

YMCA NSW

Safe Behaviours Policy



1. Document control

Overview	<p>The Safe Behaviours Policy clarifies the standards of behaviour that are expected of staff and clients of YMCA NSW for the protection of children, young people and vulnerable adults.</p> <p>The Safe Behaviours Policy is to be read in conjunction with the YMCA NSW Standards of Conduct.</p>
Objective	The Safe Behaviours Policy sets out the actions, behaviours and conduct expected of all YMCA NSW staff and clients in their dealings with children, young people and vulnerable adults.
Scope	All YMCA NSW staff including paid employees, volunteers, Board Directors, student placements, any consultants or contractors engaged by YMCA NSW and clients of YMCA NSW.
Policy owner	Chief Risk Officer
Policy approver	Chief Executive Officer
Effective date	25 July 2016
Review date	25 July 2017
Related procedures	

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2. Definitions

Term	Definition
Child or Young Person	Refers to a person under the age of eighteen years
Vulnerable Adult	An adult, aged 18 or over: 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.
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.
Private Arrangements	Private arrangements is outside work or voluntary roles such as babysitting, sports coaching, housesitting and transporting where staff would be alone with children, young people and vulnerable adults.
Safeguarding	Refers to individual and collective conscious efforts and commitment by all staff of YMCA NSW, to be aware of and adhere to their responsibilities as defined by organisational policies, procedures, Standards of Conduct and relevant laws. Staff are expected to take all possible actions to prevent risks of harm to anyone in receipt of YMCA NSW services who are in one of the following categories: I. A child or young person or group of people who are under 18 years of age II. A vulnerable adult

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3. Policy statement

YMCA NSW is committed to ensuring that the people who interact with children, young people and vulnerable adults in YMCA NSW programs or services, act in the best interests of the children, young people and vulnerable adults in their care and take all reasonable steps to ensure their safety, welfare and wellbeing. In particular, we are committed to providing an environment where all children, young people and vulnerable adults are protected from any form of abuse or mistreatment.

Unless otherwise outlined in the procedure, this will be achieved by YMCA NSW staff complying with the following:

- Do not be alone with a single child or young person
- Do not have personal direct communications or contact (including social media contact) with children, young people and vulnerable adults engaged in YMCA NSW services
- Do not use personal phone, camera or video camera equipment for recording purposes in the workplace
- Do not transport a single child, young person or vulnerable adult alone; and
- Do not speak disrespectfully, insensitively or in violent or sexually suggestive ways to children, young people and vulnerable adults.

4. What YMCA NSW will do to promote this policy

The YMCA NSW's commitment to the safety and wellbeing of all children, young people and vulnerable adults is embedded in all relevant aspects of operations, and fosters a culture that supports those who speak up and ask questions regarding any concerns about the safety and wellbeing of children, young people and vulnerable adults.

YMCA NSW will provide training on this policy for all staff and encourage and facilitate discussions on safe behaviours and safeguarding within each workplace.

5. Policy Requirements

5.1 Behavioural Norms

All staff within YMCA NSW are expected to act and behave in a manner that demonstrates a commitment to the health, wellbeing and safety of children, young people and vulnerable adults.

Verbal, emotional, psychological or physical abuse, physical punishment, or the withdrawal of the necessities of care (including food, shelter and emotional warmth) are unacceptable forms of behaviour at YMCA NSW.

Staff

- All staff are expected to comply with the YMCA NSW Standards of Conduct
- All staff are expected to 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"

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- All staff are to conduct themselves in a manner consistent with their position as a positive role model to children, young people and vulnerable adults and as a representative of the YMCA NSW
- Staff must not make any derogatory, culturally insensitive, violent or sexually suggestive comments to or in the presence of children, young people and vulnerable adults as per the *YMCA NSW Standards of Conduct, Discrimination, Harassment and Bullying Policy*, and all other YMCA NSW policies
- Staff must not engage in any sexual behaviour with or in the presence of children, young people and vulnerable adults participating in YMCA NSW service. Any sexual behaviour with or in the presence of children, young people and vulnerable adults is prohibited
- Staff providing direct care to children, young people and vulnerable adults must be clearly identified. Where required, a uniform or consistent standard of dress that is familiar must be worn. In the case of agency or temporary relief staff, they must be clearly identified and wherever possible, appropriate identification displayed for ease of identification for staff and clients
- Staff must not discipline children, young people or vulnerable adults by use of emotional abuse, favouritism, physical abuse, verbal abuse, reference to cultural/ethnic differences and abilities, swearing and any form of corporal punishment or other offensive/inappropriate action.
- Where staff are required to provide discipline, staff are required to use strategies that are fair, respectful and appropriate to the developmental stage of the child, young person and vulnerable adult involved as per the *Guidance of Positive Behaviour Policy*.

Clients

- All clients are expected to comply with the YMCA NSW Standards of Conduct for Clients
- YMCA NSW expects all clients to uphold the principles of the Safe Behaviours Policy and behave appropriately at YMCA NSW services, which includes refraining from any form of abuse and/or the use of unacceptable language
- Report any concerns regarding the safety, wellbeing and welfare of a child, young person or vulnerable adult to a YMCA staff member immediately
- Clients are not permitted to take photography/videography on YMCA NSW premises without prior approval from service staff. Parents/guardians are permitted to take photography/videography of their own children, young people or vulnerable adults only and are required to seek approval from service staff and the complete the *Photography Permission Form*
- Participants affected by alcohol, drugs and other behaviour altering substances, or found to be demonstrating inappropriate and unacceptable standards of behaviour as deemed by a YMCA NSW staff member, will be asked not to participate in the program or service.

5.2 Physical and non-physical contact

- Staff must at all times demonstrate acceptable and appropriate behaviour/contact that gives regard to a child, young person or vulnerable adult's age and developmental needs, culture, ability, environment, and their emotional needs
- Staff must seek the consent of a child, young person or vulnerable adult before making physical contact and let them know what you are doing and why

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- Staff must not have unnecessary or inappropriate physical contact with children, young people or vulnerable adults, other than for the provision of a specific model of care, that:
 - Involves holding, kissing, cuddling and touching children, young people or vulnerable adults in an inappropriate and/or culturally or insensitive way. A child, young person or vulnerable adult sitting on a staff members lap is considered inappropriate. Children should be comforted when upset, staff should attend to children's needs in a professional manner and where possible, giving consideration for the child's age and developmental needs. Children should never be fully embraced in a cuddle or hug.
 - Would appear to a reasonable observer to have a sexual connotation
 - Is intended to cause pain or distress to the child, young person or vulnerable adult (e.g. Corporal punishment)
 - Is overly physical (e.g. wrestling, tickling, or other horseplay)
 - Are avoidable personal care tasks (e.g. assisting with toileting, first aid or medical assistance when the person does not require assistance)
 - Is initiated against the wishes of the child, young person or vulnerable adult, except if such contact may be necessary as a restraint to prevent injury to the child, young person or vulnerable adult or to others, in which case:
 - The level of restriction used must be aimed solely at restraining the child, young person or vulnerable adult to prevent harm to themselves or others
 - Physical restraint should be the last resort
 - The incident must be reported to management as soon as practicable, and before the end of the shift.
 - A Behaviour Management Plan is to be developed following the incident (where applicable).
- Staff must report to their manager/supervisor any physical or non-physical contact initiated by a child, young person or vulnerable adult that is sexual and/or inappropriate
- All concerns of physical contact should be reported immediately to YMCA NSW management, and may be subject to disciplinary and performance management processes.

5.3 Professional Boundaries

All staff should ensure that their interactions with children, young people and vulnerable adults involved in YMCA NSW programs/services remain professional and occur within the scope of the program or service.

- Staff must not provide any form of support (including financial assistance) to a child, young person, vulnerable adult or their family that is unrelated to YMCA NSW service delivery or outside of policy scope
- Staff must not make 'personal/private' contact with children, young people or vulnerable adults involved with the YMCA NSW. This includes communication or contact through social media accounts (e.g. 'friending', 'following', 'tagging'), mobile phone, texting or email communication
- If staff members need to make contact with a child, young person or vulnerable adult outside of the program, all communications need to go through the parent/guardian. Any direct

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contact with families must only be made in relation to the services provided as part of a specific program/service

- Where a specific program or model of care requires direct contact with children or young people, written approval is to be sought from the parent/guardian, wherever possible the parent guardian is copied in to the communication and the process is authorised by the YMCA NSW Chief Risk Officer
- Staff are not to give gifts to children, young people or vulnerable adults participating at the YMCA NSW unless a part of a specific program such a Christmas/graduation gifts for the group of clients
- Staff must not initiate, seek or request private arrangements (i.e. outside work or voluntary roles such as babysitting, sports coaching, housesitting etc.) while employed by YMCA NSW.

Where a relationship is established

1) Prior to commencement of employment, or

2) Prior to a client's enrolment/commencement in a YMCA NSW program, staff must

- Notify their manager of any/all private arrangements with children, young people or vulnerable adults who are participating in a YMCA NSW program or service, or regularly present at a YMCA NSW facility by completing the *Declaration of Personal Relationships Form*. The completed form is to be sent to the Chief Risk Officer for approval. The Chief Risk Officer will review the declaration form and return to the relevant manager with recommendations for action. The form will be stored electronically within the Risk and Compliance files.
- When advised of the private arrangement, managers must inform and remind staff of their obligations of this policy, and must ensure that staff have access to the *Safe Behaviours Policy* and the *YMCA NSW Safeguarding Children, Young People and Vulnerable Adults Policy* and related policies and procedures
- Managers are required to review the *Declaration of Personal Relationships Form* in consultation with the staff member quarterly or when required if there is any change in circumstances. The manager is to provide the Chief Risk Officer with updates to the declaration quarterly
- Staff member must inform the client that any/all private arrangements provided are not endorsed by the YMCA NSW and are in no way affiliated with the YMCA NSW and provide the client with a copy of the YMCA NSW Safeguarding Children, Young People and Vulnerable Adults brochure and any other relevant child protection information
- Staff must not wear the YMCA NSW uniform in connection with any private arrangements.

5.4 Interactions

- Staff should maintain a positive attitude at all times in all interactions, ensuring their language and tone of voice are used in a way that has a positive impact on the wellbeing of the child, young person or vulnerable adult
- Staff should develop responsive and trusting relationships with children, young people and vulnerable adults that promote a sense of security, confidence and inclusion, whilst maintaining a level of professionalism

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- Staff must be aware of YMCA NSW expectations regarding positive, respectful and appropriate behaviour, and acceptable responses and reactions when working in a YMCA NSW facility

5.5 Supervision Practices

- Other than as part of a specific service, program or model of care approved by the YMCA NSW Chief Risk Officer, all staff will ensure that they are not alone in a private space with a child, young person or vulnerable adult. When being alone with a child, young person or vulnerable adult is part of a program or model of care, staff must ensure that the area has transparent visibility (i.e. clear windows, door ajar), if appropriate
- Staff must not travel alone with a single child or young person except in * unforeseen circumstances.
- Staff must make every reasonable effort to ensure that children, young people or vulnerable adults are released from YMCA NSW programs/services only to an authorised parent/guardian or other approved safe practice
- All staff should make every reasonable effort to provide general supervision to children, young people and vulnerable adults who attend a YMCA NSW facility without parent/guardian/responsible person accompaniment, and who are not engaged in formal programs (i.e. OSHC, swimming lessons and camps)
- Staff will ensure the appropriate use of electronic communications/technology by children, young people and vulnerable adults whilst they are participating in YMCA NSW programs. This includes monitoring browsing websites, social networking sites, instant messaging or game sites during which children could be exposed to inappropriate content or contact
- All staff working with children and young people or vulnerable adults will work within and maintain program prescribed ratio requirements.

* Unforeseen Circumstances – Unforeseen would only apply in the event of an accident or where something unexpected has happened and there is no other alternative but to take a child alone in the vehicle and to fail to act would put the child at risk of harm. Where these situations are unavoidable and whenever possible the full consent of the manager and the child, young person's parent/guardian consent should be obtained. The incident is then required to be reported as a incident within 24 hours.

5.6 Overnight stays/sleeping arrangements

- Practices and behaviour by YMCA NSW staff must be consistent with the *YMCA NSW Standards of Conduct* and the *Safe Behaviours Policy*.
- Standards of conduct that must be observed by YMCA NSW staff during an overnight stay include:
 - Staff must not be accommodated alone with children, young people or vulnerable adults before, during or after a YMCA NSW program or service. Parents/guardians are to be informed of sleeping arrangements prior to the commencement of any overnight stay
 - Staff are to provide children, young people and vulnerable adults with privacy when bathing and dressing
 - Staff are to observe appropriate dress standards when children, young people and vulnerable adults are present – such as no exposure to adult nudity

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- Staff are not to allow children, young people or vulnerable adults to be exposed to pornographic material, for example, through movies, television, internet or magazines
- Staff must not leave children, young people or vulnerable adults under the supervision or protection of unauthorised persons such as hotel staff or friends
- Staff must ensure children, young people or vulnerable adults have the right to contact their parents/guardians, or others, if they feel unsafe, uncomfortable or distressed during the stay.

5.7 Bathroom/Change Room Practices

YMCA NSW staff are required to provide supervision to children, young people and vulnerable adults whilst using bathroom/change room facilities, whilst balancing that requirement for their right to privacy.

- Staff should avoid one-to-one situations with a child, young person or vulnerable adult within a bathroom/change room area
- Staff are not permitted to use the bathroom/change room area to, for example, undress, while children, young people or vulnerable adult are present
- Staff are to ensure adequate supervision in 'public' change rooms when they are used
- Staff need to provide the level of supervision required for preventing abuse by members of the public, adult service users, peer service users, or general misbehavior, while also respecting a child, young person or vulnerable adults privacy
- Staff are not to enter the bathroom/change room area of the opposite sex while the opposite sex is present unless in an emergency situation.

5.8 Photography

All photography on YMCA NSW premises will be conducted in line with the *Photography Policy*.

- YMCA NSW staff are not to use personal phone, camera or video camera equipment for recording purposes in the workplace
- Where a specific program requires photos or videos to be taken by staff, only YMCA NSW equipment will be used for taking and storing images or video and parent/guardian permission has been sought
- Images taken by YMCA NSW staff of children, young people or vulnerable adults will be taken in the presence of other YMCA NSW staff.
- Staff must take reasonable steps to ensure that members of the public do not take photography/videography of children, young people or vulnerable adults at a YMCA NSW service without parent/guardian permission. Parents/guardians are permitted to take photography/videography of their own children, young people or vulnerable adults with prior approval from service staff and the completion of the *Photography Permission Form*.

5.9 Specific Exclusions to these Provisions include:

The following provisions outline elements of interaction with children/young people/vulnerable adults where YMCA NSW programs/services have specific requirements for the delivery of that program/service, and should be conducted following the completion of a risk assessment:

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- Disability services programs typically provide one on one services, including personal care.
- Community Visitors Scheme typically provides one on one services with vulnerable adults.
- Disability Services programs sometimes involve transporting clients alone in cars, subject to manager approval, and with the written authority of the parent/guardian/support person
- Child specific programs (e.g. OSHC, crèche, holiday programs and camps) may involve bathroom assistance to children and young people
- Child specific programs (e.g. OSHC, crèche, holiday programs and camps) require that children are only released to authorised parents, legal guardians and authorised individuals using sign in and out logs
- Low patronage recreation sites may have only 1 staff member on site at any given time. Risk assessments and clear procedural guidelines are to be put in place at these sites with approval from the Recreation General Manager/Chief Risk Officer
- YMCA NSW staff who are under 18 years are not considered a child or young person within the context of this policy as they are staff members. However, all staff are to be conscious of protections they may require under YMCA NSW policies and laws and ensure all interactions are appropriate and safeguard the staff member
- YMCA NSW staff who are a vulnerable adult are not considered a vulnerable adult within the context of this policy as they are staff members. However, all staff are to be conscious of protections they may require under YMCA NSW policies and laws and ensure all interactions are appropriate and safeguard the staff member
- Any other exceptions to these procedures must comply with relevant regulations, contractual obligations, be accompanied by a risk assessment and Safe Work Procedures, and be authorised by the YMCA NSW Chief Risk Officer.

6. Implications

YMCA NSW is committed to protecting the children, young people and vulnerable adults with whom it interacts. Any failure by a YMCA NSW staff member to comply with the requirements will be treated seriously by the YMCA NSW and may lead to disciplinary action including termination of the staff member's employment or the cessation of the volunteer's engagement. Breaches of law will be referred to the Police.

7. Accountability and responsibility

Role	Responsibility
YMCA NSW Board Directors	<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 implementation of the <i>Safe Behaviours Policy</i> across the organisation • Ensure YMCA NSW managers, staff and volunteers have access to this policy and related procedures and understand their obligations in relation to the <i>Safe Behaviours Policy</i>. • Ensure managers and supervisors have access to advice and support to implement <i>Safe Behaviours Policy</i> requirements, including incident management and reporting.
Human Resources	<ul style="list-style-type: none"> • Ensure access to the <i>Safe Behaviours Policy</i> for all staff

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	<p>members and volunteers</p> <ul style="list-style-type: none"> • Ensure adequate training is provided for all staff and volunteers for the policy's implementation • Provide advice and support to staff in relation to this policy
Managers and Supervisors	<ul style="list-style-type: none"> • Ensure the <i>Safe Behaviours Policy</i>, and other obligations under this policy, are implemented in the workplace. • Ensure all YMCA NSW staff have received relevant induction and training and that the workplace culture supports a transparent, continually improving environment in which all YMCA NSW staff show extended guardianship to children, young people and vulnerable adults. • Ensure all YMCA NSW staff understand and can access the policy and procedure, and other related policies and procedures, and comply with them at all times. • Responsible for role modelling the behavioural standards outlined in the <i>Safe Behaviours Policy</i> • Immediately report any suspected abuse to external authorities and YMCA NSW management
Staff Members and Volunteers	<ul style="list-style-type: none"> • Take all reasonable steps to protect and safeguard children, young people and vulnerable adults from any form of abuse • Participate in approved training and education programs • Review, understand and adhere to the <i>Safe Behaviours Policy</i> • Immediately report any suspected abuse to external authorities and YMCA NSW management • Comply with all procedures relating to children, young people and vulnerable adult safety.
Agency Staff/ Contractors/other involved persons	<ul style="list-style-type: none"> • Complete a <i>YMCA NSW Site Specific Induction for Agency Staff</i> or <i>YMCA NSW Site Specific Induction for Contractors</i> which outlines responsibilities regarding the <i>Safe Behaviours Policy</i>.
Children, young people, vulnerable adults, parents/guardians and clients.	<ul style="list-style-type: none"> • Adhere to the policies and procedures of YMCA NSW • Adhere to the <i>YMCA NSW Standards of Conduct for Clients</i> • Adhere to the <i>Practice and Behaviour Guidelines for Children and Young People</i> • Be aware of and understand YMCA NSW's commitment to safeguarding • Immediately report any breaches of this policy to YMCA NSW management.

8. 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	
Abuse and Neglect of Vulnerable Adults Policy	
YMCA NSW Standards of Conduct	
Discrimination, Harassment and Bullying Policy	
Privacy Policy	
Whistle Blower Policy	

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Photography Policy	
Social Media Policy	
Transport Policy	
Ratio Policy	

Other related documentation	Link to documentation
Declaration of Personal Relationships Form	

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

9. Monitoring, Evaluation and Review

The YMCA NSW Safe Behaviours Policy will be reviewed annually by and in consultation with YMCA NSW Board Directors, Executive Leadership Team and other stakeholders including children, young people, vulnerable adults, clients and staff.

10. Document History and Version Control

Version	Date Approved	Author	Brief Description
1	24.06.15	L. Durrell	Initial Policy
2	08.09.15	L. Durrell	Amendments/updates from staff feedback
3	16.12.15	L. Durrell	Amendments/updates from staff feedback
4	25.07.16	L. Durrell	Amendments/updates for ACF and staff feedback

11. Endorsement

I endorse the Safe Behaviours Policy:

Name	LEISA HART	Role	CEO
Signature		Date	25/7/16

The YMCA NSW Board of Directors endorses the Safe Behaviours Policy.

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