Act 1984* (Cth)

### Definitions


Term	Definition
<b>Child or young person</b>	the Y considers a child or young person to be a person under the age of eighteen years
<b>Client</b>	Any user of the Y services, programs or facilities including children, young people, vulnerable adults, adults, families, parents, carers, guardians, and support workers
<b>Conduct</b>	The manner in which a person behaves



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Term	Definition
<b>Confidential information</b>	Information, knowledge or communication that is not public knowledge (intended to be ) including, but not limited to: <ul style="list-style-type: none"> <li>▪ Clients' personal details and information</li> <li>▪ Staffs' personal details and information</li> <li>▪ Documentation, materials policies, procedures and processes, tenders, grants, intellectual property, information technology systems, financial information, strategic plans, business plans and other information relating to business activities</li> <li>▪ Information that is confidential or should reasonably be known as confidential, may be detrimental to the Y if disclosed</li> </ul>
<b>Conflict of interest</b>	A situation in which a staff member is in a position to derive personal benefit from actions or decisions made in their capacity as the Y staff. Conflict of interest (whether perceived or actual) may arise where a related party has an interest that may conflict with what is in the best interests of the Y
<b>Employee</b>	Paid employees of the Y
<b>Fraud</b>	Dishonest activities including: <ul style="list-style-type: none"> <li>▪ Theft of money or other property by staff or clients causing financial loss</li> <li>▪ Deliberate falsification, concealment, destruction or use of falsified documentation</li> <li>▪ Improper use of information or position for personal financial benefit</li> <li>▪ Theft of property belonging to the Y by staff where deception is not used</li> </ul>
<b>Sexual behaviour</b>	Sexual behaviour includes but is not limited to: <ul style="list-style-type: none"> <li>▪ Contact behaviour – sexual intercourse, kissing, fondling, sexual penetration or exploitation through prostitution</li> <li>▪ Non-contact behaviour – flirting, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography and nudity</li> </ul> Sexual behaviour is strictly prohibited with or in the presence of children, young people and vulnerable adults engaged in the Y services
<b>Staff</b>	Any person the Y employs or engages. This includes paid employees, volunteers, directors, contractors, consultants, and student placements
<b>Volunteer</b>	Unpaid volunteers, unpaid directors and student placements

### Document control

<b>Policy owner</b>	Executive Leader of People and Culture
<b>Policy sponsor</b>	Executive Leader of People and Culture
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