

Policy statement

YMCA NSW 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.

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. YMCA NSW requires and supports its staff to report any incidents of wrong-doing.

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 beyond working hours and the physical workplace in many situations. Relevant situations include, but are not limited to, representing YMCA NSW at events, attending work functions and work related travel.

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

Implications

Any breach of the *Standards of Conduct* is considered serious and may lead to disciplinary action, up to and including termination of employment or the cessation of the volunteer's engagement. YMCA NSW, or an authorised representative, will be obliged to report a suspected criminal offence to police.

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
- Advise their manager or human resources if charged with a criminal offence

Staff will not:

- Engage in criminal activity in the workplace, during working hours, using work equipment or 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 YMCA NSW, represents a conflict of interest or is a breach of policy

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 our manager at the earliest opportunity

Staff will not:

- Let any paid, voluntary or honorary employment or outside business opportunities conflict or interfere with their YMCA NSW duties or adversely affect their work performance, or:
 - involve information or resources obtained or available through YMCA NSW
 - discredit or disadvantage YMCA NSW
 - occupy YMCA NSW 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”
- The child or young person needs to be provided with clear directions and 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 degrading, cruel, frightening or humiliating.
- Provide adequate care and supervision of children, young people and vulnerable adults in our environments and our interactions are positive and safe
- Where our organisation has involvement with children who are Aboriginal or Torres Strait Islander, from culturally and/or linguistically diverse backgrounds or who have a disability, our staff will promote their safety (including cultural safety), participation and empowerment.
- 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 cleared Working with Children Check (NSW) or valid Working with Vulnerable People Check (ACT) and National Police History Check

Staff will not:

- Engage in any inappropriate or sexual behaviour with or in the presence of children, young people and vulnerable adults participating in YMCA NSW
- 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 YMCA NSW while employed by YMCA NSW
- Make ‘personal/private’ contact with children, young people or vulnerable adults involved with YMCA NSW. This includes communication/contact through social media accounts (e.g. ‘befriending’, ‘following’, ‘tagging’), mobile phone, texting or email communication
- Accept an invitation to attend any private social function at the request of a child, young person or their family who has participated or is participating in any YMCA NSW program or service
- Have unnecessary 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 YMCA NSW staff or clients or members of the public

- Be alone with children, young people and vulnerable adults, unless specifically approved as part of a YMCA NSW service/program including transportation, pending a risk assessment. Staff must not provide unauthorised transport and approval from the Chief Operating Officer 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 children).
- Engage in open discussions of a mature or adult nature in the presence of children (for example, personal social activities). Request a child or young person to keep a communication a secret from their parents.

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 and clients or anyone else we deal with in the course of our employment or engagement with the YMCA NSW

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 YMCA NSW
- Treat other staff and clients equally, with dignity and respect, supporting an environment free from bullying and harassment and continually abiding by YMCA NSW policies and procedures

Staff will not:

- Engage in conduct which has the potential to damage YMCA NSW'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, YMCA NSW Work Health and Safety and risk management procedures, safe work method statements and guidelines
- Report damaged or defective equipment, facilities, hazards and unsafe practices to our manager or other relevant person
- Ensure that whilst working, we are in a state (physical, mental or emotional) where we are able to perform assigned tasks competently and in a manner which does not compromise or threaten the safety of our self or others

Staff will not:

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

8. Confidentiality and property

Staff will:

- Maintain the confidentiality of YMCA NSW, and prevent the use or disclosure of any such information by third parties
- Take reasonable care in the use of property and protect property in our care
- Use YMCA NSW property for the intended purpose only
- On termination of employment or engagement with YMCA NSW return in good condition any property belonging to YMCA NSW which may be under our possession and/or under our control
- Adhere to contract terms on termination of your employment or engagement, relating to intellectual property and confidentiality. You will respect the reputation of YMCA NSW and maintain professional communications with our staff and stakeholders

Staff will not:

- Disclose or make use of any confidential information

9. Theft or fraudulent activity

Staff will:

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

Staff will not:

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

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 YMCA NSW for work purposes only. Any personal use should be limited, comply with all relevant policies and not interfere with our duties
- Ensure any personal use of our own digital device 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 YMCA NSW's IT systems and make all reasonable efforts to keep our passwords secure
- Immediately report lost, stolen or misplaced data and devices

Staff will not:

- Use YMCA NSW 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 YMCA NSW, or otherwise inappropriate

11. Social media

Staff will:

- Avoid emotionally charged or negative comments in relation to YMCA NSW on social media, whether specifically referring to the organisation or in situations where you can be identified as a staff member of YMCA NSW

- Be respectful of YMCA NSW 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 YMCA NSW. Even if you are posting personally, if you can be identified as a YMCA NSW staff member you could bring the brand 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 YMCA NSW policies and procedures regarding social media, if your affiliation with YMCA NSW is identified
- Staff who do not identify themselves as being affiliated to YMCA NSW 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 YMCA NSW in the community, staff should consider the appropriateness of their personal social media accounts to ensure they uphold YMCA NSW 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 YMCA NSW posts or material as desired.

Staff will not:

- Refer to 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 YMCA NSW, unless approved by CEO
- Post on social media pages without prior approval of their manager

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 YMCA NSW 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 YMCA NSW

13. Workplace relationships

Staff will:

- Disclose any personal relationships with other staff, clients or stakeholders to your 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 or working, 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 YMCA NSW whilst in YMCA NSW 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 whilst acting as staff
- Be incapacitated by any other legal drug such as prescription or over-the-counter drugs whilst acting as staff
- Supply alcohol or drugs (including tobacco) to clients participating in our services
- Be under the influence of drugs or alcohol on YMCA NSW premises or motor vehicles
- Smoke inside any YMCA NSW operated premise or motor vehicle
- Smoke while in uniform

16. Gifts and benefits

Staff will:

- Register all gifts, hospitality or benefits with your Executive Leader
- Gifts up to and including the value of \$500 must be approved by your Executive Leader
- Gifts over the value of \$500 must be approved by Chief Executive Officer through your Executive Leader

Staff will not:

Accept offers of gifts, hospitality or benefits without prior approval

Reporting breaches

Alleged breaches of these *Standards of Conduct* will be managed in accordance with the Investigation Procedure and Grievance Procedure. If in doubt as to how to act in any work-related situation, seek advice from your manager prior to taking any action.

Staff must report breaches of the *Standards of Conduct* to their manager or supervisor. If the alleged breach relates to the direct manager, they will report the breach to the next level of management. If a staff member believes reporting concerns to their manager or to anyone else within YMCA NSW is inappropriate, or feels uncomfortable to do so, the report may be made directly to the whistleblower service per *Whistleblower Policy*.

Roles and responsibilities

Role	Responsibility
Staff	<ul style="list-style-type: none"> ▪ Adhere to behavioural expectations ▪ Report any instances of non-compliance ▪ Treat clients and other staff fairly and with respect ▪ Follow any lawful and reasonable direction from other staff ▪ Act in the best interests of YMCA NSW at all times ▪ Not report a breach that you know to be false or misleading

Role	Responsibility
Managers and supervisors	<ul style="list-style-type: none"> ▪ Role model the behavioural standards outlined in <i>Standards of Conduct</i> ▪ Addressing any instances of non-compliance with the <i>Standards of Conduct</i>. Immediately deal with notification of wrongdoing and report through the appropriate channels as relevant ▪ Ensure staff are aware of internal channels for making a notification of wrong doing and they understand how the notification, complaint or grievance will be managed ▪ Take reasonable steps to prevent staff from engaging in conduct contrary to these Standards ▪ Seek further information and assistance from Human Resources and Executive Leaders where necessary
Human resources	<ul style="list-style-type: none"> ▪ Facilitate training and awareness-raising strategies regarding the <i>Standards of Conduct</i> as required. Ensure adequate ongoing training is provided for all staff for the <i>Standards of Conduct's</i> implementation ▪ Provide advice and support to staff ▪ Manage reported breaches of <i>Standards of Conduct</i>
Executive leadership	<ul style="list-style-type: none"> ▪ Ensure management understand their obligations in accordance with the <i>Standards of Conduct</i> ▪ Ensure all YMCA Staff have received relevant <i>Standards of Conduct</i> induction and training and that the workplace culture supports a transparent, continually improving environment ▪ Ensure managers and supervisors have access to advice and support to implement <i>Standards of Conduct</i> requirements, including incident management and reporting
Directors	<ul style="list-style-type: none"> ▪ Role model the behavioural standards outlined in <i>Standards of Conduct</i>

Related policies and procedures

For more details on how this policy should be implemented, see the following policies and procedures:

- Safe behaviours policy
- Managing staff performance policy
- Investigation procedure
- Whistleblower policy
- Safeguarding children and young people policy
- Grievance procedure
- Gifts and benefits procedure
- Social media procedure
- Responding to Safeguarding Concerns

Related legislation

- *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)

Other references

- United Nations General Assembly, *Convention on the Rights of Persons with Disabilities*, 13 December 2006 (entered into force 3 May 2008)
- United Nations General Assembly, *Convention on the Rights of the Child*, 20 November 1989 (entered into force 2 September 1990)
- *Education and Care Services National Regulations* (NSW)

- *Children and Young Persons (Care and Protection) Regulation 2012 (NSW)*
- *NSW Disability Services Standards (NSW)*
- *Smoke-free Environment Regulation 2016 (NSW)*

Definitions

Term	Definition
Child or young person	YMCA NSW considers a child or young person to be a person under the age of eighteen years
Client	Any user of YMCA NSW services, programs or facilities including children, young people, vulnerable adults, adults, families, parents, carers, guardians, and support workers
Conduct	The manner in which a person behaves
Confidential information	Information, knowledge or communication that is not public knowledge (intended to be private) including, but not limited to: <ul style="list-style-type: none"> ▪ Clients' personal details and information ▪ Staffs' personal details and information ▪ 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 ▪ Information that is confidential or should reasonably be known as confidential, may be detrimental to YMCA NSW if disclosed
Conflict of interest	A situation in which a staff member is in a position to derive personal benefit from actions or decisions made in their capacity as YMCA NSW 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 YMCA NSW
Employee	Paid employees of YMCA NSW
Fraud	Dishonest activities including: <ul style="list-style-type: none"> ▪ Theft of money or other property by staff or clients causing financial loss ▪ Deliberate falsification, concealment, destruction or use of falsified documentation ▪ Improper use of information or position for personal financial benefit ▪ Theft of property belonging to YMCA NSW by staff where deception is not used
Sexual behaviour	Sexual behaviour includes: <ul style="list-style-type: none"> ▪ 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 <p>Sexual behaviour is strictly prohibited with or in the presence of children, young people and vulnerable adults engaged in YMCA NSW services</p>
Staff	Any person YMCA NSW employs or engages. This includes paid employees, volunteers, directors, contractors, consultants, and student placements
Volunteer	Unpaid volunteers, unpaid directors and student placements

Document control

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