Out of Home Care Child Safe Code of Conduct

*Note: This interim Out of Home Care (OOHC) Child Safe Code of Conduct is in place until a decision is made regarding the development of broader Standards or a Code for the Department for Education, Children and Young People (Department) as part of the National Child Safe Standards and Child and Youth Safe Organisations Framework for Tasmania.*

*This Code of Conduct applies to volunteers (foster and kinship carers) and external staff from salaried care providers.*

We are committed to promoting the wellbeing of children, to holding ourselves collectively to account for delivering better outcomes and to acting to better support the needs of the child and young person and ensuring they receive the support they need for lifelong wellbeing. This commitment is shared across Government, non-government organisations and the private sector through the Child and Youth Wellbeing Framework.

All staff and volunteers are responsible for promoting the safety, wellbeing and empowerment of children.

The OOHC Child Safe Code of Conduct sets expectations for how adults in child safety settings should behave around children. This is important to help prevent children from being harmed. Child abuse takes many forms and can include physical, sexual, emotional and psychological abuse, neglect and family violence. The OOHC Child Safe Code of Conduct identifies positive child safe behaviours expected of all adults and identifies behaviours that we consider unacceptable and concerning. Engaging in unacceptable behaviour is a breach of this Code and may result in a Wellbeing in Care concern[[1]](#endnote-1) being recorded and investigated.

Concerning behaviours on their own *may* not constitute a breach of the Code but together may indicate a pattern of behaviour that poses a risk to the safety of children.

**I WILL:**

**Positive behaviours to keep children safe.**

* Listen to and value children and young people’s ideas and opinions and respond appropriately.
* Welcome all children and their families and caregivers by being inclusive.
* Actively promote cultural safety and inclusion.
* Work with children in an open and transparent way (so that other adults always know what work I am doing with children).
* Work within a team, despite any differences, to ensure that the needs of the child (and their family) remain the paramount focus.
* Act in accordance with the *Children, Young Persons and Their Families Act, 1997*, organisational values, Charter of Rights for Children in OOHC, and relevant Child Safety policies and procedures at all times.
* Work in a trauma-informed way by modelling safety, trust, choice, collaboration, empowerment and respect for diversity in all interactions with children and their caregivers.
* Act with integrity by raising concerns with management if risks to child safety are identified anywhere in the organisation.
* Report and act on any concerns or observed breaches in behaviour regarding the Code.
* Report any concern, allegation, disclosure or witnessing of child abuse to the relevant person or authority.
* Respond to information indicating that another adult, child or young person is harming or poses a risk to a child or young person.
* Take all reasonable steps to protect children from abuse (such as completing all induction and compulsory training and working in an open, transparent manner).
* Respect the privacy of children and their families by keeping all information regarding Child Safety concerns confidential and only discussing information with the relevant people to follow Child Safety’s reporting procedures.
* Treat all children and young people with respect, regardless of race, colour, sex, gender identity, sexual orientation, language, religion, political or other opinion, health status, national, ethnic or social origin, culture, property, ability or other status.
* Report any conflicts of interest (such as an outside relationship or any other formal or informal relationship with the child, family or caregivers, which exist outside of Child Safety).

**I WILL NOT:**

**Unacceptable behaviours**

***General:***

* Condone or participate in behaviour with a child that is illegal, unsafe or abusive.
* Ignore or disregard any concerns, suspicions or disclosures of child abuse.
* Exaggerate or trivialise child abuse issues.
* Use hurtful, discriminatory or offensive behaviour or language with a child.
* Fail to report information to police if I know, believe or suspect or reasonably ought to know that a child has been abused.
* Trivialise the subject of child abuse, such as telling jokes, that make light of children being hurt.
* Use unacceptable language or tell unacceptable stories or jokes in front of children.

***Physical:***

* Hit, strike, punch, kick, pull, slap, drag or push a child or exhibit any other type of physical contact of a similar nature.
* Engage in rough physical games.
* Make close physical contact, like inappropriate tickling and ‘play’ wrestling.
* Throw items or use items to hurt a child.
* Threaten to hurt a child through words or gestures, regardless of whether I intend to apply force.
* Use hostile force towards a child and/or a pattern of hostile or unreasonable and inappropriate physical conduct towards a child.
* Discipline or correct a child in an unreasonable or improper manner.
* Lock a child in a room or any other space.

***Sexual:***

* Engage in sexual touching of a child.
* Engage in sexual contact with a child.
* Masturbate in front of a child or expose my genitals.
* Possess or create child abuse material.
* Share sexually explicit photos of a child.
* Expose a child to pornography or other indecent material.
* Groom a child and/or their close circle of support to make it easier to gain trust from and access to the child for the purposes of child sexual abuse, including – but not limited – to the specific behaviours below.
* Offer a child gifts, food, cigarettes, money, attention or affection with the intention of making it easier to access the child for sexual activity.
* Give a child special attention or isolate them from their peers with the intention of making it easier to access the child for sexual activity.
* Give a child gifts, food, money, attention or affection in exchange for sexual activities or images.
* Disrespect the privacy of a child when they are using the bathroom or changing.
* Communicate (including online) with a child about romantic, intimate or sexual feelings for a child.
* Use a camera to record a child while they are in their bedroom, dressing, bathing or using the bathroom.
* Make comments that express a desire to act in a sexual manner with a child.
* Use sexual language or gestures in the presence of children.
* Make sexual comments, have conversations or communications with a child including sharing details with a child of one’s own sexual experiences.
* Engage in unacceptable personal communication that explores sexual feelings or intimate personal feelings with a child.
* Fail to respond to and report a child or young person’s concerns about harmful sexual behaviours from another child or young person.
* Engage in unauthorised contact with a child online for the purpose of developing a sexual relationship.
* Use a computer, mobile phone, camera or other device to exploit or harass a child.
* Inappropriately extend a relationship with a child beyond appropriate boundaries.

***Emotional:***

* Tease a child in a way that causes the child to become distressed or upset.
* Excessively or continually yell at a child.
* Bully a child.
* Persistently criticise and discredit a child.
* Persistently reject or show hostility towards a child.
* Refuse to acknowledge a child’s worth and the legitimacy of their needs.
* Deliberately prevent a child from forming friendships.
* Deprive a child of essential stimulation and responsiveness.
* Encourage a child to engage in destructive, antisocial behaviour.
* Expose a child to family violence.
* Make a child feel worthless, unloved, alone or frightened.
* Criticise a child’s birth family.
* Make excessive and/or degrading demands of a child.
* Make seriously inappropriate and/or degrading comments towards a child.
* Show repeated hostility towards a child.
* Threaten to abandon a child.

***Neglect:***

* Deprive a child of necessities such as food, drink, clothing, critical medical care or treatment, or shelter.
* Fail to protect a child from abuse (such as failing to report abuse when a child discloses it or when a staff member observes it).
* Expose a child to a harmful environment (such as, an environment where there is illicit drug use or illicit drug manufacturing).
* Fail to adequately supervise a child.
* Allow the child to be exposed to or have contact with known unsafe people, including those who are ineligible for a Working with Vulnerable People card, those on the register for sexual offenders or those who are subject to current court matters in regard to harm to a child.

**CONCERNING BEHAVIOUR:**

**I understand the following types of behaviour may be of concern:**

* Being alone with a child when there is no professional reason for doing so.
* Showing favour to one child over others.
* Having contact with a child out of work hours without managerial approval.

**If I think the OOHC Child Safe Code of Conduct has been breached by another person I will:**

* Act to prioritise the best interests of children.
* Take actions promptly to ensure that children are safe.
* Promptly report any concerns to my Child Safety Officer, Practice Leader or any other Leadership person in Child Safety or through the Strong Families, Safe Kids Advice and Referral Line, on 1800 000 123, or report externally to the police.
* Follow Child Safety’s policies and procedures for receiving and responding to complaints and concerns, being aware of protections in place for whistleblowing.
* Comply with legislative requirements regarding reporting and with Child Safety’s policy and procedures on internal and external reporting.

**What happens if there is a breach of the OOHC Child Safe Code of Conduct?**

I understand that breaches of the Out of Home Care Child Safe Code of Conduct will be reviewed initially using the Wellbeing in Care policy and procedure.

I understand that any allegations of a criminal nature will also be referred to Tasmania Police.

**Signature**

I have read this OOHC Child Safe Code of Conduct and agree to abide by it and its terms.

**Name:**

**Signature:**

**Date:**

Last Reviewed: 21 February 2023

Next Review date: 21 February 2024

1. A Wellbeing in Care concern may be raised where there has been a potential breach of the OOHC Child Safe Code of Conduct and/or the child or young person is allegedly at risk according to Section 4 of the *CYPFA*. [↑](#endnote-ref-1)