



#### FOREWORD

Within the Australian Defence Force Cadet (ADFC) program staff and other adults working with Cadets play a critical role in providing a happy, healthy and safe environment in which young people can develop.

The ADFC Behaviour Policy is intended to support this endeavour and provide useful tools to promote the behaviour we value and prevent and deal with unacceptable behaviour.

This brochure provides information about behaviour standards and in particular sexual offences. It highlights important responsibilities for preventing, managing and reporting any unacceptable behaviour or sexual offence.

I trust this information will be useful as we continue to do the very best we can for our Cadets.

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#### INTRODUCTION

This brochure is for Cadet staff and other adults working with Cadets. It provides an overview of the ADFC Behaviour Policy including guidelines for preventing, managing and reporting any unacceptable behaviour or sexual offence.

The Australian Navy, Army and Air Force Cadet organisations each have their own operating manuals covering behaviour. These manuals address the principles contained within the ADFC Behaviour Policy and are endorsed by the relevant Service Chiefs.

The ADFC Behaviour Policy includes Statements of Commitment and Compliance by Cadet staff and other adults working with Cadets which support the Codes of Ethical Behaviour.

#### WHAT IS ACCEPTABLE AND UNACCEPTABLE BEHAVIOUR?

##### Acceptable Behaviour

The Cadet Staff Code of Ethical Behavior sets out the behaviour that you are expected to follow when working with Cadets. The Code is included in this brochure and is also available on CadetNet ([www.cadetnef.gov.au](http://www.cadetnef.gov.au)).

You are trusted to exercise your power and responsibility within a youth development environment. You have a duty to direct and correct the actions and behaviour of Cadets where warranted, and must do so in a constructive and fair manner.

There is a difference between legitimate leadership activities and behaviour that can be considered as unacceptable. Unit commanders will make sure that everyone involved in Cadets is aware of the difference between legitimate leadership (including constructive comment, advice or feedback) from Commanders

and other people in authority, and unacceptable behaviour.

Acceptable leadership behaviour and legitimate leadership actions do not make Cadets feel vulnerable, unsafe or at risk.

To decide what Cadet behaviour requires leadership action, you must familiarise yourself with the Cadet Code of Ethical Behaviour and have a clear understanding of what is unacceptable behaviour and in particular, what is a sexual offence.

#### Unacceptable Behaviour

Unacceptable behaviour is behaviour that, having regard to all the circumstances would be offensive, belittling, abusive or threatening to another person or adverse to morale, discipline or Cadet cohesion.

Unacceptable behaviour includes (but is not limited to):

- harassment (including gender, sexual or racial harassment and bullying);
- discrimination;
- inappropriate relationships and associated behaviour (which includes what Defence calls fraternisation); and
- abuse of powers.

Any of these can make the environment very unpleasant and sometimes unsafe. Behaviour that seems okay to one person may actually hurt or offend someone else.

When unacceptable behaviour occurs and a Cadet is in anyway involved or affected, their parents or guardian must be informed at the earliest possible opportunity.

#### Sexual Offences

Sexual activity with a person under 16 years of age is a criminal offence *even if they agree to it*. If you are a teacher, relative or someone who is looking after a young person under the age of 16, it is an offence to touch them in a sexual way or have sex with them. This behaviour must be referred immediately to the civilian police and parents must be notified at the earliest possible point.

Any sexual activity, whether it is sexual intercourse or touching a person on their private parts *without their consent*, constitutes a criminal sexual offence and must be immediately referred to the civilian police and parents must be notified.

#### PREVENTING UNACCEPTABLE BEHAVIOUR

By modelling behaviour and providing leadership, you can create an environment that prevents unacceptable behaviour and sexual offences.

There is a range of tools that have been developed to assist you in creating such an environment.

Modelling the Codes of Ethical Behaviour at all times and encouraging the use of the *Stop-Fair Go!* phrases is critical.

The *Stop-Fair Go!* phrase is the ADFC method of giving everyone the ability to stop a situation they find threatening or unsafe. This includes any form of unacceptable behaviour as well as safety related situations. Action phrases are a formal process that is acknowledged by all Cadets and staff as an indication that support, assistance, help or intervention is required.

**Stop—Fair Go** means: **STOP**, I feel uncomfortable with what is going on, and

**Stop, stop, stop** means: **STOP**, I feel unsafe or threatened.

You, as well as Cadets should feel able to use these

tools. Saying these phrases allows Cadets to feel comfortable about their use.

You should adopt the rule of never being alone with Cadets and discourage them from excessive attention seeking behaviour. You must not take Cadets to your home or elsewhere without parental approval or without another staff member present.

Male and female adults must accompany Cadets, particularly on overnight activities, where Cadets of both gender are attending.

You must know and follow the child protection legislative requirements including reporting any child abuse or at risk matters. Each Unit must have access to reference material outlining the legislative requirements that apply to their State or Territory.

The Behaviour Policy includes a reporting framework and any unacceptable behaviour or sexual offence must be reported in accordance with this framework.

#### HOW TO INTERVENE TO STOP A SITUATION

Where unacceptable behaviour is occurring, is suspected, detected, observed or has occurred, you must stop the behaviour. The next objective is to take whatever action is necessary to safeguard the health and welfare of those people involved. This may vary from separation of the parties through to medical attention or counselling depending on the circumstances.

#### Determining the facts

You should respond to the situation in line with the seriousness of the behaviour. This may require some preliminary assessment of the facts. This should be done quickly to determine the nature and gravity of the incident, and the extent of the information needed to decide what to do next. It may be possible to resolve the matter to the satisfaction of all parties at an early stage. All complaints of unacceptable

behaviour should be resolved at the lowest level appropriate to the circumstances. And parents must be advised as early as possible.

Where there are allegations of unacceptable behaviour a mature, well-respected member of the unit should be selected to conduct an assessment. The Behaviour Policy includes an *Assessment Guide* explaining how to make an assessment and report findings. Options for resolving complaints internally include self-resolution, mediation, workplace conferencing or independent professional counselling; any of which may be considered through the chain of command. The *Assessment Guide* is located in each Cadet organisation policy manual.

#### Getting support

Unit Commanders must ensure that support is provided to all parties and that the requirements of the Behaviour Policy and natural justice are applied. They are also responsible for reporting the incident in accordance with the reporting protocol outlined in the Behaviour Policy. The criteria for this decision include:

- the nature and severity of the incident with regard to State or Territory legislation;
- resolving the incident at the lowest level appropriate to the circumstances; and
- ensuring the Regional Headquarters are aware of emerging issues and are well placed to assist and respond. The reporting protocol is located in each Cadet organisation policy manual.

Complaints may be resolved immediately or may need to be dealt with through the complaints handling process defined in each of the Cadet organisations' policies.

#### WHERE TO GET MORE INFORMATION AND SUPPORT

It is important that parents and guardians of Cadets are kept informed whenever a situation concerning unacceptable behaviour or a sexual offence is identified.

More information is contained in your Cadet organisation's policy manual, or you can ask your Commanding or Supervising Officer about your responsibilities.

The **Defence Equity Advice Line** is also available for advice between 8.30am and 9.00pm (AEST) on free call:

- 1800 644 247
- 1800 803 831
- 1800 626 254

At other times a message may be left and a trained adviser will return your call.

These web sites may also be useful:

- [www.defence.gov.au/equity](http://www.defence.gov.au/equity)
- [www.bullyingnoway.com.au](http://www.bullyingnoway.com.au)
- [www.kidshelp.com.au](http://www.kidshelp.com.au) (or free call 1800 551 800 which is a free, anonymous and confidential national counselling service for young people aged 5 to 18 years)



#### STATEMENT OF COMMITMENT AND COMPLIANCE BY ALL ADULT STAFF AND VOLUNTEERS

- 01 The ADFC wants to provide a happy, healthy and safe environment in which Cadets and Staff are confident of fairness and of being kept free from harm. The ADFC offers a high-quality program of adventure, responsibility, and skills development, together with a close association with the single Services.
- 02 The ADFC Behaviour Policy, as promulgated by individual Cadet organisations, is about creating an environment for this to happen. The purpose of the policy is to make sure that everyone understands what the Code of Ethical Behaviour is, how we can work together to ensure that the Code guides how we behave and what we should do when the Code is breached.
- 03 This policy reinforces the Cadet organisations' values and the importance of a non-discriminatory, fair and safe environment. By knowing, understanding and following this policy each Cadet participant can contribute to creating a safe, positive and enjoyable environment for everyone who joins the Cadets.
- 04 The person signing this document acknowledges both the Cadet Staff Code of Ethical Behaviour and the Behaviour Policy and makes a commitment to uphold them.

**YOU WILL BE ASKED TO SIGN UP TO THIS STATEMENT.**

## CADET STAFF CODE OF ETHICAL BEHAVIOUR

As a Cadet staff member or other adult working with Cadets you are responsible for:

- 01 exercising a duty of care in supervising Cadets by understanding your obligations under local legislation to report incidents and protect Cadets in your care;
- 02 performing your duties with skill and care, using your authority in a fair and unbiased way;
- 03 detecting and dealing with behaviour which constitutes unacceptable behaviour or has the potential to develop into unacceptable behaviour such as harassment;
- 04 taking immediate action when you become aware of unacceptable behaviour (even without a complaint being lodged). Refer the matter to senior unit personnel;
- 05 detecting and managing behaviour that constitutes a sexual offence;
- 06 taking immediate action when you become aware of a sexual offence being committed. Refer the matter to senior unit personnel;
- 07 treating colleagues and Cadets equitably regardless of race, religion, gender, ethnic or national origin, physical characteristics or disability, and with courtesy and sensitivity to their rights and aspirations—be aware of individual differences;
- 08 encouraging Cadets to appreciate the value of equity and diversity in their units;
- 09 protecting and respecting the personal privacy of Cadets by ensuring that there is no breach of confidentiality of Cadets' personal records and information;
- 10 being careful not to place Cadets or colleagues at unnecessary risk; and not hesitating to call for assistance immediately when there is any prospect of personal risk;
- 11 ensuring Cadets' property and equipment is protected and maintained in a safe condition;
- 12 presenting yourself as a role model to Cadets by demonstrating these standards and values in your own behaviour in a manner that enhances the reputation of the Cadets, and
- 13 asking for help if you are not sure about any aspect of your responsibilities or how to respond and ensuring that you have had the appropriate training. This is sensible, professional behaviour and will not be regarded as a failure.