

YMCA NSW

Standards of Conduct



1. Document control

Overview	<p>The YMCA NSW Standards of Conduct:</p> <ul style="list-style-type: none"> • Set out the minimum standards of behaviour required of all YMCA NSW staff and volunteers • Guide staff actions, behaviour and ethical decision-making • Direct staff to other relevant policies and documentation related to the Standards of Conduct • Explain the consequences of breaching the Standards of Conduct. <p>The YMCA NSW Standards of Conduct is to be read in conjunction with the Safe Behaviours Policy</p>
Objective	By educating and informing staff and volunteers this Policy aims to promote safe, healthy and enjoyable workplaces.
Scope	All YMCA NSW staff including employees, volunteers, Board Directors, student placements, any consultants or contractors engaged by YMCA NSW and clients of YMCA NSW.
Policy owner	General Manager Human Resources
Policy approver	Chief Executive Officer
Effective date	14 July 2016
Review date	14 July 2017
Related procedures	

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2. Definitions

Term	Definition
Standards of Conduct	Standards of conduct outline the standards of behaviour expected of people belonging to a certain organisation or group.
Conduct	Behaviour – revealing itself in actions, responses, words, gestures or choices.
Confidential Information	Information, knowledge or communication that is intended to be private including, but not limited to, intellectual property and trade secrets, Information Technology systems, business plans, finance information, software, manuals and client information.
Conflict of Interest	A situation in which a staff member has a private or personal interest sufficient to appear to influence their objectivity in the performance of their duties; or a situation in which an opportunity exists for an individual to exploit their professional capacity for the benefit of their other interests.
Child or Young Person	Refers to a person under the age of eighteen years
Vulnerable Adult	An adult, aged 18 or over: <ul style="list-style-type: none"> • who is, or may be, in need of community services due to age, illness or a mental, intellectual or physical disability. • who is, or may be, unable to take care of himself/herself, or unable to protect himself/herself against significant harm or exploitation.
Staff	Any person YMCA NSW employs, or engages – including paid employees, volunteers, Board Directors, contractors, consultants and student placements.
Employee	Paid employees of YMCA NSW.
Volunteer	Unpaid volunteers, student placements and board directors.
Client	Any user of YMCA NSW services – children's services, recreation services, camping services and community programs including children, young people, vulnerable adults, parents/guardians and facility users.
Fraudulent Activity	Wrongful or criminal deception intended to result in financial or personal gain.
Risk Assessment	The identification, evaluation, and estimation of the levels of risks involved in a situation, their comparison against benchmarks or standards, and determination of an acceptable level of risk.
YMCA Property	Property owned or managed by YMCA NSW including all intellectual property, mobile telephone/s, documents, manuals, programs, computer programs, reports, processes and / or improvements made by the employee or volunteer whilst she/he is employed by YMCA NSW
Sexual Behaviour	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. This behaviour is strictly prohibited with or in the presence of children, young people and vulnerable adults engaged in YMCA NSW services.

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3. Policy

3.1 Policy statement

YMCA NSW recognises that positive work environments, and strong relationships with our clients and communities, cannot be achieved without 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 and young people feel safe, and the workplace is free from discrimination, harassment, threats, intimidation and humiliation.

The YMCA NSW encourages and supports its staff to report any incident of wrong-doing. In addressing such incidents the organisation is able to build and foster the environment that its people and clients deserve.

Staff of YMCA NSW are required to act in accordance with the Standards of Conduct and all other YMCA NSW policies and procedures, relevant industrial instrument and/or their contract of employment, as well as other obligations set out in relevant legislation.

These Standards of Conduct apply to all staff beyond our working hours and the physical workplace in many situations. Relevant circumstances include, when representing YMCA NSW at events, when attending work functions organised by the YMCA NSW, and during work related travel.

Where breaches of the Standards of Conduct occur, disciplinary action may be taken, which in serious cases may include termination of employment.

3.2 YMCA NSW Values

YMCA NSW values underpin the Standards of Conduct and inform our behaviour and decisions at work. Non-conformance with these Standards would usually also mean that the conduct was not in accordance with our values:

- Honesty: Integrity, trustworthiness and fairness
- Respect: Acceptance, empathy, self-respect and tolerance
- Caring: Compassion, forgiveness, generosity and kindness
- Responsibility: Commitment, courage and service
- Safety: Secure, protected, respected and free to speak out

4. What YMCA will do to promote this policy

YMCA NSW is committed to achieving the best outcomes and quality of services for our communities and will embed all aspects of the Standards of Conduct into the organisation's operations. We will provide support, guidance and training to our staff on the Standards of Conduct so they can make ethical decisions in every aspect of their work.

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5. Responsibility of managers

Additional to responsibilities detailed in Point 10 managers will be responsible to:

- Ensure staff are aware of and comply with the Standards of Conduct
- Demonstrate these Standards of Conduct and provide staff with a positive role model
- Ensure that staff are aware of internal channels for making a notification of wrong doing and that they understand how the notification, complaint or grievance will be managed
- Ensure that work and employment processes comply with relevant policies, procedures and legislation
- Take reasonable steps to prevent staff from engaging in conduct contrary to these Standards
- Immediately deal with notification of wrongdoing and report through the appropriate channels
- Seek further information and assistance from Human Resources and Senior Management where necessary.

6. Responsibility of staff

Additional to responsibilities detailed in Point 10 staff will be responsible for:

- Their own behaviour at all times
- Being aware of and complying with these Standards of Conduct and all applicable policies, procedures and relevant legislation
- Treating clients and other staff fairly and with respect
- Following any lawful and reasonable direction.
- Act in the best interests of the YMCA NSW at all times.

7. Policy requirements

7.1 Compliance with the law

Staff will:

- Comply with the laws, regulations and codes relevant to our duties and industry
- Comply with the laws of the host location, in addition to Australian laws, when working in a different jurisdiction
- Advise their manager if charged with a criminal offence which is punishable by imprisonment or, if found guilty, could reasonably be seen to affect our ability to meet the inherent requirements of the work we are engaged to perform.

Staff will not:

- Engage in criminal activity in the workplace, during working hours or using work equipment or contacts
- Engage in criminal activity outside of working hours that may still be deemed a breach of this policy in circumstances including, but not limited to, where the crime impacts on our ability to fulfil

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the inherent requirements of our role, damages the reputation of YMCA NSW, represents a conflict of interest or is a breach of YMCA NSW policy.

7.2 Personal and professional behaviour

Staff will:

- Ensure that their personal and professional conduct conforms to the standards that could reasonably be expected at all times
- Follow any lawful and reasonable direction made by YMCA NSW
- Treat others 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.

7.3 Interacting with others

Staff will:

- Act in a fair and consistent manner in all dealings with YMCA NSW clients including children, young people and families, contractors, suppliers 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 (which may include 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 colleagues and clients or anyone else we deal with in the course of our employment or engagement with the YMCA NSW.

7.4 Interacting with Children, Young People and Vulnerable Adults

Staff will:

- Adhere to the Safeguarding Children, Young People and Vulnerable Adults Policies and Procedures
- Adhere to the Safe Behaviours Policy and related procedures

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- Adhere to all legislative requirements regarding the safeguarding and protection of children, young people and vulnerable adults
- Promote and monitor the safeguarding 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 a welcoming and safe environment for children, young people and vulnerable adults and promote their safety and wellbeing
- Ensure we provide adequate care and supervision of children, young people and vulnerable adults in our environments and our interactions are positive and safe
- 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 Working with Vulnerable People Check (ACT) and National Police History Check.

Staff will not:

- Engage in any sexual behaviour with or in the presence of children, young people and vulnerable adults participating in YMCA NSW. Any sexual behaviour with or in the presence of children, young people and vulnerable adults is prohibited
- 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 YMCA NSW while employed by YMCA NSW
- Make 'personal/private' contact with children, young people or vulnerable adults involved with the YMCA NSW. This includes communication/contact through social media accounts (e.g. 'befriending', 'following', 'tagging'), mobile phone, texting or email communication
- 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, pending a risk assessment and approval from the Chief Risk Officer.

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7.5 Confidentiality and Property

Staff will:

- Maintain the confidentiality of YMCA NSW, and will use our best endeavours to prevent the use or disclosure of any such information by third parties
- Take all reasonable care in the use of YMCA NSW's property and protect property in our care
- Use YMCA NSW property for the intended purpose only
- Return, on termination of employment or engagement with YMCA NSW, in good condition, any property belonging to YMCA NSW which may be under our possession and / or under our control.

Staff will not:

- Disclose or make use of any confidential information relating to YMCA NSW or its clients, children, families, suppliers and staff. Confidential information includes that which is not available in the public domain and which:
 - YMCA NSW indicates is confidential
 - By its very nature, might reasonably be understood to have been disclosed to staff in confidence
 - Would be commercially valuable to a competitor
 - Relates to YMCA NSW affairs, including performance
 - Is found in YMCA NSW policies
- Make public comments on behalf of the 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.

7.6 Electronic communications and information technology

Staff will:

- Avoid emotionally charged or negative comments in relation to YMCA NSW, whether specifically referring to the organisation or in situations where you can be identified as a staff member of YMCA NSW
- 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, not interfere with our duties, and be reasonable in all of the circumstances
- 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 (i.e. Lifeguard/Educator), and is reasonable in all of the circumstances

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- Protect the confidentiality and security of YMCA NSW's IT systems and make all reasonable efforts to keep our passwords secure.

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.

7.7 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 attending work or 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.

7.8 Conflict of interest

Staff will:

- Disclose and take any reasonable steps to avoid any conflicts of interest in connection with employment with YMCA NSW
- 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.

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7.9 Workplace relationships

Staff will:

- Disclose any personal relationships with colleagues or co-workers to our manager at the earliest convenience
- Disclose any personal relationships that create or is perceived to create a conflict of interest or adversely affect or threaten to harm YMCA NSW and its reputation.

7.10 Staff Appearance and uniform:

Staff will:

- Present ourselves in a tidy and professional manner throughout the course of employment or engagement with the YMCA NSW, with regard to our position and customer expectations and impressions
- Wear the prescribed uniform as required, and take reasonable care in maintaining the uniform.

Staff will not:

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

7.11 Smoke, Alcohol and Drugs

Staff will not:

- Use, possess, or be under the influence of illegal drugs and/or alcohol when delivering our services
- Be incapacitated by any other legal drug such as prescription or over-the-counter drugs while delivering our services
- Supply alcohol or drugs, including tobacco to children, young people and clients participating in our services
- Be under the influence of drugs or alcohol on YMCA NSW premises or motor vehicles
- Smoke in any YMCA NSW operated premises or motor vehicle
- Smoke while in uniform in public view.

7.12 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 to our Manager, or other appropriate person

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Staff will not:

- Engage in improper and dishonest activity designed to be of benefit to the financial or other detriment of YMCA NSW, such as theft, corruption, falsification of documentation (including timesheets and non-completion of leave forms), or other fraudulent activity
- Engage in any other dishonest activity that damages our relationship with YMCA NSW.

7.13 Gifts and Benefits

Staff will:

- Register all gifts, hospitality or benefits on the Gift Disclosure Register located on the YMCA NSW Intranet.

Staff will not:

- Accept offers of gifts, hospitality or benefits over the value of \$100 without prior approval from YMCA NSW Chief Executive Office.

8. Reporting Breaches of this Standards of Conduct

Staff will:

- Report any breaches of the Standards of Conduct to their supervisor or manager. If the alleged breach relates to the direct manager, they will report the breach to the next level of management
- If in doubt as to how to act in any work-related situation, seek advice from our manager prior to taking any action.

Staff will not:

- Make a vexatious report of a breach i.e. a report known to be false or misleading.

9. Managing breaches of the Standards of Conduct

Alleged breaches of these Standards of Conduct will be managed in accordance with the Investigation Procedure and Managing Staff Performance Policy.

Any breach of the YMCA NSW Standards of Conduct is considered serious and may lead to disciplinary action, up to and including formal warning, demotion or termination of employment or the cessation of the volunteer's engagement. Breaches of law will be referred to the Police.

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10. Accountability and responsibility

Role	Responsibility
YMCA NSW Board	<ul style="list-style-type: none"> Ensure adequate resources are allocated to allow effective implementation
Executive Leadership Team	<ul style="list-style-type: none"> Ensure management understand their obligations in accordance with the Standards of Conduct. Ensure all YMCA Staff have received relevant Standards of Conduct 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.
Human Resources	<ul style="list-style-type: none"> Ensure access to the Standards of Conduct for all YMCA NSW Staff Ensure adequate ongoing training is provided for all staff for the Standards of Conduct's implementation Provide advice and support to staff in relation to the Standards of Conduct
Managers and Supervisors	<ul style="list-style-type: none"> Responsible for implementing training and awareness raising strategies regarding the Standards of Conduct when required. Responsible for role modelling the behavioural standards outlined in the Standards of Conduct Responsible for addressing any instances of non-compliance with the Standards of Conduct Ensuring compliance with the Standards of Conduct.
Staff Members	<ul style="list-style-type: none"> Responsible for adhering to the behavioural expectations outlined in the Standards of Conduct Responsible for reporting any instances of non-compliance

11. Interactions with related documents

Related policies	Link to the policy
YMCA Australia Safeguarding Children and Young People Policy	
YMCA NSW Safeguarding Children, Young People and Vulnerable Adults Policy	
Reporting Child Protection Concerns Policy	
Safe Behaviours Policy	
Whistle Blower Policy	
Work Health and Safety Policy	

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Privacy Policy	
Discrimination, Harassment and Bullying Policy	
Managing Staff Performance Policy	
Termination Policy	
Investigation Procedure	

Related Documentation	Link to Document
Declaration and Acceptance of Standards of Conduct	

Related legislation	
Children and Young Persons (Care and Protection) Act 1998 (NSW)	The Ombudsman Act 1974 (NSW)
Children and Young Persons (Care and Protection) Amendment Bill 2009 (NSW)	Children (Education and Care Services National Law Application) Act 2010 No 104
Disability Inclusion Act 2014 No 41	Children and Young Persons (Care and Protection) Regulation 2012 (NSW)
United Nations Convention on the Rights of the Child	Children and Young People Act 2008 (ACT)
Child Protection (Working with Children) Act 2012	Education and Care Services National Regulations 2010
NSW Disability Services Standards	United Nations Convention on the Rights of Persons with Disabilities
Work Health and Safety Act	Privacy Act

12. Implications

Any breach of the YMCA NSW Standards of Conduct is considered serious and may lead to disciplinary action, up to and including formal warning, demotion or termination of employment or the cessation of the volunteer's engagement. Breaches of law will be referred to the Police.

13. Monitoring, Evaluation and Review

The YMCA NSW Standards of Conduct will be reviewed annually by and in consultation with YMCA NSW Board, Executive Leadership Team and other stakeholders.

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14. Document History and Version Control

Version	Date Approved	Author	Brief Description
1	13.01.14	K. Demir	Initial Policy
2	26.06.14	K. Sharpe	Initial Policy Review
3	30.04.15	L. Durrell	Re-name, re-write, new format
4	23.02.16	K. Twitchett	Review and update
5	14.07.16	K. Twitchett	Review and update in line with ACF

15. Endorsement

I endorse the Standards of Conduct Policy:

Name	KEISA HARRIS	Role	CEO
Signature		Date	14/7/16