



1. Rationale

ERCS is committed to the safety and protection of any person engaging within the community as outlined within the Safeguarding Policy. This Code of Conduct (hereinafter referred to as 'Code') provides all personnel across Edmund Rice Community Services (ERCS) with clear boundaries for their behaviour. The key intention of this document is to ensure the well-being of children, young people and adults engaging with ERCS.

2. Scope

This Code applies to all personnel related to ERCS. This includes all employed by ERCS and individuals engaging in or attending a site where ERCS services operate. This consists of all staff members, volunteers, governing or local advisory Council members, and Board members and includes contractors, partners, and any other individuals or groups that otherwise engage with ERCS.

3. Geographical Application

This Code applies in all locations and jurisdictions where ERCS operates or provides services.

4. Code of Conduct Responsibilities

All personnel must sign their acknowledgement of and willingness to agree to abide by the Conduct requirements outlined below. This Code applies to all personnel while undertaking their role, connecting with other community members or representing ERCS in any way. For further information regarding the implementation of this Code or a comprehensive understanding of ERCS's robust safeguarding practices, this document must be read in conjunction with the ERCS Safeguarding Policy and Safeguarding Procedures.

4.1 General Behavioural Expectations

I WILL:

- Conduct myself in a manner that is consistent with ERCS's values, interacting with everyone respectfully and conveying dignity, integrity, empathy, understanding, and patience.
- Uphold safety, including cultural safety, across ERCS by providing a welcoming, inclusive, trusted, and safe environment for all people and celebrate diversity.
- Comply with the strict requirements outlined within the ERCS Safeguarding Policy, ERCS Safeguarding Procedures, ERCS PSEAH Policy, ERCS Ethical Images Policy and this Code.
- Immediately report any concerns or allegations regarding abuse, neglect, exploitation, harassment or harm, including discrimination (including sexism, ableism or racism).
- Immediately disclose pending charges, convictions, or outcomes of offences relating to child or adult exploitation, abuse, and fraud, including those under traditional law, that occurred before or during association with ERCS.
- Report any actual or suspected non-compliance with ERCS policy or conduct requirements.
- Comply with state, national, and international law, including labour laws regarding children or adults.
- Conduct myself in a manner that is respectful of cultural traditions and understandings.
- Remain aware of specific groups or individuals at increased risk of harm or who experience barriers to equitable inclusion and actively seek to reduce risk or barriers where present.

- Maintain a current and valid Working with Children Check or relevant other check or exemption.
- Be transparent in my actions and whereabouts, taking responsibility for ensuring I am accountable.
- Always use and model appropriate behaviour and language, including body language) and communication, verbal and non-verbal.
- Actively encourage individuals to participate in decisions that affect them.
- Maintain conditional confidentiality and uphold individuals' rights to privacy.
- Adhere to existing care or support plans when responding to or supporting a participant.
- Ensure that if I undertake high-risk or sensitive tasks, including but not limited to personal care, engaging in overnight service, supervising bathrooms or swimming-related activities, I must:
 - Ensure a secondary ERCS employee or ERCS volunteer is always present.
 - Communicate the steps required to complete the task with the person receiving personal care.
 - Obtain and document informed consent from the individual and legal guardian before any high-risk or personal care task.
 - Carry out care tasks in a highly professional manner that conveys genuine compassion and respect for the individual and their dignity, including before, during and after completing the personal care task.
 - Ensure there are no unnecessary delays in completing any personal care task.
 - Only remain in the presence of a child in swimwear or around toileting, bathing or sleeping facilities if necessary and ensure that doing so is relevant to my role.
 - Sleep where allocated.
 - Only carry out personal care tasks for children they cannot do for themselves.
 - If overseeing sleeping arrangements, ensure that participants and volunteers are separated by gender and age and that volunteers under and over 18 are separated wherever possible.
 - Support open-door policies where appropriate and possible with regard to sleeping spaces, bathrooms, and other places of higher risk.

I WILL NOT:

- Seek to make contact, communicate, or spend time with any children, adults, families or other program beneficiaries outside of program delivery, scheduled program times or outside the boundaries of my professional role.
- Either directly or indirectly, exploit my authority, power or status within any relationships formed with program participants, stakeholders, or beneficiaries.
- Receive/give personal gifts/money/services to/from children or adults receiving ERCS services.
- Engage in any behaviour that is in any way coercive, exploitive, threatening, intimidating, humiliating, degrading, or that may otherwise be inappropriate, constitute harassment or result in harm.
- Take photos or videos of participants if it is explicitly outlined within my role description or contract.
- Use any ERCS or other partner organisation's facilities, personnel, resources, technology or communication devices inappropriately.
- Enable or facilitate contact between a child/adult with a person who is a known risk.
- Abuse my position, withhold professional assistance or give preferential treatment, personal gifts, or payment of any kind to anyone to solicit or procure sexual acts.
- Engage in any inappropriate or sexual relationships or activities with program participants, beneficiaries or children under the age of 18.

4.2 Child Safeguarding Behaviours

I WILL:

- Never be alone with a child when conducting my role.
- Only conduct project activities with children whose parent or guardian has provided written consent.
- Take every reasonable precaution to mitigate the risk of inappropriate interactions with children.
- Remain aware of the potential for child-on-child harm.
- Ensure that if I am required to transport a child, another adult is always present.
- Only use positive reinforcement strategies of encouragement, praise, and reward with children.
- Ensure that child-centred principles guide any physical contact with a child.
- Only enter a child's sleeping space if I am accompanied, and there is a specific requirement for me to do which is relevant to my role.

I WILL NOT:

- Engage in unfair or differential treatment of children.
- Engage inappropriately or act in a harmful or risky manner with a child.
- Dismiss suspected child or adult safeguarding incidents, whether notified through a formal complaint handling channel or otherwise.
- Investigate allegations of child or adult safeguarding incidents unless I hold a position with the responsibility to do so.
- Engage in any activities involving children without the consent of parents/guardians.
- Physically restrain a child or adult unless there exists a danger to themselves or others.
- Give or enable children to use illegal drugs, alcohol or restricted substances or encourage their use.
- Visit a child's home alone or invite unaccompanied children into my own home or accommodation unless they are at immediate risk of injury or physical danger.
- Sleep close to a child unless there is an emergency or life-threatening situation. If so, consent must be obtained from a parent or guardian, and line managers must provide permission. Individuals must always ensure that another adult is present if possible.

5. Awareness of this Code

ERCS acknowledges their responsibility to ensure that all personnel to whom this Code applies are supported to understand the requirements they are expected to enact. Safeguarding training will include information related to the requirements outlined in this document and any updates as required. This Code will be available on each ERCS site and can be available upon request. ERCS will translate this document where required.

6. Breach of this Code

If anyone to whom this Code applies is found to have breached these requirements, they may be subject to disciplinary action. The type and severity of the disciplinary action will depend on the circumstances of the case and the seriousness of the breach. In severe cases, this will result in termination of employment or volunteering with ERCS. Examples of disciplinary action that may result include, but are not limited to:

- Counselling,
- A formal warning,
- Suspension,
- Termination or,
- Referral to an Employee Assistance (EAP) or other referral sources for counselling, treatment, or rehabilitation.

Volunteers who have breached this Code may be denied further volunteering activities for any ERCS programs or services for a set period or permanently.

Furthermore, where staff or volunteers' conduct may involve a breach of any Australian Law or other relevant Law, ERCS will notify the Police or other appropriate government authority as required.

5. Key Responsibilities

Approval and owner	Details
Approving Authority	ERCS Board
Advisory Committee to Approval Authority	ERCS Risk and Governance Committee
Policy Owner	Chief Executive Officer
Next Review Date*	21 February 2025

* **This Policy is reviewed at least every three years.** The review process will seek contributions and feedback from personnel and external stakeholders. ERCS is committed to reviewing the Safeguarding Policy following incidents and near misses. Changes may also be made to the Policy following key legislative changes or emerging leading practice standards.

6. Version Control

Version control	Date approved	Description of change
Version 2.0	March 2023	<ul style="list-style-type: none"> • Conversion to ERCS document • Updated terminology • New sections developed: <ul style="list-style-type: none"> • Child safeguarding conduct • High-risk activity conduct
Version 1.1	October 2018	ERMO document

7. Appendix

7.1 Glossary

Ableism	Discrimination in favour of able-bodied people.
Child	A person under the age of 18 years
Child Maltreatment	Acts that result in (1) abuse and the (2) neglect of children. ¹
Child-centred principles	This means teaching and treating children in which the child's needs and wishes are prioritised and lead to interactions. For example, in a spontaneous hug, the adult must set appropriate limits and not encourage this on an ongoing basis. Some limited physical contact may be appropriate to provide urgent comfort or care to an injured child. Still, the adult should set boundaries appropriate to the situation by limiting the contact to the specific situation for only as long as it is deemed necessary.
Child Protection	Service provision, which is aware of and responsive to the risks of children being harmed and how services [Government or Non-Government] may respond to these risks.
Conditional Confidentiality	When personnel only share information with others that is deemed necessary for protection and believed to be in the best interests of the child, young person, or adult-at-risk. It involves transparency with the individual about who the information will be provided to and a rationale for this should be provided.
Duty of Care	The ethical principle, as affirmed in common law, requires individuals to act with an awareness of and responsiveness toward the care needs of another person [whether a child or adult].
Emergency	a serious, unexpected, and often dangerous situation requiring immediate action.
Life-threatening situation	A potentially fatal event or occurrence.
Mandatory Reporting	In certain national, state or territory jurisdictions, legal requirements exist whereby all citizens or specifically identified professionals are required to report all 'reasonable suspicion' of child maltreatment or specifically identified acts of maltreatment.
Sexism	Prejudice, stereotyping, or discrimination based on sex or gender. Sexism can be a belief that one sex is superior to or more valuable than another sex. ²
Statutory Child Welfare/Child Protection Department	A government-mandated organisation that has defined authority under the legislation to provide for and respond to children's care, safety and protection needs. This mandate includes working with children, their families, extended family, and the community.
Statutory requirements	Laws that define the mandate of child welfare and protection within the jurisdiction and the identified responsibilities of designated professional groups and community members in relation to the response to child maltreatment allegations relating to a child's well-being.

¹ World Health Organisation [W.H.O]. (2022, September 19). Child maltreatment: Key facts. <https://www.who.int/news-room/fact-sheets/detail/child-maltreatment>

² Masequesmay, G. (2022, August 26). sexism. Encyclopedia Britannica. <https://www.britannica.com/topic/sexism>

<p>Marginalised adult (adult-at-risk)</p>	<p>A person 18 years or older who does not have the capacity for varied reasons to, either temporarily or permanently:</p> <ul style="list-style-type: none"> • Make decisions about their own life in key areas of life functioning such as the provision of shelter, food, income access, medical treatment, and social relationships; or, • Protect themselves from harm. <p>Adults’ marginalisation often arises as a result of characteristics related to three areas:</p> <ul style="list-style-type: none"> • Intent/behaviours of another adult or child, • Limited awareness of and capacity to respond to the actual or emerging risk of harm; or, • Environmental context – organisational, social, and family context of the actual or emerging marginalisation.
<p>Personal Care</p>	<p>When someone undertakes a range of services that support another individual with their hygiene activities, including, but not limited to, toileting, dressing or undressing, bathing, showering, applying lotions, oral hygiene and continence care.</p>

Please note: For a detailed glossary, please refer to the ERCS Safeguarding Policy.