



**YMCA North**

# **Safeguarding Code of Conduct**

**C/o YMCA Safeguarding and Child Protection Policy**



# 1. YMCA NORTH SAFEGUARDING CODE OF CONDUCT

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## 1.0 PURPOSE

- 1.0.1 Whilst also being a policy document, the YMCA North Safeguarding Code of Conduct is part of YMCA's Safeguarding and Child Protection Policy and interpretations should be in conjunction with this overarching policy.
- 1.0.2 YMCA strives to and is committed to delivering a safe environment for all.
- 1.0.3 In accordance with Oranga Tamariki Act 1989, Section 6, the Paramount Principle, services to children and young people and their families will reflect, ensuring the rights, welfare and interests of the child/young person are the first and paramount consideration.
- 1.0.4 Ensuring every child/young person is given:
- Respect and dignity; and
  - Positive guidance promoting appropriate behaviour, having regard to the child's age and/or stage of development; and
  - Positive guidance, using praise and encouragement, and avoiding blame, harsh language, and belittling or degrading responses; and
  - Guidance and behaviour management in methods free from any form of physical ill-treatment, solitary confinement, immobilisation, or deprivation of food, drink, warmth, shelter, or protection.
- 1.0.5 YMCA's Safeguarding Code of Conduct reflects and promotes sector standards; safeguarding best practice, upholds YMCA values and supports all involved.

## 1.1 APPLICATION

- 1.1.1 YMCA Safeguarding Code of Conduct mandates staffs' active participation in building and maintaining a safe environment for all. It is applicable to all YMCA Staff (whether on a paid, voluntary and/or contractual basis).
- 1.1.2 YMCA's Safeguarding Code of Conduct signage is to be displayed within all staff and child/young person service environments with clear visibility for children/young people, their families and YMCA stakeholders.
- 1.1.3 In addition to signage, YMCA Safeguarding Code of Conduct is also promoted through a range of channels including but not exclusive to:
- YMCA safeguarding policies and procedures including any briefing events.
  - YMCA Safeguarding Induction and Training
  - YMCA Website, Intranet and Workplace
- 1.1.4 Parents/carers are encouraged to support their child/young person and others having enjoyable and safe YMCA experiences.
- In addition to YMCA efforts, YMCA fully endorses parents/carers going through the Safeguarding Code of Conduct with their child/young person how and when they deem suitable.



## 1.2 COMMITMENT

- 1.2.1 All staff across all levels (Front-line to Senior Management and Board of Director) and irrelevant of working hours (e.g. casual, part or full-time) are required to adhere to and abide by this Safeguarding Code of Conduct **(See Appendix A)**.
- 1.2.2 By signing documentation reflecting their commitment to safeguarding and child protection, staff are confirming they have: **(See Appendix B)**
- Been provided with a copy or been shown how to access YMCA's Safeguarding and Child Protection Policy and Safeguarding Code of Conduct.
  - Have read and have understood the 'Practice and Conduct guidelines' of YMCA North.
  - Understand their responsibilities in relation to ensuring and promoting the safety of children and young people.
  - Will observe the guidelines during their employment/time with YMCA to ensure and promote the safety of children and young people participating in any YMCA service, programme or accessing a Centre operated by YMCA.
  - Understand they must report any criminal conviction or charge subsequent to their employment that indicates they may present a potential risk to the children or young people or affect position duties.
- 1.2.3 Staff can feedback suggestions against this Safeguarding Code of Conduct or any other safeguarding policies, procedures and/or guidance, via [YMCA Safeguarding and Child Protection Policy Feedback Form](#).

## 1.3 EXCEPTIONAL CIRCUMSTANCES

- 1.3.1 YMCA appreciates at times there may be exceptions or exceptional circumstances where aspects within these guidelines may not be able e.g. due to certain positions, business operational activities/services or during an emergency. Where applicable the Safeguarding Code of Conduct recognises those aspects.
- 1.3.2 For circumstances and settings outside of these remits, it is crucial that:
- i. Staff seek the Safeguarding Management authorisation prior to taking action contravening these guidelines. If not possible, the Safeguarding Management should be advised as soon as possible post any incident breaching these requirements.
  - ii. When a policy breach occurs, a Potential Breach Notification Form must be completed to record all such situations. **(See Appendix C)**

## 1.4 BREACHES

- 1.4.1 Where an employees on or off duty behaviour, influences his or her ability to carry out normal duties or is detrimental to the best interests or reputation of YMCA (this could include inappropriate or adverse commentary in a social media environment), such actions will be treated as breaches of YMCA Safeguarding and Child Protection Policy and Safeguarding Code of Conduct and may be subject to disciplinary action.
- 1.4.2 All policy breaches are to be recorded on that YMCA Centre's [Policy Breach Notification Form](#).
- 1.4.3 Forms are managed by and held with the Centre Manager. Safeguarding Support Staff will monitor these forms no less than once every 6 months.
- 1.4.4 **Conduct in breach of YMCA's Safeguarding Code of Conduct may be subject to disciplinary action up to and including dismissal.**
- 1.4.5 **Any breaches of law will be reported to New Zealand Police and/or other applicable welfare services.**

## **1.5 NO SETTLEMENT AGREEMENTS**

- 1.5.1 YMCA commit not to use 'settlement agreements' where these are contrary to a culture of safeguarding.
- 1.5.2 Should a staff member tender their resignation or cease to provide their services to YMCA, this will not prevent a staff concern and/or allegation being investigated in accordance with YMCA safeguarding and/or HR policies and procedures.
- 1.5.3 It is important for all involved that every effort is made to reach a conclusion in all cases of staff concerns and/or allegations bearing on the safety or welfare of children and/or young people, particularly when the person concerned may have continued access to children and/or young people outside of YMCA

### **Related Policies and Procedures**

Education (Early Childhood Services) Regulations 2008 (as at reprint 1<sup>st</sup> July 2017)

Employee Handbook

Licensing Criteria for Early Childhood Education and Care Centres 2008 (HS31-HS34)

MSD OSCAR Standards for approval and provider guidelines 2011

MSD Social Sector Accreditation Standards, Level 3, 2016

MSD Specialist Accreditation Standard: Outdoor Pursuits and Camp Programmes for Children and Young People, Level 1, 2 and 3, 2016

MSD Specialist Accreditation Standard: OSCAR Programmes, Level 3, 2016

Programme Excursion Policies and Procedures

YMCA Drug and Alcohol Policy

YMCA Imagery Policy

YMCA Learning and Development and Safeguarding Induction and Training Strategy

YMCA Safeguarding and Child Protection Policy

YMCA Safeguarding Imagery Policy

YMCA Whistleblowing Policy

## APPENDIX A - SAFEGUARDING CODE OF CONDUCT



<b>YMCA SAFEGUARDING CODE OF CONDUCT</b> <b>*Staff (Including Volunteers and Contractors).....MUST</b>	
<b>(A) Complete YMCA Safeguarding Induction Process</b>	
1 <sup>st</sup> Week:	I. Know how to access YMCA Safeguarding and Child Protection Policy and Safeguarding Code of Conduct, including requirements on identifying and reporting concerns.
1 <sup>st</sup> Month:	II. Staff <b>must</b> complete ACF Online Safeguarding Training within their 1 <sup>st</sup> month (preference is to complete within their first week). III. Attend a Safeguarding and Child Protection Policy Briefing, completing their commitment statement. IV. Role model their Position of Trust, treating this position, power and trust with the highest responsibility.
3 Months:	V. Undertake YMCA Safeguarding Training applicable to position responsibilities (to be refresh annually). VI. Have awareness of and adhere to sector standards in approved or otherwise regulated YMCA services e.g. ECE, OSCAR, Camps, etc.

<b>(B) YMCA Staff Position of Trust</b>	<b>(C) Child/Young Person's Welfare</b>
<ol style="list-style-type: none"> <li>1. Only start YMCA positions and active duties upon full completion of YMCA Safer Recruitment, including Police Vetting (revised every 2 years).</li> <li>2. Report any criminal charges or convictions prior to and during employment that may indicate a possible risk to children/young people or may affect position duties.</li> <li>3. When customer facing wear YMCA uniform (ideally with name badge), ensuring conduct adheres to YMCA values and Uniform Policy.</li> <li>4. Make sure staff and service information creates parental awareness to positions or activities needing 1-to-1 working and/or physical contact with a child/young person (e.g. Raise Up, Camps, Swim school, Fitness, Recreation activities, etc.).</li> <li>5. Make certain parent/carer written consent is obtained for:                         <ol style="list-style-type: none"> <li>a. YMCA excursions or camps (including informing of travel and sleeping arrangements).</li> <li>b. Any imagery taken by or within YMCA settings/programmes (in accordance with YMCA Safeguarding Imagery Policy).</li> </ol> </li> <li>6. Use only YMCA platforms/resources for communicating with children/young people or their families (e.g. YMCA email, phones, social media, etc.) with all communication reflecting appropriate language and tone.</li> <li>7. All electronic communication for U18s is for service purposes only and directed via parents/carers, unless guided via business unit procedures (e.g. Raise Up). Business unit processes enabling direct contact must reflect parental consent. Staff are still only to use YMCA resources.</li> </ol>	<ol style="list-style-type: none"> <li>1. Adhere to staff/child ratios and where possible reflect staff diversity.</li> <li>2. Make certain work with children/young people is within hearing distance and the line of sight of other YMCA staff or other adults. Exceptions may apply when:                         <ol style="list-style-type: none"> <li>a. Difference is reflected in position descriptions or service operation information.</li> <li>b. An exceptional circumstance (e.g. emergency), managed with Safeguarding staff.</li> </ol> </li> <li>3. Maintain signing in/out logs, being vigilant to the arrival/collection of children/young people.</li> <li>4. Only release children/young people to those recorded as authorised or as notified to YMCA by the parent/carer. Verifying the ID upon collection.</li> <li>5. Ensure visitors are signed in/out, visible to staff and never left alone with children/young people.</li> <li>6. Maintain appropriate language, boundaries and relationships when working with children/young people and their families. Using YMCA behaviour management processes to manage any challenging behaviour.</li> <li>7. Make sure all children/young people using or within the areas of IT are protected from exposure to inappropriate material (emotional, sexual or violent) e.g. web content, social networking sites, instant messaging or game sites.</li> <li>8. Remain alert to identifying and reporting indicators of vulnerability, abuse (including grooming) and/or neglect.</li> <li>9. Obey YMCA's mandatory safeguarding reporting processes.</li> <li>10. Respect diversity and promote inclusivity, where needed working with parents/carers and/or other services to offer additional support.</li> </ol>
<b>*Different training and induction processes apply for staff under 16 years</b>	



<b>YMCA Staff (Including Volunteers and Contractors).....MUST NOT</b>	
<b>MUST NOT breach Safeguarding Code of Conduct Must criteria,</b>	
<b>(A) YMCA Staff Position of Trust</b>	<b>(B) Child/Young Person’s Welfare</b>
<ol style="list-style-type: none"> <li>1. Undertake any form of sexual behaviour or engagement with, or in the presence of, an U18 accessing YMCA services or programmes. Doing so is a breach of YMCA’s position of trust.</li> <li>2. Sexual behaviour includes contact and non-contact behaviour e.g. flirting, sexual innuendo, sexting, taking or exposing children/young people to inappropriate messages, images or nudity (e.g. via text, email, magazines, other).</li> <li>3. Behave in a manner open to perceptions of grooming. Whilst not exclusive this includes:                         <ol style="list-style-type: none"> <li>a. Taking a child to a personal setting (e.g. staff member’s home) or encourage contact outside of YMCA remit.</li> <li>b. Being ‘secretive’ with or encouraging children/young people to keep secrets.</li> <li>c. Giving of personal gifts.</li> <li>d. Sharing accommodation with a YMCA child/young person.*</li> <li>e. Provide additional childcare for a YMCA child/young person, outside of YMCA’s Out-of-hours Childcare Services Guidance.</li> </ol> </li> <li>4. Attend work under the influence of or in the possession of drugs or alcohol.</li> <li>5. Take or share child/young person imagery without parental consent.</li> <li>6. Travel alone with or transport in own vehicles, a YMCA child/young person before, during or after a YMCA program, excursion or camp. Exceptions may apply when:                         <ol style="list-style-type: none"> <li>a. Difference is reflected in position descriptions or service operation information.</li> <li>b. An exceptional circumstance (e.g. emergency), managed with Safeguarding staff</li> </ol> </li> <li>7. Wear YMCA uniforms when not working (except to travel to and from work).</li> <li>8. Work/volunteer for YMCA if additional hours either via YMCA or secondary employment, will or have had, an impact on staff’s capability and competence to perform YMCA duties.</li> </ol>	<ol style="list-style-type: none"> <li>1. Release a YMCA child/young person to anyone other than an authorised person(s) without the parents’ permission.</li> <li>2. Leave children/young people alone when they are using personal facilities. Peers may escort one another in pairs, although variance in pairings should be evident.</li> <li>3. Discipline a child/young person outside of sector standards and/or YMCA expectations.</li> <li>4. YMCA discipline processes do not include:                         <ol style="list-style-type: none"> <li>a. Any form of physical punishment or contact affecting the physical or emotional welfare of a child/young person.</li> <li>b. Emotional abuse including use of threats, favouritism, swearing, reference to diversity differences and/or withdrawal of care necessities (including food, shelter and emotional warmth).</li> <li>c. Any form of treatment that could be considered cruel, frightening or degrading:</li> </ol> </li> <li>5. Say negative, violent or sexually suggestive comments to a child/young person.</li> <li>6. Initiate or participate in unnecessary or inappropriate physical contact. Whilst not exclusive this includes:                         <ol style="list-style-type: none"> <li>a. Performing unwanted touch and/or touching personal body areas.</li> <li>b. Performing personal care that a child is capable of performing on its own e.g. changing clothes, feeding, toileting and/or assisting with medication.</li> <li>c. Contact that risks causing pain, distress or harm.</li> <li>d. Engage in unnecessary affection to a child/young person e.g. sitting a child on laps, hugging, cuddling, kissing, etc.</li> <li>e. Permitting and participating in games promoting unnecessary physical contact e.g. rough, boisterous play (e.g. horseplay/jungle gym).</li> </ol> </li> <li>7. Provide independent support to a YMCA child/young person or their family that’s not part of YMCA’s services or outside of YMCA Out-of-hours Childcare Services Guidance.</li> </ol>

**A BREACH OF ANY OF THE ABOVE MAY BE SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING DISMISSAL**



# Commitment to Safeguarding and Child Protection

YMCA is committed to safeguarding children and young people in its care. As part of this commitment, we have developed practice and conduct guidelines for our organisation, and these are approved and endorsed by our Board of Directors (BoD).

All staff (paid, volunteers and contractors), from our BoD to frontline staff, are required to observe our practice and conduct guidelines.

A failure to observe our guidelines can be considered misconduct, and may result in appropriate disciplinary action. In addition to any internal disciplinary proceedings, any breaches of law will be reported to Police and other statutory services as applicable e.g. Oranga Tamariki (Ministry for Children), formally known as Child Youth and Family.

## Commitment

I, \_\_\_\_\_

Name of staff member or volunteer (as on your Position Description)

- Have been provided with a copy, have read, and have understood the 'Practice and Conduct guidelines' of YMCA Auckland and Hamilton.
- Understand my responsibilities in relation to ensuring and promoting the safety of children and young people.
- Will observe the guidelines during my employment/time with YMCA to ensure and promote the safety of children and young people participating in any YMCA service, programme or accessing a Centre operated by YMCA.
- Understand that I must report any criminal conviction or charge subsequent to my employment that indicates that I may present a potential risk to the children or young people.

\_\_\_\_\_

Signature of staff member (paid, volunteer and/or contractor)

/ /

Date

\_\_\_\_\_

Signature of management representative

/ /

Date

\_\_\_\_\_

Name of YMCA Safeguarding Management representative

\_\_\_\_\_

Position/title of management representative





# Safeguarding and Child Protection Policy

## Policy Breach Notification Form

<p><b>POTENTIAL BREACH REGISTER</b> FOR POTENTIAL BREACHES OF THE SAFEGUARDING AND CHILD PROTECTION POLICY</p> <p style="text-align: right;">12/16</p>	<p>FORMS ARE TO BE KEPT ON SITE FOR COMPLETION BY STAFF</p> <p>FORMS ARE TO BE MONITORED BY THE CENTRE MANAGER AND SAFEGUARDING MANAGER</p>	<p>SERVICE OR CENTRE:</p>
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*There may be exceptional situations where the guidelines of the Safeguarding and Child Protection Policy do not apply, for example, in an emergency. However, it is crucial that, where possible, you seek Management authorisation prior to taking action that contravenes these guidelines or that you advise Management as soon possible after any incident in which these guidelines are breached or potentially breached. If in doubt, complete the form.*

DATE	PROGRAM	INCIDENT DETAILS and OUTCOMES	STAFF MEMBER	REPORTED TO
		<p>Child or Family Involved:</p> <p>.....</p> <p>Details:</p> <p>.....</p> <p>.....</p> <p>.....</p>		<p>Person:</p> <p>.....</p> <p>Date:</p> <p>.....</p>
		<p>Outcomes:</p> <p>.....</p> <p>.....</p> <p>.....</p>		<p>Date:</p> <p>.....</p>