



aquatic achievers
swim schools

Aquatic Achievers Safeguarding Children & Young People Code of Conduct

Responsible Officer: General Manager

Document History

Key Changes	Prepared By	Checked By	Approved By	Date
V1. Policy created for ACF approval	Anita P & Anitha M	ACF	Rob	16.3.22

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Scope

The Safeguarding Children and Young People Code of Conduct applies to all team members, including all employees, Board and committee members and contractors involved with Aquatic Achievers. This policy applies in all our operational environments and without fail wherever children and young people are participating in our organisation's activities, programs, services and / or facilities.

Purpose

Aquatic Achievers is committed to the rights of all children and young people to feel safe and be safe when participating in our organisation's activities, services, and programs.

Accordingly, we wish to ensure that our team strive for the highest possible standards with respect to safeguarding children and young people from abuse and neglect. To that end we have developed this Safeguarding Children and Young People Code of Conduct to identify clear expectations for behaviour towards and in the presence of children and young people, and so prevent behaviour that may be harmful to the children and young people in our care.

Developed to protect children and young people engaged in our activities, services, and programs this Safeguarding Children and Young People Code of Conduct has been formally approved and endorsed by our General Manager and Aquatic Achievers Board.

This Safeguarding Children and Young People Code of Conduct should be read in conjunction with:

- the specific requirements of your role as defined in your position description.
- our organisation's relevant policy and procedure documents, including our:
 - Safeguarding Children and Young People Policy
 - Safeguarding Children and Young People Reporting Policy
 - Safeguarding Children and Young People Incident Management Policy
- all applicable laws, including in relation to privacy, confidentiality, information sharing and record keeping.
- general community expectations in relation to appropriate behaviour between adults and children and young people.

As part of the commitment to observing the behavioural guidelines as set out in this Safeguarding Children and Young People Code of Conduct our organisation requires all team members to sign our organisation's Commitment to Safeguarding Children and Young People Form, acknowledging that they have read and are committed to:

- adhering to Aquatic Achievers safeguarding children and young people policies, procedures, and practices.
- reporting any criminal conviction or charge subsequent to their employment that may present a potential risk to children and young people.

Responsibilities

Safeguarding children and young people is a shared responsibility within our organisation. The responsibility of each role in relation to the development and compliance of this Safeguarding Children and Young People Code of Conduct is detailed in Roles and Responsibilities section of this policy.

We expect all within our organisation, regardless of their role or level of responsibility, to act to safeguard children and young people from such harm by adopting the appropriate safeguarding behaviours set within this policy.

We consider a failure to observe these guidelines as misconduct and will take appropriate disciplinary action. Such disciplinary action may, depending on the seriousness of the misconduct, include suspension while matters are investigated and/or dismissal. In addition to any internal disciplinary proceedings, we will report to the police all instances in which a breach of the law has or may have occurred.

There may be exceptional situations where this policy does 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 behavioural expectations or that you advise management as soon possible after any incident in which this policy may be breached.

Key Requirements

Our Safeguarding Children and Young People Code of Conduct addresses the major areas where you interact with the children and young people who participate in our organisation's activities, programs, services and / or facilities. We have developed this policy to help you to safeguard those children and young people from abuse and neglect.

Sexual misconduct

Under no circumstances is any form of sexual behaviour to occur between, with, or in the presence of children or young people participating in any of our activities, programs, services and / or facilities. Engaging in sexual behaviour with children and young people participating (or former clients/members) in our organisation is prohibited even if the young persons involved may be above the legal age of consent.

Sexual behaviour needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered sexual in nature, including but not limited to:

- contact behaviour - such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution.
- non-contact behaviour - such as flirting, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

Physical contact

Any physical contact with children and young people must be appropriate to the delivery of our activities, programs, and services such as the fitting of teaching aids, water safety drills and stroke correction and based on the needs of the child or young person such as to assist for safety or support to a distressed child rather than on the needs of our team members.

Under no circumstances should any of our team members have contact with children or young people participating in our activities, programs, and services that:

- Involves touching.

- of genitals,
- of buttocks,
- of the breast area that is other than as part of delivering medical or allied health services.
- would appear to a reasonable observer to have a sexual connotation.
- is intended to cause pain or distress to the child or young person – for example corporal punishment.
- is overly physical – as is, for example, wrestling, horseplay, tickling or other roughhousing.
- is unnecessary – as is, for example, assisting with toileting when a child does not require assistance.
- is initiated against the wishes of the child or young person, except if such contact may be necessary to prevent injury to the child/young person or to others, in which case:
- physical restraint should be a last resort.
 - the level of force used must be appropriate to the specific circumstances and aimed solely.
 - at restraining the child or young person to prevent harm to themselves or others

Such incidents must be reported to management as soon as possible.

Our team members are required to report to management any physical contact initiated by a child or young person that is sexual and/or inappropriate, for example, acts of physical aggression, as soon as possible, to enable the situation to be managed in the interests of the safety of the child or young person, our team members, and any other participants.

Adhering to professional role boundaries

Our team members should not, of their own volition or at the request of a service user, act outside the confines of their duties (as specified in their position description) when helping to deliver our activities, programs, and services.

Our team members

- must not provide unauthorised transportation to children and young people engaged in our organisation, for example, our team members must not use their personal cars to transport children or young people who are clients/members of our services.
- must not engage in activities with children or young people who are engaged in our organisation outside authorised activities, programs, and services for example attending a child's football game or gymnastics event.
- must not provide any form of support to a child or young person or their family, unrelated to our activities, programs, and services, for example holiday care of clients/members as respite to parents / care givers.
- Our team members are not to act outside the confines of their duties, as specified in their position description. Aquatic Achievers actively discourages our team members to engage with children who participate in Aquatic Achievers programs in activities such as baby-sitting and weekend trips. Such activities may only occur with prior written approval of the Centre Manager.
- must not seek contact (in an online or physical environment) with children or young people (or to former participants) outside our activities, programs, and services, for example friending on social media platforms or arranging a meeting outside of work hours.
- must not accept an invitation to attend any private social function at the request of a child or young person who is participating, or has participated, in our activities, programs and services

– or at the request of their family. Social is defined as a get-together, meeting, party or gathering that is non-work related, this can be in the physical or online environment.

- must not develop any special relationships with children and young people that could be seen as favouritism, for example the offering of gifts or special treatment for specific children or young people.
- must not engage in open discussions of a mature or adult nature in the presence of children and young people, for example personal social activities/affairs.

If any of our team members become aware of a situation in which a child or young person requires assistance that is beyond the confines of that person's role, or beyond the scope of our organisation's usual service, they should at the earliest opportunity; seek advice from management, refer the matter or child or young person to an appropriate support agency, or contact the child or young person's parent/care giver.

Supervision

Team members are responsible for actively supervising the children and young people which our organisation provides activities, programs, and services to ensure all children and young people:

- engage positively with our activities, programs, and services such as Solo1 Program, SchoolSwim Program, Learn2Live Program.
- behave appropriately towards one another, for example, listening and following teacher's instructions in a lesson.
- are in a safe environment and are protected from external threats, for example, unauthorised people visiting our facilities.

One-to-one supervision

Our team members are required to avoid one-to-one unsupervised situations (including unsupervised online activities, such as one-to-one online tutorials or meetings) with children and young people to whom we provide services, and (wherever possible) are to conduct all activities and/or discussions with children and young people in view of other team members.

In deciding on the nature and extent of supervision required, regard needs to be given to:

- age, level of maturity, ability, number, nature and characteristics of the children and young people,
- the nature and timing of the activity, and
- the physical and online environment.

Transport

Only children and young people who are employees of Aquatic Achievers are to be transported by another team member and only in circumstances that are directly related to the delivery of our activities, programs, and services. For example, when an Aquatic Achievers' team member, who is a young person, requires another team member to transport them to an activity, program, or service such as our Gold1km event being held at another facility. In this circumstance prior authorisation from our Centre Manager and the child/young person's parent/care giver is required.

If the child and young person is not an employee of Aquatic Achievers, we prohibit our team members from providing transportation to children and young people as part of the service we provide.

Positive guidance

We strive to ensure that children and young people participating in our activities, programs, and services and / or facilities are aware of the acceptable limits of their behaviour so that we can provide a positive experience for all participants. Children and young people are encouraged to feel safe and be safe and have positive relationships and friendships with their peers.

Children and young people are informed of their rights and are encouraged to have their say and participate in all relevant organisational activities and decisions, particularly in relation to matters affecting them. Children and young people are given information about the behaviour our organisation expects from them, the behaviour they can expect from our team members, their right to safe participation in activities and access to information about child abuse prevention programs.

However, there are times when team members may be required to use appropriate techniques and behaviour management strategies to ensure:

- an effective and positive environment
- the safety and/or wellbeing of children, young people or team member participating in our activities, programs, services and / or facilities.

We require our team members to use strategies that are fair, respectful, and appropriate to the developmental stage of the children or young people involved. 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 team members to take disciplinary action involving physical punishment or any form of treatment that could reasonably be considered as degrading, cruel, frightening or humiliating.

Promoting equity and diversity

Team members must ensure that their approach and interactions with children and young people are sensitive, respectful, and inclusive of all backgrounds and abilities. Our team must actively anticipate children and young people's diverse circumstances and respond effectively to those with additional vulnerabilities.

Where our organisation is involved with children and young people who are Aboriginal or Torres Strait Islander, from culturally and/or linguistically diverse backgrounds, have a disability, LGBTQ and those who are unable to live at home, our team will promote their safety (including cultural safety), participation and empowerment.

Our organisational culture is inclusive and respectful of the different ways that families are formed and structured. Our team members are to respect decisions that people make about their gender identity and consult and support children and young people to feel, and to be, safe.

Discrimination

We expect team members to treat all children and young people fairly, equally and with dignity. Our organisation abides by the *United Nations Convention on the Rights of a Child*. All actions and

behaviours from our team members must be non-discriminatory and always in the best interests of the child or young person.

Everyone has the right to feel safe and be free from discrimination. No one within our organisation will be discriminated based on age, gender, race, colour, language, disability, religion, political or other opinion, sexual orientation, national or social origin or their ability to live at home.

Our organisation does not tolerate discriminatory behaviours, and prejudiced attitudes will be challenged. Our team members must have working knowledge of our complaints handling processes to provide support and access to information should any child, young person or family in our service require it.

Language and tone of voice

Language and tone of voice used in the presence of children and young people should:

- provide clear direction, boost their confidence, encourage, or affirm them.
- not be harmful to children and young people – in this respect, avoid language that is:
 - discriminatory, racist, or sexist.
 - derogatory, belittling, or negative, for example, by calling a child a loser or telling them they are too fat.
 - intended to threaten or frighten.
 - profane or sexual.

Electronic communication

We prohibit all online and electronic communication between our team members and the children and young people to whom we provide activities, programs, and services.

All our team members are required to follow our Electronic Communication Policy.

All our team members, and the children and young people to whom we deliver our activities, programs, and services are required to follow our Electronic Communication Policy in relation to browsing websites on our organisation's computers.

Our team members are required to ensure appropriate monitoring of children and young people when they use our organisation's online and electronic communication equipment to prevent exposure to pornographic material and to ensure that they do not inadvertently place themselves at risk of abuse or exploitation via social networking sites, gaming sites or through web searches, or inappropriate email communication.

Photography and images

Children and young people to whom we deliver service are to be photographed (or filmed) while involved in our programs, activities, and services only if:

- our Centre Management / Leading Hand / Responsible Person has granted prior and specific approval
- permission has been sought from the child / young person and their parent/care giver prior to being photographed or filmed
- the context is directly related to participation in our programs, activities, and services

- the child is appropriately dressed and posed
- the image is taken using official equipment. Personal equipment is not to be used when photographing or filming children and young people in our programs, activities, and services
- the image is taken in the presence of other team members
- the images are not to be distributed (including as an attachment to an email) to anyone outside our organisation other than the child photographed or their parent/care giver without management knowledge and approval.
- the images (digital or hard copy) are to be stored in a manner that prevents unauthorised access by others, for example:
 - if in hard-copy form, in a locked drawer or cabinet
 - if in electronic form, in a 'password protected' folder.
- the images (digital or hard copy) are to be destroyed or deleted as soon as they are no longer required.
- the images are not to be exhibited on our website without parent/care giver knowledge and approval, or such images must be presented in a manner that de-identifies the child or young person. Any caption or accompanying text may need to be checked so that it does not identify a child or young person if such identification is potentially detrimental.

The following Aquatic Achievers policies and supporting documents must be considered in relation to photography:

- Privacy & Media Policy
- Electronic Communication Policy

Overnight stays and sleeping arrangements

We prohibit overnight stays as part of the service we provide to children and young people.

Bathroom / change room arrangements

Our team members are required to supervise children and young people in bathrooms and / or change rooms while balancing that requirement with a child or young person's right to privacy. This is only applicable where a parent / care giver is unavailable, and the parent / care giver has provided their consent for our team member to do so.

In addition:

- our team members should avoid one-to-one situations with a child or young person in a bathroom and / or change room area.
- our team members need to ensure adequate supervision in public bathrooms /change rooms when they are used.
- our team members need to provide the level of supervision required for preventing abuse by members of the public, adult service users, peer service users, or general misbehaviour, while also respecting a child's or young person's privacy
- when monitoring bathroom and / or change room area, our team members are to knock loudly / identify themselves prior to entering the area and where possible take another supervising adult.
- our team members are to use bathrooms and change rooms specific to their identified gender.

Gift Giving

Centre Manager is to authorise any gifts to children or young people involved in our activities, programs, and services or to their families, including rewards, prizes, treats, or second-hand equipment.

The practice of our team members giving gifts to children and young people participating in our activities, programs, and services is strongly discouraged and should not be common or frequent in occurrence.

Our team members are not to give gifts of a personal nature that encourages children and young people to think they have an individual and special relationship.

The singling out of an individual child or young person within our organisation to give a gift to, is not permitted.

Use, possession or supply of alcohol or drugs

While on duty, team members must not:

- use, possess or be under the influence of an illegal drug.
- use, possess or be under the influence of alcohol.
- supply or purchase alcohol or drugs (including tobacco and tobacco related products) or restricted substances to children or young person within our organisation.
- be incapacitated by any other legal drug such as prescription or over-the-counter drugs.

Use of legal drugs other than alcohol is permitted, provided such use does not interfere with your ability to care for children and young people involved in our programs, activities, and services.

Reporting obligations

All team members are expected to make a report immediately to Centre Manager or Leading Hand if:

- they become aware of any allegations of child abuse.
- they have a concern for the safety of a child or young person in our services.
- they notice any team member whose practice or behaviour is contrary to the expectations of behaviour set out in this Safeguarding Children and Young People Code of Conduct.

Our Head of Operations should also be notified as soon as possible.

Our team members are to refer to the Reporting Policy for detailed guidance when making a report.

Uniform / Name Badges

Our team members should only wear their uniform while involved in delivering of our activities, programs and services or as required by our organisation, such as when representing our organisation at designated functions, to and from work, or when representing Aquatic Achievers at an approved event.

Team members are required to wear their uniforms appropriately and in accordance with the uniform guideline.

Our team members should always visibly display their name badge in delivery of our activities, programs, and services, apart from those locations where we cannot wear these, for example when teaching in the pool.

Communication and Training

We communicate these practice and behavioural requirements to children, young people and their families and our team members.

Our organisation ensures all new team members are informed and supported to understand our organisations safeguarding children and young people policies and procedures, paying particular attention to the practices detailed in this Safeguarding Children and Young People Code of Conduct.

Copies of this Safeguarding Children and Young People Code of Conduct and our organisation's Safeguarding Children and Young People Policy and Reporting Policy are provided directly to team members, they are also publicly accessible and available in child-friendly versions.

Our organisation provides training and guidance relating to an individual's safeguarding responsibilities and offers opportunities to seek clarity in relation to the commitments and behavioural expectations set out in our safeguarding policies.

We provide regular ongoing training of our team members in relation to how keeping children and young people safe will be fulfilled. Including training regarding children and young people's rights, voices and participation, cultural safety, and humility.

Monitoring & Review

This document will be reviewed at least every 3 years, after consultation. Some circumstances may trigger an early review, this includes but is not limited to legislative changes, organisational changes, incident outcomes and other matters deemed appropriate by the Board and/or General Manager.

When there are any updates or changes to this Policy, they will be communicated to all team members and stakeholders.

External audit and verification based on a sample, conducted by the Australian Childhood Foundation shall occur at 3 yearly intervals.

Records and Documentation

We retain records that document each review undertaken. Records may include minutes of meetings and documentation of changes to policies and procedures that result from a review.

Related Policies and Documents

The following Aquatic Achievers policies must be considered in relation to this document:

- Safeguarding Children and Young People Information for Parents/Care Givers
- Safeguarding Children and Young People Commitment Statement
- Safeguarding Children and Young People Policy
- Safeguarding Children and Young People Incident Management Policy
- Safeguarding Children and Young People Reporting Policy
- Safeguarding Children and Young People Guideline for Parents & Carers
- Electronic Communication Policy
- Alcohol & Drugs Policy
- Discipline & Termination Policy
- Whistleblower Policy
- Risk Management Policy

Related Frameworks and Legislation

Our guidelines comply with relevant legislation.

In upholding this policy, the following legislation and frameworks must be considered by all Aquatic Achievers team members:

- United Nations Convention on the Rights of the Child
- Child Safe Standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse
- National Framework for Protecting Australia’s Children 2009-2020
- Australian Human Rights Commission National Principles for Child Safe Organisations

Refer to the Legislation Appendices for further guidance

Roles and Responsibilities

The responsibilities of each role in relation to the development and compliance of the Aquatic Achievers Safeguarding Children and Young Code of Conduct is detailed below.

Role	Responsibility
Aquatic Achievers Board	<ul style="list-style-type: none"> • Support policy review on a 3-year cycle as a minimum or at a time governed by legislation, regulations, or organisational learnings that promote a change to this Code of Conduct.
General Manager	<ul style="list-style-type: none"> • Ensure all team members have access to and understand their obligations in accordance with this Code of Conduct. • Ensure this Code of Conduct is implemented and adhered to amongst team members. • Ensure the development and implementation of required supporting procedures and guidelines are in place to support the implementation of this Code of Conduct.

Role	Responsibility
Safeguarding Children and Young People Committee	<ul style="list-style-type: none"> • Review and update this Code of Conduct and supporting resources in consultation with relevant stakeholders. • Support the co-ordination of the Safeguarding Children and Young People framework and its implementation, including this Code of Conduct. • Evaluate and analyse complaints, concerns and safety incidents relating to this Code of Conduct. • Provide training and advice in the application of this Code of Conduct.
Team members / Contractors	<ul style="list-style-type: none"> • Understand and fully comply with this Code of Conduct. • To undertake any training anticipated in relation to this Code of Conduct. • To seek guidance from a supervisor or manager if there is ever any lack of understanding in relation to the commitments and expectations as set out in this Code of Conduct. • To support a culture of openness, continued improvement and accountability to children and young people by engaging in regular review and discussion of this Code of Conduct and providing feedback to support improvement.

Review and Approval

This Policy will be reviewed every 3 years, or more frequently as required. Any significant proposed changes are to be approved by Aquatic Achievers Board and/or General Manager.

Approved by:



Rob Macfarlane
General Manager

This document was reviewed and approved by the General Manager on 16th March 2022.

Appendix 1 – Definitions

Term	Definition
Child or young person	A person under the age of eighteen years
Team / team member	All who work for the organisation whether in a paid or unpaid capacity, including employees, casual employees, Board and committee members and contractors.
Electronic communication	Anywhere online that allows digital communication, such as: social networks, text messages and messaging apps, email and private messaging, online chats, comments on live streaming sites and voice chat in games.
LGBTQ	Lesbian, gay, bisexual, transgender, queer, and intersex as outlined in Rainbow Tick National Accreditation program for LGBTI inclusive practice throughout Australia. https://www.qjp.com.au/standards/rainbow-tick-standards/
United Nations Convention on the Rights of the Child	Is an international agreement setting out the civil, political, economic, social and cultural rights of every child, regardless of their race, religion or abilities. https://www.ohchr.org/en/professionalinterest/pages/crc.aspx