

## **APPENDIX B-CODES OF CONDUCT**

### **3.1 INTRODUCTION TO THE CODES OF CONDUCT**

The following Codes of Conduct outline the expected behavioural guidelines for Members and persons involved in, and interactions between, all such persons in the Australian SLS community as well as safeguarding CYP.

There are two key elements to the Codes of Conduct:

- a) the General Code of Conduct, which relates to interactions between Members, Participants and Persons in Positions of Authority (clause 3.5.1)
- b) the Code of Conduct for interactions with CYP who take part in SLS programs, activities, services or events (clause 3.5.2). This Code of Conduct has been developed to help safeguard CYP.

As part of a Member's commitment to observing the General Code of Conduct and the Code of Conduct for engagement with Children or Young People (Codes), each Member will formally acknowledge their commitment to the Codes of Conduct, wherever practicable.

### **3.2 COMMITMENT TO THE CODES OF CONDUCT**

The Codes should be read in conjunction with:

- the specific requirements of any role as defined in any position description statement, if applicable
- relevant policy and procedure documents, including the CPCS
- the reporting or complaint procedures
- other SLSA policies and guidelines available on the SLSA website including, but not only, the Privacy Policy, Social Media Guidelines, Anti-Doping Policy, Illicit Drugs in Sport Policy and the Match Fixing Policy
- all applicable laws in the relevant jurisdiction
- general community expectations in relation to appropriate behaviour between adults and CYP.

All SLS Entities may consider a failure to observe the Codes as misconduct, and may take appropriate disciplinary action in accordance with relevant rules and regulations including this Policy.

### **3.3 EXCEPTIONS**

There may be exceptional situations where the Codes do not apply, for example, in an emergency situation. It is crucial however that, where possible, authorisation is sought from a Senior Person prior to taking action that contravenes the Code(s) or a Senior Person is advised as soon possible of any incident which breaches the Code(s).

### **3.4 SLS VALUES**

It is critical within SLS in Australia that values drive behaviours and conduct. While the wording of stated values and behaviours may change depending on the relevant SLS Entity with which the Member is associated, there are some key principles that drive conduct and behaviour that are common across SLS. These are:

#### **INTEGRITY and RESPECT**

Recognising the contribution that people make to SLS, treating them with dignity and consideration, as well as caring for the property and equipment they use. Fairness should be employed in decision-making out of respect to all.

#### **TEAMWORK**

Collaboration and working together to achieve outcomes and resolve issues. Supporting one another on and off the beach is essential.

#### **FUN AND ENJOYMENT**

SLS should be enjoyable for all those participating in it. Efforts should be recognised and rewarded so as to fuel the passion for everyone in SLS and have fun along the way.

## EXCELLENCE

Surf Lifesavers strive for best practice in everything they do—seeking the highest of standards in order to achieve the best possible outcomes for themselves, their Club and SLS.

### 3.5 CODES OF CONDUCT

The Codes should be followed at all times and by all Members and all people involved in any way with SLS.

#### 3.5.1 General Code of Conduct

Members and all people involved in any way with SLS will:

- a) respect the rights, dignity and worth of others—treat others as you would like to be treated yourself
- b) be ethical, considerate, fair, courteous and honest in all dealings with other people and organisations
- c) be professional in, and accept responsibility for your actions
- d) be aware of and follow—at all times—SLS’ standards, rules, policies and procedures and promote those standards, rules, policies and procedures to others
- e) operate within the rules and spirit of the sport, including the national and international guidelines that govern SLS
- f) understand the possible consequences of breaching the Codes and/or this Policy
- g) report any breaches of the Codes or this Policy to the appropriate PPA
- h) refrain from any form of Abuse, Harassment, Discrimination and Victimisation towards others
- i) raise concerns regarding decisions of PPA through the appropriate channels and in a timely manner
- j) provide a safe environment for the conduct of activities in accordance with any relevant SLSA policy
- k) show concern, empathy and caution towards others that may be sick or injured
- l) be a positive role model to all
- m) respect and protect confidential information obtained through SLS activities or services; whether individuals and/or organisational information
- n) maintain the required standard of accreditation and/or licensing of professional competencies, as applicable to the role(s)
- o) ensure that any physical contact with others is appropriate to the situation and necessary for the person’s skill development
- p) refrain from intimate relations with persons over whom you have a position of authority
- q) agree to abide by the Codes
- r) maintain a duty of care towards others
- s) be impartial and accept the responsibility for all actions taken.

#### 3.5.2 Code of Conduct for PPA in dealing with CYP

For clarity and emphasis regarding this Code of Conduct, PPA includes:

- any adult in SLS
- any CYP in SLS who is in a position of providing guidance and advice (authority) to other CYP or adults.

##### 3.5.2.1 Positive guidance

CYP participating in SLS events, services, programs and activities should be made aware of the acceptable limits of their behaviour so that a positive experience can be provided for all Participants. There are times, however, when PPA may be required to use appropriate techniques and behaviour management

strategies to ensure:

- an effective and positive environment
- the safety and/or wellbeing of CYP or other SLS personnel.

PPA should use strategies that are fair, respectful and appropriate to the developmental stage of the Children or Young People involved. CYP need to be provided with clear directions and given an opportunity to redirect their misbehaviour in a positive manner.

#### 3.5.2.2 Adhering to role boundaries

PPA should act within the confines of their duties at all times, subject to a direction by a relevant Senior Person.

With the exception of parents/carers of their own CYP and/or PPA who are expressly authorised by the relevant parents/carers of CYP to engage in specific activities with their CYP, PPA should not:

- provide unauthorised transportation
- engage in activities with CYP who are Members outside of authorised SLS services, programs, events or activities
- seek contact with CYP who are Members outside authorised SLS services, programs, events or activities
- accept an invitation to attend any private social function at the request of a CYP who has participated, or is participating, in authorised SLS services, programs, events or activities.

For the purpose of this provision, express authority should be specific authority for particular activities.

If any PPA become aware of a situation in which a CYP requires assistance that is beyond the confines of that person's role, or beyond the scope of the SLS Entity's usual service, they should at the earliest opportunity:

- refer the matter to an appropriate support agency, as well as to the relevant SLS Entity
- refer the CYP to an appropriate support agency
- contact the CYP's parent or guardian as appropriate (which may be undertaken in consultation with the relevant SLS Entity)
- seek advice from a Senior Person.

#### 3.5.2.3. Uniform and identity card/pass/badge/WWCC

PPA other than parents/carers of CYP or Participants should have available their uniform or identification tag/badge/pass (where issued and/or available) only while involved in delivering services, programs, events or activities or as required by their role, such as when representing an SLS Entity at designated events and functions, or to and from that work.

#### 3.5.2.4 Use of language and tone of voice

Language and tone of voice used in the presence of CYP should:

- provide clear direction, boost their confidence, encourage or affirm them
- not be harmful—therefore, avoid language that is intended to be, or is received or likely to be received by the individual it is directed at or any other person as:
  - discriminatory, racist or sexist
  - derogatory, belittling or negative, for example, by calling a CYP a 'loser' or telling them they are 'too fat'
  - threatening or frightening
  - profane or sexual.

Similar language and tone of voice should be used in all Member-to-Member transactions.

#### 3.5.2.5 Supervision of CYP

PPA responsible for supervising CYP in relation to whom SLS Entities have a direct role in providing activities, events, programs and services must strive to ensure that those Participants:

- engage positively within the delivery of the service, program, event or facility
- behave appropriately towards one another
- are in a safe environment and are protected from external threats.

Except for the parents/carers of CYP, PPA are required to avoid unsupervised situations with CYP to whom we provide services, events, programs and/or activities and (where possible) to conduct all activities and/or discussions with service and program Participants in view of other PPA.

#### 3.5.2.6 Use of electronic communications

Other than between CYP, wherever possible, social media messages (such as text, email, Facebook or Instagram) sent to a CYP by a PPA should be copied to their parent or carer.

Where a parent is not included in a communication that communication should:

- be restricted to issues directly associated with delivering services, activities or programs, such as advising that a scheduled SLS event (such as training) is cancelled
- limit personal or social content to what is required to convey the service-related message in a polite, friendly manner. In particular, do not communicate anything that a reasonable observer could view as being of a sexual nature
- not promote unauthorised social activity or arrange unauthorised contact
- not request a CYP to keep a communication a secret from their parents or carers
- not be delivered with CYP using internet chat rooms or similar forums such as social networking sites, game sites or instant messaging.

All PPA who deliver services, programs, events and activities are required to follow the 'acceptable use' policy in relation to browsing websites on SLS Entities' computers.

PPA are also required to ensure appropriate monitoring of CYP when they use relevant SLS Entities' electronic communication equipment to ensure that they do not inadvertently place themselves at risk of Abuse or exploitation via social networking sites, gaming sites or web searches, or through inappropriate email communication.

#### 3.5.2.7 Giving gifts to CYP

Other than parents/carers of CYP giving gifts to their own child or children, the giving of gifts by PPA to CYP to whom services are provided is subject to:

- obtaining prior authorisation from a Senior Person permitted to authorise gift-giving from an SLS Entity
- parents or other responsible adults being made aware of any gift given.

#### 3.5.2.8 Photographs of CYP

Subject to all relevant SLSA policies (including this Policy):

- CYP to whom a service is delivered are to be photographed while involved in a relevant SLS service, activity, event or facility only if:
  - prior approval has been granted by the relevant CYP or the parents/guardian of the relevant CYP and by the relevant SLS Entity
  - the context is directly related to participation in SLS
  - the CYP is appropriately dressed and posed
  - the image is taken in the presence of other PPA
- except in the case of CYP and/or their parents/carers distributing photos of themselves or their own children to each other or to others, images are not to be distributed (including an attachment to an email) to anyone outside PPA other than the child photographed or their parent/carer, without knowledge and approval of a Senior Person
- images (digital or hard copy) are to be stored in a manner that prevents unauthorised access by others, for example:

- if in hard copy form, in a locked drawer or cabinet
- if in electronic form, in a password-protected folder
- images (digital or hard copy) are to be destroyed or deleted as soon as they are no longer required
- images are not to be exhibited on SLS Entities' websites without parental/carer knowledge and approval, or such images must be presented in a manner that de-identifies the CYP. Any caption or accompanying text may need to be checked so that it does not identify a CYP if such identification is potentially detrimental.

#### 3.5.2.9 Physical contact with CYP

Any physical contact with CYP must be appropriate to the delivery of SLS services, events, programs or activities, such as when fitting sporting equipment like goggles, and appropriately correcting technique and based on the needs of the CYP (such as to assist or comfort a distressed young person) rather than on the needs of PPA.

Under no circumstances should any PPA have contact with CYP participating in a SLS service, program, activity or event that:

- involves touching:
  - of genitals
  - of buttocks
  - of the breast area

unless that is part of delivering medical or allied health services to which:

  - the relevant PPA are qualified to deliver
  - the relevant medical intervention has the express prior consent of the relevant CYP and the parents/guardians of the relevant CYP involved
- would appear to a reasonable observer to have a sexual connotation
- is intended to cause pain or distress to the CYP—for example corporal punishment
- is overly physical—as is, for example, wrestling, horseplay, tickling or other roughhousing
- is unnecessary—as is, for example, assisting with toileting when a CYP does not require assistance
- is initiated against the wishes of the CYP, except if such contact may be necessary to prevent injury to the CYP or to others, in which case:
  - physical restraint should be a last resort
  - the level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the CYP to prevent harm to themselves or others
  - the incident must be reported to a Senior Person as soon as possible
- PPA are required to report to a Senior Person any physical contact initiated by a CYP that is sexual and/or inappropriate, for example, acts of physical aggression, as soon as possible, to enable the situation to be managed in the interests of the safety of the CYP, PPA and any other Participants.

#### 3.5.2.10 Sexual misconduct and relationships

Under no circumstances is any form of sexual behaviour to occur between, with, or in the presence of, CYP participating in any SLS environment. Engaging in sexual behaviour while participating in SLS services, events, programs or activities is prohibited even if the CYP involved may be above the legal age of consent.

'Sexual behaviour' needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:

- 'contact behaviour', such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution
- 'non-contact behaviour', such as flirting between adults and CYP, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

Consensual intimate relationships (whether or not of a sexual nature) between a PPA and an adult

Participant should where possible be avoided as they can have harmful effects on the Participant involved and on other Members and on our organisation's public image.

These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the PPA and the Participant.

The PPA may wish to seek advice or support from the Member Protection Information Officer or equivalent if they feel harassed. The Reporting and Formal complaints procedure is outlined in APPENDIX C of this Policy.

#### 3.5.2.11 Overnight stays and sleeping arrangements for CYP

Overnight stays are to occur only with the authorisation of appropriate SLS Entity Senior Persons and of the parents/carers of the CYP involved.

Practices and behaviour by PPA during an overnight stay must be consistent with the practices and behaviour expected during delivery of SLS services, programs, events and activities at other times.

Standards of conduct that must be observed by PPA during an overnight stay include but are not limited to:

- providing CYP with privacy when bathing and dressing
- observing appropriate dress standards when CYP are present—such as no exposure to adult nudity
- not allowing CYP to be exposed to pornographic material, for example, through movies, television, the internet or magazines
- not leaving CYP under the supervision or protection of unauthorised persons, such as hotel staff or friends
- not involving sleeping arrangements that may compromise the safety of CYP, such as unsupervised sleeping arrangements, or an adult sleeping in the same bed as a CYP unless authorised to do so by a relevant SLS Entity, as appropriate
- the right of CYP to contact their parents, or others, if they feel unsafe, uncomfortable or distressed during the stay
- parents expecting that their CYP can, if they wish, make contact.

#### 3.5.2.12 Change room arrangements

Other than in the case of parents/carers of their CYP, PPA are required to supervise CYP in change rooms while balancing that requirement with a CYP'S right to privacy. In addition, PPA:

- should avoid one-on-one situations with CYP in a change room area
- are not permitted to use the change room area to, for example, undress, while CYP are present unless they are also competing in a SLS event or are participating in a SLS training environment
- need to ensure adequate supervision in public change rooms when they are used
- need to provide the level of supervision required for preventing Child Abuse by members of the public, adult service users, peer service users or general misbehaviour, while also respecting a child's privacy.

In addition, females should avoid entering male change rooms and males should avoid entering female change rooms in any circumstance (other than an emergency). If a female has to enter a male change room or a male has to enter a female change room, adequate supervision is required.

### 3.5.3 Other Member welfare matters and expectations

#### 3.5.3.1 Use, possession or supply of alcohol or drugs

While on duty or carrying out their roles, a Member including but not only PPA must not:

- use, possess or be under the influence of an illegal or illicit drug
- use or be under the influence of alcohol
- be incapacitated by any other legal drug such as prescription or over-the-counter drugs

- supply alcohol or drugs (including tobacco) to CYP participating in any SLS service, program, event or activity.

Use of legal drugs other than alcohol is permitted, provided such use does not interfere with PPA's ability to care for CYP involved in SLS services, programs, events or activities.

Responsible service and consumption of alcohol should apply to any alcohol consumed. Responsible services might include ensuring that light alcohol and soft drinks always being available. Wherever possible, food might be made available to be consumed when alcohol is available, or transport policies may be adopted.

All SLS Entities must adhere to strict guidelines regarding the responsible service and consumption of alcohol and act in accordance with relevant liquor licence laws and regulations.

### 3.5.3.2 Transporting children

CYP are to be transported by PPA [other than by their parent(s)/carer(s)] only in circumstances that are directly related to the delivery of SLS services, events, programs or activities. For example, CYP should not be given casual lifts unrelated to SLS services, events or activities by PPA.

CYP are to be transported by PPA only with prior authorisation from a relevant SLS Entity Senior Person and from the CYP's parent/carer. Gaining approval involves providing information about the proposed journey, including:

- the form of transport proposed, such as private car, taxi, self-drive bus, bus with driver, train, plane or boat
- the reason for the journey
- the route to be followed, including any stops or side trips
- details of anyone who will be present during the journey other than PPA.

### 3.5.3.3 Pregnancy

Pregnant women should be treated with respect and any unreasonable barriers to their full participation in SLS should be removed. Any Discrimination or Harassment against pregnant women in SLS will not be tolerated.

All SLS Entities will take reasonable care to ensure the safety, health and wellbeing of pregnant women and their unborn children. Pregnant women are advised that there may be risks involved and are encouraged to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, are of utmost importance in their decision-making about the extent to which they choose to participate in SLS activities.

All pregnant women are encouraged to talk with their medical advisers and make themselves aware of the facts about pregnancy and participating in SLS activities and ensure that they make informed decisions about their participation. Pregnant women will be required to sign a disclaimer only if all other participants are required to sign one in similar circumstances. Women will not be required to undertake a pregnancy test.

If a pregnant woman feels she has been harassed or discriminated against on the basis of her pregnancy by another person or organisation bound by this Policy, she may make a formal complaint.

### 3.5.3.4 Gender identity

SLS Entities are committed to providing a safe, fair and inclusive environment where people of all backgrounds can contribute and participate. People who identify as Transgender or transsexual should be treated fairly and with dignity and respect at all times. This includes acting with sensitivity when a person is undergoing gender transition.

Any unlawful discrimination or harassment of a person who identifies as Transgender or transsexual or who is thought to be Transgender or transsexual will not be tolerated. If a Transgender or transsexual person feels he or she has been harassed or discriminated against on the basis of their gender identity by another person or organisation bound by this Policy, they may make a formal complaint.

Excluding Transgender and transsexual people from participating in events and activities has significant implications for their health, wellbeing and involvement in community life. In general, their participation in SLS on the basis of the gender with which they identify is supported.

It is recognised that there is debate over whether a male-to-female Transgender person obtains any physical advantage over other female participants. This debate is reflected in the divergent discrimination laws across the country. If issues of performance advantage arise, advice will be sought on the application of those laws in the particular circumstances.

Drug testing procedures and prohibitions also apply to people who identify as Transgender. A person receiving treatment involving a Prohibited Substance or Method, as described on the World Anti-Doping Agency's Prohibited List, should apply for a standard Therapeutic Use Exemption.

#### 3.5.3.5 Smoking

Smoking is now banned in many public spaces including parks and beaches in some states. SLS Entities do not allow Members to smoke while undertaking SLS duties and asks that Members refrain from the practice when engaged in official lifesaving events such as club meetings, carnivals, presentations and patrols.

All SLS Entities must adhere to relevant legislation and local government regulations in relation to smoking requirements.

#### 3.5.3.6 Cyber Bullying

All SLS Entities regard Bullying and Harassment in all forms as unacceptable. Bullying has the potential to cause great anxiety and distress to the person targeted by hurtful or derogatory comments or statements.

New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. No SLS Entity will tolerate abusive, discriminatory, intimidating or offensive statements being made online. In some cases, Bullying is a punishable criminal offence.

Frustration with a surf lifesaving member, person of authority or a SLS Entity should never be communicated on social networking websites. These issues should instead be addressed—in a written or verbal statement or a formal complaint—to the relevant SLS Entity.

#### 3.5.3.7 Social networking websites

SLS Entities acknowledge the enormous value of social networking websites, such as Facebook and Twitter, to promote SLS and celebrate the achievements and success of the people involved in SLS. All people bound by this Policy must conduct themselves appropriately when using social networking sites to share information related to SLS.

Social media postings, blogs, status updates and tweets by Members:

- must not use offensive, provocative or hateful language or photographs/images
- must not be misleading, false or injure the reputation of another person
- should respect and maintain the privacy of others
- should promote SLS in a positive way.